AGENDA
Committee of the Whole
Monday, January 30, 2017 – 5:30 p.m.
City Council Chambers, City Hall 10th Floor

Council Member Spitzley, Chairperson
Council Member Wood, Vice Chair

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
   - January 9, 2017 Reconvened January 12th, January 17th, and January 23rd, 2017

4. **Public Comment on Agenda Items (limited to 3 minutes)**
5. **Presentation/Introduction**
   - Mr. Wayne Sieloff, President- new CEO Capital Regional Airport Authority
6. **Discussion/Action:**
   A.) RESOLUTION – Request for Recognition of Non-Profit Status; Michigan Golf Course Owners Association

   {CLOSED SESSION}
   RESOLUTION – Workers Compensation Redemption (Settlement); Claim # WC20628676-03001256001-
   {RECONVENE}
   B.) RESOLUTION – Workers Compensation Redemption (Settlement); Claim # WC20628676-03001256001

   C.) DISCUSSION – Lansing as a Sanctuary City (City Attorney)
7. **Place on File**
   A.) Michigan Liquor Control Commission; Transfer of Ownership & Location of SDD & SDM for Markham Enterprises, Inc.; 3000 Dunckel Road
   B.) Michigan Liquor Control Commission; Transfer of Ownership of SDM for Sital Kaur, LLC.; 533 South Chestnut
   C.) Michigan Liquor Control Commission; New SDM License held in conjunction for Urbanbeat Event Center, Inc.; 1213-1215 Turner Street
8. **Adjourn**

The City of Lansing's Mission is to ensure quality of life by:

I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
II. Securing short and long term financial stability through prudent management of city resources.
III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
V. Facilitating regional collaboration and connecting communities

MINUTES
Committee of the Whole
Monday, January 9, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
City Clerk Swope called the meeting to order at 5:32 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko-arrived at 5:33 p.m.

OTHERS PRESENT
Sherrie Boak, Council Staff
Chris Swope, City Clerk
Jim Smiertka, City Attorney
Randy Hannan, Mayor Executive Assistant
Mary Riley, HR Director
Sue Graham, HR
Elizabeth O'Leary, HR
Carolyn Condell
Steve Japinga, Lansing Chamber
Mark Dotson, Assistance City Attorney

Approval of Minutes
MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES OF DECEMBER 8, 2016 MEETING. MOTION CARRIED 8-0.
AMENDED BY COUNCIL MEMBER DUNBAR

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM THE DECEMBER 12, 2016 MEETING AS PRESENTED. MOTION CARRIED 8-0.

Public Comment on Agenda Items
No public comment
Clerk Swope asked if Council had a desire to amend the agenda, and there was no desire.

DISCUSSION/ACTION
RESOLUTION – Elected Officers Compensation Commission (EOCC) – First Meeting Date of 2017

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION FOR THE EOCC FIRST MEETING DATE OF 2017 FOR WEDNESDAY, FEBRUARY 1, 2017 AT 11:30 A.M. MOTION CARRIED 8-0.

Election of Council President
MOTION BY COUNCIL MEMBER WASHINGTON TO NOMINATE COUNCIL MEMBER WOOD AS COUNCIL PRESIDENT.

MOTION BY COUNCIL MEMBER SPITZLEY TO NOMINATE COUNCIL MEMBER DUNBAR AS COUNCIL PRESIDENT.

Council Member Hussain asked Council Member Dunbar and Council Member Wood to inform the Committee on why they want to be President and what their focus will be.

Mr. Swope assured the Committee they could debate before a vote, and then the vote will be taken in succession.

Council Member Wood informed the Committee she had met with Council Member Hussain and reached out to other Council Members. Council Member Houghton and Spitzley both acknowledged they had received communication from Council Member Wood but were out of town and not able to speak to her.

Council Member Washington stated that the process for electing the President and Vice President it difficult, and if someone is not in leadership she does not believe they are not a good Council person. She had spoken to Council Member Dunbar on Council Member Dunbar's potential for leadership, and Council Member Washington concluded she was looking forward to keeping the peace and keeping the transparency, therefore this election approach should be done responsibility.

Council Member Dunbar informed the Committee she had spoken to Council Member's Hussain, Washington and Brown Clarke. Her goal as President would be to strengthen the body, and continued training. This would include how government works, budgeting, and MML training. She appreciated the past year, and would be encouraged that the President would work with the Mayor, and believes that is the charge of leadership. She concluded by stated that after being on Council for years she is looking to move in a different direction.

Council Member Washington made note she acknowledges the branches of government and is not anti-mayoral. The Council is the check and balance; the legislative branch. She acknowledged that whether the administration chooses to enforce that is up to them.

Council Member Dunbar reaffirmed she felt she was defending it because she felt she was accused of it. Whoever leads does have to be open to meeting with the Mayor's office, and that some Council Members have insinuated that if she was President the Mayor would run Council. Council Member Washington stated to Council Member Dunbar that there was no intention of disrespecting her, but she had a concern with her attendance at meetings. Council Member Dunbar defended her position stating that being late to a meeting does not affect her vote, on research or critical issues. Her attendance is no indication on her time with constituents.

Council Member Hussain spoke in support of either nominee leading Council.

Council Member Houghton asked Council Member Wood why she wanted to be President. Council Member Wood stated she has stated publicly and to Council Members that she believes that when running for elected office it is not a good year to be in leadership. There are many facets that the President speaks as President and speaks for the body as Council. Council Member Wood concluded by stating she believed she can bring to the office of President some continuity, work towards transparency of Council, and a Council perspective as well as City government.

Council Member Washington acknowledged that Council Member Dunbar is a highly competent Council Member.

VOTE ON MOTION OF COUNCIL MEMBER WOOD FOR PRESIDENT, 4-0 VOTE.
VOTE ON MOTION ON COUNCIL MEMBER DUNBAR FOR PRESIDENT, 4-0 VOTE.
BOTH MOTIONS FAILED.

Mr. Swope asked the Committee consensus on the other agenda items. The consensus was to address the other items before continuing on the vote.

CLOSED SESSION

MOTION BY COUNCIL MEMBER BROWN CLARKE TO GO INTO CLOSED SESSION AT 6:05 P.M. ROLL CALL VOTE 8-0.

RECONVENE

Meeting called to order at 6:46 p.m.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO RATIFY THE UAW 2016-2019 COLLECTIVE BARGAINING AGREEMENT. MOTION CARRIED 8-0.

Election of Council President-continued

Council Member Hussain noted that if there was a belief of the earlier statement of Council Member Wood which was it is difficult to be President and run for re-election, then every two (2) years 4 member would have to step back. He then went on to acknowledge Council Member Brown Clarke for the year just completed and her work in leadership providing training and beginning 2016 as a unified body.

MOTION BY COUNCIL MEMBER HUSSAIN TO NOMINATE COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT.

Council Member Yorko acknowledged to her fellow Council Members for electing her in 2016 as Vice President, and noted that after seeing the demands of President, that role is a significant time commitment.

Council Member Brown Clarke accepted the nomination for President.

MOTION BY COUNCIL MEMBER YORKO TO NOMINATE COUNCILMEMBER SPITZLEY FOR PRESIDENT.

Council Member Spitzley accepted the nomination for President, stating her belief that someone can be President and run for re-election, that she wanted Council to know she works for the people of Lansing, not Council nor the Mayor.

Council Member Yorko added to the debate that she still is asking for a rotation of leadership as she had proposed in 2015.

VOTE ON MOTION OF COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT, 4-0 VOTE.
VOTE ON MOTION ON COUNCIL MEMBER SPITZLEY FOR PRESIDENT, 4-0 VOTE.
BOTH MOTIONS FAILED.

MOTION BY COUNCIL MEMBER YORKO TO RECESS AT 7:06 P.M. TO GO INTO CITY COUNCIL. MOTION CARRIED 8-0.

RECONVENE
Meeting called to order at 9:11 p.m.

MOTION BY COUNCIL MEMBER WASHINGTON TO RECONSIDER ALL VOTES. MOTION CARRIED 8-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO NOMINATE COUNCIL MEMBER BROWN CLARKE.

MOTION BY COUNCIL MEMBER YORKO TO NOMINATE COUNCIL MEMBER DUNBAR.

Council Member Brown Clarke and Council Member Dunbar accepted the nomination for President.

VOTE ON MOTION OF COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT, 4-0 VOTE.
VOTE ON MOTION OF COUNCIL MEMBER DUNBAR FOR PRESIDENT, 4-0 VOTE.
BOTH MOTIONS FAILED.

Council Member Washington asked the rest of the Committee their interest in recessing for another day or continuing. Mr. Smiertka noted that if the Committee chose to recess Committee of the Whole for another date, they would also need to motion to recess Council for another date.

Council Member Spitzley voiced her concern with ongoing discussion not on the floor, and reminded the Committee that this is part of the normal process of the election.

Council Member Brown Clarke pointed out that without leadership things will become even more decisive, and however she may agree with a recess, she would not agree with recessing to another day, it would create a more of a divide. Council Member Washington also asked for action at this meeting, and not a recess to another day.

MOTION BY COUNCIL MEMBER SPITZLEY TO RECESS COMMITTEE OF THE WHOLE UNTIL TUESDAY, JANUARY 17, 2017 AT 5:30 P.M.

The Committee discussed the recess, other dates and the interest in completing the process at this meeting. Lack of support to recess.

COUNCIL MEMBER SPITZLEY WITHDREW THE MOTION TO RECESS TO ANOTHER DATE.

MOTION BY COUNCIL MEMBER HOUGHTON TO NOMINATE COUNCIL MEMBER DUNBAR FOR PRESIDENT AND COUNCIL MEMBER HUSSAIN FOR VICE PRESIDENT.

Council Member Dunbar accepted the nomination and Council Member Hussain declined the nomination. Council Member Houghton withdrew her nomination.

MOTION BY COUNCIL MEMBER SPITZLEY TO NOMINATE COUNCIL MEMBER DUNBAR AS PRESIDENT AND COUNCIL MEMBER WASHINGTON AS VICE PRESIDENT.

Council Member Dunbar accepted the nomination and Council Member Washington declined the nomination. Council Member Spitzley withdrew her nominations.

MOTION BY COUNCIL MEMBER WASHINGTON TO NOMINATE COUNCIL MEMBER BROWN CLARKE AS PRESIDENT AND COUNCIL MEMBER HOUGHTON AS VICE PRESIDENT.

Council Member Brown Clarke accepted the nomination and Council Member Houghton declined the nomination stating she could not vote for Council Member Brown Clarke as President because she believed that Council Member Brown Clarke will be running this year for Mayor which her belief would be a conflict.

COUNCIL MEMBER WASHINGTON AMENDED HER MOTION TO NOMINATE COUNCIL MEMBER BROWN CLARKE AS PRESIDENT AND COUNCIL MEMBER YORKO FOR VICE PRESIDENT.

Council Member Brown Clarke accepted the nomination and Council Member Yorko declined the nomination. Council Member Washington withdrew her nominations.

MOTION BY COUNCIL MEMBER YORKO TO NOMINATE COUNCIL MEMBER DUNBAR AS PRESIDENT AND COUNCIL MEMBER BROWN CLARKE AS VICE PRESIDENT.

Council Member Dunbar accepted the nomination and Council Member Brown Clarke declined the nomination.

COUNCIL MEMBER YORKO AMENDED HER MOTION TO NOMINATE COUNCIL MEMBER DUNBAR AS PRESIDENT AND COUNCIL MEMBER HOUGHTON AS VICE PRESIDENT.

Council Member Dunbar accepted the nomination and Council Member Houghton accepted the nomination.

VOTE TAKEN AND MOTION FAILED WITH A TIE OF 4-4.

MOTION BY COUNCIL MEMBER WASHINGTON TO NOMINATE COUNCIL MEMBER BROWN CLARKE AS PRESIDENT AND COUNCIL MEMBER DUNBAR AS VICE PRESIDENT.

Council Member Brown Clarke accepted the nomination and Council Member Dunbar declined the nomination. Council Member Washington withdrew her nominations.

MOTION BY COUNCIL MEMBER HUSSAIN TO NOMINATE COUNCIL MEMBER WOOD FOR PRESIDENT AND COUNCIL MEMBER DUNBAR FOR VICE PRESIDENT.

Council Member Wood accepted the nomination and Council Member Dunbar declined the nomination. Council Member Hussain withdrew his nominations.

Council Member Yorko left the meeting.
Mr. Swope called a recess of the meeting at 9:34 p.m.

RECONVENE
Meeting called to order at 10:58 p.m.

MOTION BY COUNCIL MEMBER WOOD TO NOMINATE COUNCIL MEMBER BROWN CLARKE AS PRESIDENT AND COUNCIL MEMBER SPITZLEY AS VICE PRESIDENT.

Council Member Brown Clarke accepted the nomination and Council Member Spitzley declined the nomination. Council Member Wood withdrew her nominations.

MOTION BY COUNCIL MEMBER DUNBAR TO NOMINATE COUNCIL MEMBER HOUGHTON AS PRESIDENT AND COUNCIL MEMBER WASHINGTON AS VICE PRESIDENT.

Council Member Houghton accepted the nomination. Council Member Washington and Council Member Houghton stepped away from the meeting then returned. Council Member Washington declined the nomination. Council Member Dunbar withdrew her nominations.

MOTION BY COUNCIL MEMBER SPITZLEY TO RECESS UNTIL JANUARY 30, 2017.

The Committee discussed the option, and the consensus was not to wait until the 30th.

COUNCIL MEMBER SPITZLEY AMENDED HER MOTION TO RECESS UNTIL JANUARY 23, 2017. MOTION TO AMEND PASSED 6-1.

MOTION TO RECESS UNTIL JANUARY 23, 2017. MOTION FAILED 1-6.

Council Member Dunbar asked Law for procedures on items that were referred to Committees on the Council agenda. Mr. Smiertka stated all referrals will all go to Committee of the Whole for the meeting on January 30, 2017.

Council Member Brown Clarke spoke in opposition to waiting two (2) more weeks.

Mr. Swope asked if the Committee and Council should once again recess. Mr. Smiertka reminded the group that if the Committee of the Whole recessed to a certain date, then the Council should also recess to the same date, also noting that the Clerk will be presiding officer when those meetings are called to order.

Council Member Dunbar apologized for an earlier statement she made that she was not aware was derogatory.

Council Member Wood called for recess at 11:15 p.m.

RECONVENE
Meeting called to order at 11:47 p.m.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO RECESS THE COMMITTEE OF THE WHOLE AT 11:53 P.M. UNTIL THURSDAY, JANUARY 12, 2017 AT 5:30 P.M.

MOTION CARRIED 7-0.

Meeting recessed at 11:53 p.m. on January 9, 2017

Committee of the Whole
January 9, 2017 Meeting Reconvened Thursday, January 12, 2017 @ 5:30 p.m.
City Council Chambers

RECONVENED
City Clerk Swope called the meeting back to order at 5:33 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko

OTHERS PRESENT
Sherrie Boak, Council Staff
Chris Swope, City Clerk
Jim Smiertka, City Attorney
Randy Hannan, Mayor Executive Assistant
Steve Japinga, Lansing Chamber of Commerce
Eric Lacy, LSJ
Elaine Womboldt
Carolyn Condell
Deb Parrish

Public Comment
Ms. Parrish spoke in support of Council making a resolution to the election tonight.

Ms. Womboldt spoke in support of Ms. Parrish comments also requesting a resolution to the election at this meeting. Ms. Womboldt concluded by asking Council to vote for Council Member Wood for President and Council Member Brown Clarke as Vice President.

DISCUSSION/ACTION
Election of Council President and Vice President

MOTION BY COUNCIL MEMBER BROWN CLARKE TO NOMINATE COUNCIL MEMBER WOOD FOR PRESIDENT.

Council Member Wood accepted the nomination.

MOTION BY COUNCIL MEMBER YORKO TO NOMINATE COUNCIL MEMBER DUNBAR FOR PRESIDENT.

Council Member Dunbar accepted the nomination.

Council Member Spitzley asked for direction on if the Committee could vote on one nomination at a time before more nominations. Mr. Swope explained that when there are multiple nominations the Committee Members can vote on which one they want. Mr. Smiertka also confirmed the process noting that there has been the practice to take motions in order.

VOTE ON COUNCIL MEMBER WOOD, 4-0.
VOTE ON COUNCIL MEMBER DUNBAR, 4-0.
MOTION FAILED.

MOTION BY COUNCIL MEMBER YORKO TO NOMINATE COUNCIL MEMBER DUNBAR FOR PRESIDENT. MOTION FAILED 4-4.

MOTION BY COUNCIL MEMBER HOUGHTON TO NOMINATE COUNCIL MEMBER SPTIZLEY FOR PRESIDENT.

Council Member Spitzley declined the nomination.

MOTION BY COUNCIL MEMBER WASHINGTON TO NOMINATE COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT. MOTION FAILED 4-4.

Council Member Yorko commented that she had heard from constituents that they appreciate the dialogue and discussions of the Council and the need for balance of all communities. She noted that she understands all members are deeply rooted in their goals and nothing is taken personal. She then asked Mr. Smiertka what would occur if the Council continues at an in-pass.

Mr. Smiertka detailed the steps based on the Charter, Council Rules and Mason rules for some areas. Right now the Committee is in its first Organizational Meeting, and since the decision on leadership is locked, nothing can be added, there can be no Committees or Committee functions. This will all have to be done in January. As for Council the agenda is locked and Council will continue. Matters can come to Council via Committee of the Whole. Before it comes to Council, they will have to have a Committee of the Whole to add items with 5 votes. Under Rule 40, with 6 votes to suspend the Rules of Council, they then amend the rule on the Council agenda format to allow taking late items and that too is a vote of 6. Each late item will also require a vote of 6. This agenda is locked until the President and Vice President is elected. Mr. Smiertka also admitted that the Charter does not speak to what happens if they do not elect, however election of President is a mandatory provision.

Council Member Washington also acknowledged her receipt of phone calls from constituents asking what her agenda was for the year. Her agenda is policy driven with the purpose of finalizing the open bidding process to assure all projects are good for the City at large. The agenda also includes looking at brownfields, LEAP, and housing. Because of these goals, she stated she needs to look deeply at who she chooses for leadership in 2017.

Council Member Yorko reiterated what Mr. Smiertka stated earlier that adding new items to a Council agenda would require 5 votes to the Committee of the Whole, then at Council suspend Rule 40 which allows Council to go out of order, then suspend Rule 9 to add late items, both requiring 6 votes. Mr. Smiertka added that Rule 40 allows suspending the rules with 6 votes. Then Rule 15 is the order of business which needs 6 votes, then Rule 9 to allow late items which also requires 6 votes. This procedure will allow items to come forward from Committee of the Whole.

Council Member Brown Clarke asked the Committee to need to address the issues of leadership, not find out a way to address items without leadership and through the divide. She continued by stating that what someone will politically or politically not do has nothing to do with their ability to lead. As relates to her, Council Member Brown Clarke's agenda is to move forward and she did not believe the past has shown anything different then moving forward. Time and attention should now be on how to address the election.

Council Member Spitzley outlined her goals which included what is best for the City, and how we get there and the mechanism is the item for discussion. She assured the Committee she does believe in this process and about compromise and negotiation. Outlined in her goals was her belief for the need to grow the tax base, her interest in development in the City and being part of the Development & Planning Committee with her experience in developments.

Council Member Hussain stated his belief that in 2016 it was unprecedented to have leadership determined before the first organizational meeting, this current process is appears to be precedent. Thankful for the recess, he was allowed to reflect and speak to constituents on the characteristics they want in a President. Those included integrity, transparency, meticulous, grace under pressure, communicative, attendance and engaging. There is an understanding of the rotation of leadership, but 2016 was a good year and so he asked why the Council would want to step away from that same leadership.

MOTION BY COUNCIL MEMBER HUSSAIN TO NOMINATE COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT AND COUNCIL MEMBER YORKO FOR VICE PRESIDENT.

Council Member Brown Clarke accepted the nomination and Council Member Yorko declined the nomination, stating her belief that it is still important to have a rotation of leadership.

COUNCIL MEMBER HUSSAIN AMENDED THE NOMINATION, ACKNOWLEDGING COUNCIL MEMBER YORKO DECLINE, NOW NOMINATING COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT AND COUNCIL MEMBER SPITZLEY FOR VICE PRESIDENT.

Council Member Spitzley declined the nomination. Council Member Hussain withdrew the nominations.

Council Member Spitzley asked other Committee members to speak on their issues.

At 6:09 p.m. Mr. Smiertka asked the Clerk to recess Committee of the Whole since the Council meeting was posted to begin at 6:00 p.m. Council Member Wood asked if the Committee needs to recess, and Council Member Dunbar noted that in the past Council has started late with acknowledgement from the Council President. Mr. Smiertka noted the only issue he had was that Council was posted for 6:00 p.m.; therefore they could recess Committee of the Whole and go into Council to continue discussions. Council Member Sptizley asked if that was legal suggestion or something that had to occur. Mr. Smiertka confirmed it is a suggestion. Council Member Wood confirmed public comment would be taken again in Council.

Council Member Wood referred to earlier comments by Council Member Hussain on 2016 leadership choices being unprecedented, noting there have been other years also where elections have been done in a timely manner. Council Member Wood acknowledged she had spoken to Council Members on whey she was seeking the Presidency because some Council Members were running for re-election, and since it appeared no one had an issue with that. However now that potentially Council Member Brown Clarke could run for Mayor there is an issue, which does appear unfair. A reference was made to the Council Rules that were in the process of being changed in 2015 to include a requirement of 2 years on Council and 1 year as Vice President before President, however the City Attorney at the time was charged with reviewing them based on their comments, and they have never been resubmitted to Council.

Council Member Wood suggested a possible recess for future discussions.

Council Member Washington confirmed she had publicly stepped back from wanting the Vice President role and being on the Committee on Development and Planning with the hopes those discussions had already been done before this meeting. She also pointed out that Council Member Brown Clarke has never stated she will be running for Mayor, it is the media and public that is stating she is.

Council Member Brown Clarke reminded the Committee that the ground rules need to be consistent, and anyone running for office has the potential for leadership and it can be consistent. The question was asked of Council Member Yorko for more comments on the Council Rules changes that General Service was working on when she was Chair of that Committee. Council Member Yorko declined comments.

Council Member Hussain noted that leadership positions are important and he believed that is why maybe was why the 2015 Council was considering a two (2) year leadership. Council Member Yorko stated there were many possibilities discussed in General Service and law received it and she was not aware if the 2016 Committee on General Services had addressed it. Council Member Washington confirmed that the 2015 Committee made suggestions and the 2016 Committee never saw anything.

MOTION BY COUNCIL MEMBER WOOD TO RECESS FOR 10 MINUTES AT 6:25 P.M. MOTION CARRIED 8-0.

RECONVENE
Meeting called to order at 6:55 p.m.

Mr. Swope explained to the public that the Committee meeting was still in session, and then called for motions or further debates from the Committee. There were no debates or discussions. Council Member Brown Clarke asked for her colleagues to continue the debate or discussion that they held during the recess, and asked for input and opinions on running for office and being in the role of President.

Council Member Yorko arrived at 6:58 p.m.

Council Member Dunbar stated she did not have an issue with it, and it is done in other areas of legislature. Council Member Washington agreed. Council Member Houghton acknowledged she does have an issue with running someone running for Mayor as compared to running for Council because running for Mayor would be in direct conflict with the Administration. Council Member Brown Clarke asked what was facilitating the concern. Council Member Houghton stated she would have a concern with anyone running against the Mayor, and no one has declared they are but there is an assumption of the potential for it.

MOTION BY COUNCIL MEMBER DUNBAR TO NOMINATE COUNCIL MEMBER YORKO FOR PRESIDENT AND COUNCIL MEMBER BROWN CLARKE FOR VICE PRESIDENT.

Council Member Yorko declined the nomination. Council Member Dunbar withdrew the nomination.

MOTION BY COUNCIL MEMBER WOOD TO RECONSIDER THE NOMINATION AND VOTE FOR COUNCIL MEMBER BROWN CLARKE FOR PRESIDENT. VOTE ON THE RECONSIDERATION OF A VOTE FAILED 4-4.

COUNCIL MEMBER SPITZLEY MADE A MOTION TO RECESS AT 7:05 P.M. UNTIL 7:20 P.M. MOTION CARRIED 8-0.

RECONVENE
Meeting called to order at 7:37 p.m.

Mr. Swope asked the Committee for any motions, nominations or further discussions. There were no further discussions, and therefore he asked for suggestions on a future meeting date.

MOTION BY COUNCIL MEMBER SPITZLEY TO RECESS UNTIL TUESDAY, JANUARY 17, 2017 AT 5:30 P.M.

Council Member Wood clarified for the record that Council will also need to be called to order and recessed.

MOTION CARRIED 8-0.

Meeting recessed at 7:41 p.m. on January 12, 2017

Committee of the Whole
January 9, 2017 Meeting Reconvened Tuesday, January 17, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
City Clerk Swope called the meeting called to order at 5:32 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko

OTHERS PRESENT
Sherrie Boak, Council Staff
Chris Swope, City Clerk
Jim Smiertka, City Attorney
Randy Hannan, Mayor Executive Assistant, arrived at 5:39 p.m.
Eric Lacy, LSJ
Todd Heywood, Lansing City Pulse
Deb Parrish
Loretta Stanaway
Mr. McNichol
Katherine McNichol
Carolyn Condell

Steve Japinga, Lansing Chamber of Commerce

Public Comment
Ms. Parrish spoke on direction the members have stated they want to go, and spoke asking for Committee to determine their leadership and focus on their priority.

Ms. Stanaway spoke in support of a leadership determination at this meeting.

Mr. Nichol spoke as a member of Represent Us inviting members of Council to join them.

Ms. McNichol asking the Committee to determine what is best for the City.

DISCUSSION/ACTION
Election of Council President and Vice President
MOTION BY COUNCIL MEMBER WASHINGTON TO RECESS FOR 20 MINUTES.

Council Member Wood asked Mr. Swope to set a timer, and Mr. Swope confirmed he would however if there were discussions occurring he would not cut off those discussions if it meant there would be resolution.

Council Member Yorko provided details to the public on upcoming events including the 1st BWL Work Session on the substation on January 18, 2017 and the Lansing United event at the Lansing Center on January 17, 2017.

MOTION TO RECESS FOR 20 MINUTES AT 5:40 P.M. MOTION CARRIED 8-0.

(At 6:10 p.m. Mr. Swope informed the public that the Committee of the Whole was still in recess)

RECONVENE
Meeting called to order at 6:51 p.m.

Council Member Spitzley spoke on her goals and explained her beliefs in determining leadership, and ended by stating that with no recent consensus she would propose staying with status quo of 2016, however would support a rotation in leadership.

MOTION BY COUNCIL MEMBER SPITZLEY TO NOMINATE COUNCIL MEMBER YORKO FOR PRESIDENT AND COUNCIL MEMBER BROWN CLARKE FOR VICE PRESIDENT.

Council Member Yorko made comments on the nomination, and also affirmed to the public that at the January 9, 2017 Committee meeting and Council meeting actions items were take on setting public hearings, ratified a contract and also acknowledged special tributes. According to Council rules and the City Attorney Office, Council can continue to act on items without leadership. Council Member Yorko cited her opinion that choosing leadership appears to be more on the upcoming election focus. She then spoke in support of Council Member Spitzley as President. Council Member Yorko admitted that in previous meetings she had spoken on her concern with taking a leadership role, but to help relieve the gridlock she accepted leadership. She concluded by stating that it is still her preference to see someone not running for re-election of office this year as President, but if the Committee now sees fit, and votes her in as President, she will do her best to all Committee structure to see items move forward, and therefore accepted the nomination.

Council Member Brown Clarke stated that she had made recent attempts to have discussions with Council Member Yorko, but the attempts were not accepted. Since those discussion did not occur, she could not understand what would have changed in Council Member Yorko's opinion to now accept a nomination for President. Council Member Brown Clarke declined the nomination for Vice President.

Council Member Yorko defended the failed recent attempts for discussion with Council Member Brown Clarke stating that Council Member Hussain approached her and started discussions with her before she could meet with Council Member Brown Clarke. Council Member Brown Clarke asked for professional courtesy.

MOTION BY COUNCIL MEMBER SPITZLEY TO AMEND HER PREVIOUS MOTION TO NOMINATE COUNCIL MEMBER YORKO FOR PRESIDENT.

Council Member Washington informed the Committee she could not support the nomination based on past differences in issues with Council Member Yorko and her belief she did not show leadership qualities.

Council Member Hussain informed the Committee he would not be supporting the nomination because Council Member Yorko had already stated to him that she was not at a capacity to continue with a leadership position, in addition she had stated at public meetings she had no interest.   He noted that commitments will still be there throughout the year, the job, career and family do not change after the election for leadership.

Council Member Dunbar stated she would not speak on other members' time commitments, and there is a diversity of perspective with Council having this role and outside jobs. She gave an example of when she ran for office and felt she was criticized for being a woman seeking the role of Council Member.

Council Member Hussain clarified to Council Member Dunbar his earlier comments were based on comments Council Member Yorko had stated herself about her commitment to leadership, and in no way were his comments that a "woman" was not able to. He then reiterated that Council Member Yorko had publicly stated multiple times she did not want the nomination and did not have the time commitment.

Council Member Yorko defended her earlier statement and decision to accept the nomination, stating she had spoken to her family and they strongly support her.

Council Member Spitzley recognized all members for their capability in their role as Council Members and the sacrifices they have taken. Stating her goal to be committed to represent all residents in the City of Lansing, she ended by pointing out it appeared the Committee had lost their focus.

Council Member Yorko stated to the public that regardless of the vote, the items referred from the 1/9/2017 agenda will be addressed and Council will do business this year and get the residents work done.

Council Member Wood asked to clarify to the Committee and the public that she too has a full time job at her consulting firm and has worked with MSU, LCC, and Ingham Regional to name a few. She noted because it is her own company she is fortunate to accommodate City Hall office hours.

MOTION ON COUNCIL MEMBER YORKO FOR PRESIDENT FAILED WITH A 4-4 VOTE.

Mr. Swope proposed the potential for a mediator which would be subject to the open meetings act and public discussion. Mr. Swope also pointed out that the Committee is still in the first meeting of Committee and Council of the year because they keep recessing. Therefore they need to consider that they will need to have 26 meetings in the calendar year per Charter.

Council Member Washington acknowledged there had been “healing” behind the scenes with Council Members, including herself and Council Member Spitzley. She noted to the public that the decision of President and Vice President is a serious choice, and that person could potentially be Mayor, so leadership choices set the tone of Council, what is on agenda, and what sets the Committees. Lastly she acknowledge Council Member Yorkos’ work, and does understand the potential of mediator.

Council Member Brown Clarke also spoke in support of a moderator, and clearly noted that Council needs consistency on how they are framing things. Council cannot hold someone accountable that they don’t hold accountable as themselves. The moderator would be a needed neutral person to walk thru things with Council.

Council Member Dunbar assured the public that the Council is holding discussions on Committee assignments, she has seen proposed assignments and that the leadership discussions have been robust. Council Members Brown Clarke, Wood, Washington and Hussain denied seeing any Committee assignments.

Council Member Spitzley spoke in support of a facilitator, and asked what the steps would be to make that occur. Mr. Smiertka outlined it would be an open meeting, however he asked for a closed session at the next meeting so he can present a memorandum outlining the steps. The consensus of the Committee was to hold a closed session at the next meeting.

Council Member Washington informed the Committee she would be unavailable from February 4. 2017 through February 18, 2017, so to inform her if she needs to make special arrangements to come in.

MOTION BY COUNCIL MEMBER YORKO TO RECESS AT 7:25 P.M. AND RECONVENE ON MONDAY, JANUARY 23, 2017 @ 5:30 P.M. MOTION CARRIED 8-0.

Meeting recessed at 7:25 p.m. on January 17, 2017

Committee of the Whole
January 9, 2017 Meeting Reconvened Monday, January 23, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
City Clerk Swope called the meeting called to order at 5:30 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood

Councilmember Jessica Yorko

OTHERS PRESENT
Sherrie Boak, Council Staff
Chris Swope, City Clerk
Jim Smiertka, City Attorney
Chad Gamble, Chief Operating Officer, arrived at 5:31 p.m.
Eric Lacy, LSJ
Kathy Miles
Deb Parrish
Loretta Stanaway
Carolyn Condell
Michael Mercer

Public Comment
Ms. Miles spoke about a recent news article from the Mayor on City business, and asked Council to take consideration during the leadership choice.

Ms. Parrish spoke about Council roles, goals and choosing leadership.

Ms. Stanaway spoke about future elections and political issues.

Mr. Mercer spoke in support of determining leadership and holding them accountable.

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE AGENDA TO MOVE A) RESOLUTION – 2017 CITY COUNCIL PRESIDENT AND VICE PRESIDENT TO THE FIRST ITEM. MOTION CARRIED 8-0.

DISCUSSION/ACTION
Election of Council President and Vice President
MOTION BY COUNCIL MEMBER WOOD TO NOMINATE COUNCIL MEMBER SPITZLEY FOR THE 2017 PRESIDENT.

Council Member Spitzley accepted the nomination. No other nominations were given.

Council Member Washington spoke in opposition to the alleged negotiations that are being stated about all Council Members being in violation of the Open Meetings Act.

Council Member Yorko referenced a press release she issued on January 17, 2017, stating it was not originated by someone else other than herself, and that it had restated her comments from earlier that same night on the Dias.

Council Member Hussain restated the importance of the process of determining President and Vice President, outlined items important to him in his decisions including being present for meetings, contact with office staff, contact with the media, engaging with the public not just in meetings, but also at the neighborhoods. Lastly he asked the Council President to reach out to all members of Council.

Council Member Spitzley acknowledged Council Member Hussain's comments agreeing with them and adding that a quality of "spreading the wealth" of President roles will make the Council balanced and accomplish priorities. She concluded by stated she believed in moving forward and mentoring.

Council Member Hussain reiterated an earlier meeting statement where he again recognized his belief that a Council member needs more than one year on Council before taking a leadership role.

Council Member Brown Clarke restated this is not an easy process and that it is time the Council moves forward. There were multiple people who wanted leadership, and everyone stated their passions for that role. She concluded by reminding the public and Committee that the Council is not behind in their assignments because if the leadership had been made on January 9th, 2017, the Committee assignments would not have been read into the record and Committee could not have started working until after January 30, 2017 anyways, so Council is still on the same track it started January 1, 2017.

MOTION CARRIED 8-0.

Council Member Spitzley acknowledged Council Member Hussain, Washington and Brown Clarke for their comments.

MOTION BY COUNCIL MEMBER SPTIZLEY TO NOMINATE COUNCIL MEMBER WOOD AS THE 2017 VICE PRESIDENT.

Council Member Wood accepted the nomination. No other nominations.

MOTION CARRIED 8-0.

{CLOSED SESSION}
A closed session of the Committee of the Whole pursuant to Section 8(h) of the Open Meetings Act to meet with the City Attorney to discuss information or records exempt from disclosure under section 13(1)(g) of the Freedom of Information Act, to wit: a memorandum of legal advice to the City Council which is subject to the attorney-client privilege.
COUNCIL MEMBER WOOD MADE A MOTION THAT THE INFORMATION THAT WAS PROVIDED BY THE CITY ATTORNEY FOR CLOSED SESSION BE RELEASED TO THE PUBLIC AND COMMITTEE NOT GO INTO CLOSED SESSION.

Mr. Smiertka asked if the Committee wanted him to discuss the procedure or the content of the memo. The legal opinion is to discuss it in Closed Session but it is at the Council discretion to discuss at public.

MOTION CARRIED 8-0.

Mr. Smiertka reviewed and read from his Memorandum dated January 21, 2017 which Council received January 22, 2017 (attached). The back drop is that the Charter requires all items be done in January each year, Charter 3-102.6. Section II in the memorandum speaks to what Council should be aware of in regards to penalties Charter 1-501 if it mandates organization. Section III speaks to facilitation and expanded committees if deadlock. Lastly the memorandum spoke to Open Meeting Act and cautions. He acknowledged that Council is aware of the Open Meetings Act and they had no plans to circumvent. The Office of the City Attorney is present at the Committee and Council meetings and witnessed the recess sessions, and never witnessed anything. Nevertheless, in the memorandum there were items documented they should not do. In conclusion Mr. Smiertka referred to the last paragraph of the memorandum which stated each Council Member should acknowledge that the vote is the result of the independent judgment of that Council Member based upon deliberations that have occurred during open meetings and that any assumptions or commitments forming the basis of that vote be disclosed.

Council Member Brown Clarke asked Mr. Smiertka that based on his memorandum, if they have followed the direction. Mr. Smiertka stated yes, but it can take another form and it has been controversial for 3 weeks and there are allegations.

Council Member Washington asked Council Member Spitzley to offer training on the Open Meetings Act for their annual training.

Facilitator/Mediator

Mr. Smiertka acknowledged that individuals had contacted his office to assist voluntarily, and since doing so he wanted to acknowledge their efforts. Those being David Hollister, Bill Long and Greta Trice.

Council Member Dunbar agreed there was not a need for mediation for the sake of choosing a leader, however asked Council Member Spitzley to be open to team building activities to find the best communication tool for Council to work with and work on goal setting.

Adjourn

Adjourned at 6:12 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

MEMORANDUM

ATTORNEY – CLIENT PRIVILEGE
CONFIDENTIAL – NOT FOR PUBLICATION OR DISTRIBUTION

TO: City Council Members, City of Lansing

FROM: James D. Smiertka, City Attorney

DATE: January 21, 2017

SUBJECT: Selection of Council President and Vice-President

As is apparent from the deliberations and votes taken at the Committee of the Whole meetings, the Council presently is at an impasse regarding the selection of the 2017 Council President and Vice-President. Because of this circumstance, serious questions have been raised by Council Members about the ramifications if the impasse continues. Specifically, (1) how does Council function pending agreements on a resolution that fulfills the Charter's mandated selection?; and (2) what may be possible sanctions or consequences to the Council Members if they collectively fail to complete this required Charter task?

This memorandum is intended to candidly address these questions and Open Meetings Act (OMA) issues.

I. HOW CAN COUNCIL OPERATE PENDING SELECTION OF THE PRESIDENT AND VICE PRESIDENT?

A. Until the Council officers are selected, the Council has effectively eliminated its committee system.

It is a Charter requirement that membership in Council committees is established by the Council President .Charter 3-102.6 "The Chairperson and members of each committee established by Council shall be named by the Council President not later than the next regular City Council meeting after the establishment of the committee."

Patently, if a President has not been selected, this Charter requirement cannot be accomplished. It is noteworthy that Council, by its own rules, is called upon to approve, in January of each year, the functions of its standing committees after the President has performed a review thereof. (Council Rule 16, last paragraph).

Thus, without the selection of the President, the standing committees cannot be established nor populated with Council members. The obvious result of this is that all work normally performed through the committee system must then be performed by the full Council in its regularly scheduled open meetings. Without committees, there can be no committee reports or committee-supported resolutions.

B. Agenda Limitations

As I have already pointed out at the recessed first meeting of this year, and as is readily apparent from the current Council meeting agenda, the existing agenda for the Council meetings is frozen. This leaves the selection of the President and Vice-President as the only remaining item.

The practical result of this frozen agenda is that it has become extremely cumbersome to add anything to it other than continue with the one remaining item.

If Council wanted to try to add anything new to this agenda, it now would be a 2 step process and all votes would be 6 vote matters. The procedure to add an item would be as follows:

> First, the body must pass a motion under Council Rule 40 to suspend the order of taking up matters under Rule 15.
>
> Rule 15 sets up the mandatory order in which agenda items are considered. Because Rule 15, subsection 4 (Consideration of Late Items) has gone by for this first meeting, any new late item may only be considered if this Rule 15 order is itself suspended to allow a late item to be taken out of order. To suspend the order of agenda items under Rule 15 by using Rule 40 requires 6 votes.
>
> Second, if the order of considering late items has been suspended, then whether to actually add an item is itself a new motion. This too is then a 6 vote matter.

The aforestated procedure must be followed separately for each late item to be considered.

C. Possible Loss of Late Item Consideration

Notwithstanding the willingness to follow the 2 step process stated in section I B above, there is a plausible argument that can be made under the Charter that, after the end of the month of January, nothing can be added to the agenda. This would mean that Council would lose the ability to do anything until the officers are selected. The argument goes like this:

> The Charter mandates that the Council must meet and organize at its first meeting in January.
>
> > 3-102 Organization of Council

.1 The City Council shall meet and organize each year at its first regularly scheduled meeting in January.

At this January organizational meeting, the President and Vice-President must be selected.

3-102
.2 At its annual organizational meeting the City Council shall select from its members a presiding officer and a person to act in the absence of the presiding officer. They shall be known as the Council President and the Council Vice-President, respectively, and each shall serve a one year term.

The law uses "shall" for actions or activities that are mandatory and "may" for those that are permissive.

The argument is that because the Council must elect the officers in the month of January, then after January this becomes the first business to be performed. It follows that until the Charter-required first order of business is completed, no other business may be considered. A corollary of this argument is that because the organizational meeting is the January meeting, nothing can be added to the recessed January meeting agenda in February.

Admittedly, a strong contrary argument can be made that the Charter should not be interpreted in a manner that would defeat its purpose (of providing a legislative body to do its legislative and statutory work) nor lead to an absurd result, i.e. that functions provided to be performed under the Charter could never be performed because of a technical impasse.

The real dilemma created by the 2 competing arguments is that unless resolved by an order of a court of competent jurisdiction, uncertainty would continue for any action Council might take in February. Citizens could question whether any action was enforceable or legal and the business community would be reluctant to engage in or feel comfortable whether its contracts, grants, or approvals by Council resolution would ever be immune from collateral attack. The possibility that Council's action might be declared ultra vires, meaning void because it was taken in violation of the Charter, would likely chill any development or construction that relied on City action to go forward.

II. WHAT SHOULD COUNCIL MEMBERS BE AWARE OF IN THE WAY OF POSSIBLE SANCTIONS OR PENALTIES IF IT FAILS TO COMPLY WITH THE CHARTER SELECTION REQUIREMENTS?

A. Charter

The Charter contains the statement of its own penalties if it is violated and applicable. The Charter provides:

> 1-501 Penalties For Violation Of Charter
>
> Any person found guilty of an act constituting a violation of this Charter may be punished by a fine not exceeding five hundred dollars or by imprisonment for not to exceed 90 days, or both, in the discretion of the court. This section shall not operate to limit or prejudice the power to remove officers or discharge employees as provided in this Charter.

There are many issues as to whether this section of the Charter would apply to the collective failure of the Council to elect its officers and whether the provision is mandatory or simply a directive. However, whether or not to enforce this provision, or determine its applicability, would place the Office of the City Attorney, and the City Attorney himself in a conflict of interest situation. However, if the present impasse would continue to a point that the Council is indefinitely and for the foreseeable future, unable to function to fulfill its Charter and public body functions, some action may be unavoidable. In such a situation, the OCA would likely seek the assistance of a Special Assistant City Attorney from the preapproved counsel list. Whether enforcement of this provision would be warranted would be up the independent judgment of the special counsel.

B. Mandamus

Mandamus is a court action that can be brought to compel public officers to do their duty. It has been the form of lawsuit brought by individual citizens against the City of Lansing and various City officers a number of times in the last decade.

While this office does not believe that such an action would be appropriate to compel Council to elect its officers, because this type of action has been most commonly used, its requirements and possibility are included for informational purposes. To obtain a writ of mandamus, a Plaintiff must show:

> (1)The plaintiff has a clear legal right to the performance of the duty sought to be compelled, (2) the defendant has a clear legal duty to perform, (3) the act is ministerial in nature, and (4) the plaintiff has no other adequate legal or equitable remedy. [*Michigan Civil Rights Initiative v Bd of State Canvassers*, 268 Mich App 506, 514; 708 NW2d 139 (2005 (citation omitted).]

Under the current facts, the gravamen of such an action would be the third point above. While it could be said the Charter requires that the Council does have a clear legal duty to select a President and Vice-President in January, (Charter 3-102.1), the court will only order a ministerial action. Who the Council selects is discretionary, not ministerial, and therefore, the City and Council members as parties to a lawsuit, would be expected to prevail. This said, the fact such a lawsuit could be filed is itself the problem. Mandamus is a type of case in which the Michigan Court Rules allow a court to issue an ex parte order to show cause even before a defendant is required to file an answer to the complaint. Council Members named as parties in the lawsuit could be the subject of such a court-ordered hearing before the case could be dismissed. Such a case would also be expected to have accompanying news coverage.

C. Recall

If it is assumed that a court cannot compel the Council to select the Council's officers, but the Charter requires Council action to do so, Council Members should be aware that such failure to act may form the basis for a recall petition. Michigan provides for the recall of elected officials in the Constitution (Const 1963, art 2, §8) and by statute (MCL 168.951, et seq.)

MCL 168.947 provides:

> Every elected officer in the state, except a judicial officer, is subject to recall by the voters of the electoral district in which the officer is elected as provided in this chapter. A petition shall not be filed against an office until the officer has actually performed the duties of the office to which elected for a period of 6 months during the current term of that office. A petition shall not be filed against an officer during the last 6 months of the officer's term of office. An officer sought to be recalled shall continue to perform duties of the office until the result of the recall election is certified.

For the reason that the right to petition is contained in the Michigan Constitution, Michigan Courts liberally construe the public's right to bring such a petition. The courts go so far as to include that the basis stated need not even be truthful. In considering the adequacy of a recall petition, the Court of Appeals has stated:

> "All that is required is that the reason for recall be stated with sufficient clarity to enable the officer and electors to identify the transaction and know the charges made in connection therewith." (Internal citations omitted). In challenging the language as not sufficiently clear, plaintiff seems to suggest that the way the petition language is framed in this case either untruthfully represents the bills or at least fails to provide a complete synopsis of the bills. However, "truth itself is not a consideration in determining the clarity of recall petition language… The circuit court does not have authority to review petition statements for truthfulness. *Meyers v Patchkowski*, 216 Mich App 513, 518; 549 NW2d 602 (1996). "Such a determination is a political question for the voters, not the courts." Id. See also

Const. 1963, art 2, §8 (the sufficiency of any statement of reasons or grounds procedurally required shall be a political rather than a judicial question).

Donigan v Oakland Co. Electoin Comm., 279 Mich App 90 (2008.

As can be seen from the above, Michigan has little constraints under a recall petition when the public is dissatisfied with actions or inactions of their elected officials.

D. Removal by Governor

In the interest of completeness, a Michigan statute (MCL 168.327) provides for removal of elected officials for various reasons (e. g. willful neglect of duty) by the Governor. In reviewing the annotations to the law, the last reported appellate case involved the misuse of City funds in 1936.

III. POSSIBLE ACTIONS OF THE COUNCIL

A. Facilitation

Facilitation is always available and may be discussed. However facilitation must be performed in compliance with the Open Meetings Act.

B. Expanded committees before deadlock in future years.

Pursuant to the Council Rules, the scope of the standing committees can be changed after review by the President and adopted by resolution each January. The standing committee membership is presently at three; however, this number can be changed through a rule amendment requiring two meetings of Council.

IV. OPEN MEETINGS ACT CAUTIONS

The Michigan Open Meetings Act (OMA) requires that all meetings of a public body must be open pursuant to the specific requirements in the Act. To constitute an open meeting the following elements must be present: a quorum; a deliberation or rendering a decision; on a matter of public policy.

While the matter of the selection of the City Council President and Vice-President is before Council, based upon Attorney General Opinions and case law, it is important to keep in mind certain principles and prohibitions regarding actions to avoid so that the OMA is not violated.

Here are some items:

1. An informal canvas by one member of a public body to find out where the votes would be on a particular issue does not violate the OMA so long as no decisions are made during discussions and the discussions are not a deliberate attempt to avoid the OMA

(including email and texting; others on the chain are counted for quorum purposes even if the members don't participate in the discussion);

2. Round-robin voting means approval of an action outside of a public meeting by passing around a sign-off sheet. This violates the OMA, including through texts or emails. These latter items may also be subject to FOIA;
3. Avoid meeting as a quorum either together in one place or electronically or in planned or unplanned sub-quorum groups which communicate with each other (again, just listening and not participating counts toward a quorum);
4. Do not text or email each other about a matter under consideration while deliberating at a meeting.

I have a legal question whether the selection of a president and vice president is "public policy" for OMA purposes; however, it is best to leave that question for another day.

Lastly, in recognition that this matter has been the main topic for many weeks and many votes, to be sure that Council is in compliance with the OMA, I ask that before the vote occurs at the Organizational Council meeting, each Council Member acknowledge that the vote is the result of the independent judgment of that Council Member based upon deliberations that have occurred during open meetings and that any assumptions or commitments forming the basis of that vote be disclosed.

Chris Swope
Lansing City Clerk

January 6, 2017

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

Dear Councilmembers:

The attached application has been submitted to the City Clerk's Office, and is being forwarded for your consideration and appropriate action:

Sincerely,

Chris Swope

Chris Swope, CMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX
clerk.cityoflansingmi.com □clerk@lansingmi.gov

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

WHEREAS, the Michigan Golf Course Owners Association has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Michigan Golf Course Owners Association as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Michigan Golf Course Owners Association of 603 S. Washington, Suite 303 Lansing, MI 48933.

City of Lansing, Michigan
Application for Request for Non-Profit Status in the City of Lansing

Organization Name (As Incorporated): Michigan Golf Course Owners Association Educational Support Foundation

Address: 603 S Washington Suite 303

City: Lansing State: MI Zip: 48933

Contact Person: Kate Moore

Main Contact Number: (517) 482-4312 Secondary Contact Number: (517) 230-8040

Email Address: Kmoore@mgcoa.org

Please include the following with your application:

a. A copy of your 501(c)3 Designation

b. A copy of your Articles of Incorporation

c. A copy of your Bylaws
  - ☐ Includes in bylaws a dissolution provision a plan to distribute all the remaining assets to ensure that
    1. All financial and contractual obligations are fulfilled and that
    2. Remaining assets are distributed only to one or more similar nonprofit, tax exempt organizations and/or institutions

d. Non-refundable application fee of $100.00 or fee waiver request*

I hereby certify that this application is complete and accurate to the best of my knowledge, information and belief.

Kate M Moore
Signature

12/19/16
Date

*Fee waiver request

I hereby certify that the assets of this non-profit organization are less than $2,500 and I request the fee be walved. The fee would cause an extreme hardship because:

____

____

Signature **Date**

Please submitted completed application and attached documents, please return it to:
Chris Swope, City Clerk
Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
City.clerk@lansingmi.gov 517-483-4131

BY LAWS
OF
MICHIGAN GOLF COURSE OWNERS ASSOCIATION
EDUCATIONAL SUPPORT FOUNDATION

ARTICLE I

OFFICES

Section 1. Principal Office
The principal office of the corporation shall be located in the City of Lansing, County of Ingham, State of Michigan.

Section 2. Registered Office
The registered office of the corporation may be the same as the principal office of the corporation, but in any event must be located in the State of Michigan, and be the business office of the registered agent, as required by the Michigan Nonprofit Corporation Act.

Section 3. Other Business Offices
The corporation may have business offices at such other places, either within or without the State of Michigan, as the Board of Trustees may designate or as the business of the corporation may require from time to time.

ARTICLE II

MEMBERS

There shall be no members.

ARTICLE III

BOARD OF TRUSTEES

Section 1. General Powers
The business, property and affairs of the corporation shall be managed by its Board of Trustees.

Section 2. Number

The number of trustees of the corporation shall be not less than five. The number of trustees may be increased or decreased from time to time by an amendment to these Bylaws.

Section 3. Tenure

Trustees shall be selected and appointed by the President of the Board of Directors of the Michigan Golf Course Owners Association. Each appointed trustee shall be appointed for a term of three years. Each trustee shall hold office for the term for which the trustee is appointed and until the trustee's death, resignation or removal. In addition to the appointed trustees, the Executive Director of the Michigan Golf Course Owners Association shall serve as a trustee.

Section 4. Removal

At a special meeting of the trustees of this corporation called for the purpose of removing any appointed trustee, such appointed trustee may be removed from office by a vote of a majority of the remaining trustees.

Section 5. Resignation

Any trustee of the corporation may resign at any time with the assent of a majority of the Board of Trustees.

Section 6. Qualifications

Trustees need not be residents of the State of Michigan.

Section 7. Regular Meetings

The Board of Trustees shall hold not less than two meetings per calendar year.

Section 8. Special Meetings

Special meetings of the Board of Trustees may be called by or at the request of the President or any Trustee. The person or persons authorized to call special meetings of the Board of Trustees may fix the place within or without the State of Michigan for holding any special meeting of the Board of Trustees called by them, and if no other place is fixed the place of meeting shall be the principal business office of the corporation in the State of Michigan.

Section 9. Meeting by Telephone

A trustee may participate in a meeting by conference telephone through which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

Section 10. Quorum

A majority of the Trustees of the Board constitutes a quorum for the transaction of business at any meeting of the Board of Trustees.

Section 11. Manner of Acting

The act of the majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees.

Section 12. Consent to Corporate Actions
Any action required or permitted to be taken at a meeting of the trustees may be taken without a meeting, without prior notice, and without a vote if a consent in writing, setting forth the action so taken, is signed by a majority of the trustees having not less than the minimum number of votes necessary to authorize or take the action at a meeting where all eligible trustees were present and voted. Such consent shall have the same effect as a vote of the trustees and may be stated as such in any document filed with the State of Michigan.

Section 13. Participation by Communication Equipment
A member of the Board of Trustees or of a Committee designated by the Board may participate in a meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence in person at the meeting.

Section 14. Vacancies
Any vacancy occurring in the Board of Trustees shall be filed by appointment by the President of the Michigan Golf Course Owners Association.

Section 15. Presumption of Assent
A Trustee of the corporation who is present at a meeting of the Board of Trustees at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless the Trustee's dissent shall be entered in the minutes of the meeting or unless that Trustee shall file a written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the corporation immediately after the adjournment of the meeting. This right to dissent shall not apply to a Trustee who voted in favor of such action.

ARTICLE IV

OFFICERS

Section 1. Number
The officers of the corporation shall be a Chair, and a Secretary-Treasurer. The Chair and Secretary-Treasurer shall be selected by the Board of Trustees.

Section 2. Election and Term of Office

The chair and Secretary-Treasurer of the corporation shall be elected annually by the Board of Trustees at the regular meeting of the Board of Trustees. Each officer shall hold office while qualified or until the officer resigns or is removed in the manner provided in Section 3.

Section 3. Removal
Any officer or agent elected or appointed by the Board of Trustees may be removed by the Board of Trustees whenever in its judgment the best interests of the corporation would be served thereby.

Section 4. Vacancies
A vacancy in any elected office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Trustees for the unexpired portion of the term.

Section 5. Duties

a. Chairman – The Chairman shall preside at all meetings of the Board, may sign checks, drafts and orders for payment of monies, and shall assure that all orders and resolutions of the Board of Directors are carried into effect.

b. Secretary-Treasurer – The Secretary-Treasurer shall be responsible for the safeguarding of Organization funds and securities. The Secretary-Treasurer shall determine that adequate Organization records are maintained to provide a full and accurate account of all assets, liabilities, receipts, and disbursements.

ARTICLE V

Indemnification of Board of Trustees and Officers

Section 1. Each person who at any time, or shall have been a member of the Board of Trustees or Officer or Administrator of this Organization, and is threatened to be or is made a party to any civil, criminal, administrative, or investigative, by reason of the fact that he is, or was an agent of this Organization or served at the request of the Organization as a Director or Office of another Organization, partnership, joint venture, trust or other enterprise, shall be indemnified against expenses (including reasonable legal fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with any such action, suit or proceeding to the full extent permitted under Michigan law.

ARTICLE VI

Fiscal Year

The fiscal year of the Organization shall be January 1 to December 31.

ARTICLE VII

Amendments to By-Laws

Section 1. These By-Laws may be altered, amended or repealed and new By-Laws may be adopted by the unanimous vote of the Board of Trustees present at any Regular or Special Meeting, provided that at least a (15) days written notice is given to the Michigan Golf Course Owners Association Board of Directors.

(Non-Profit Domestic Corporation)

ARTICLES OF INCORPORATION

OF

MICHIGAN GOLF COURSE OWNERS ASSOCIATION EDUCATIONAL SUPPORT FOUNDATION

Pursuant to the provisions of Act 162, Public Acts of 1982, as amended, the undersigned corporation executes the following articles:

ARTICLE I

The name of the corporation is Michigan Golf course Owners Association Educational Support Foundation.

ARTICLE II

The purposes for which the corporation is organized are as follows:

To receive and administer funds for the following educational purposes:

1. To provide educational scholarships to assist qualified students enrolled in post-secondary golf-related studies at accredited and qualified educational institutions.

2. To provide lecture, symposium and continuing education opportunities to member of the Michigan Golf Course Owners Association, to students in golf-related fields, and other interested parties.

3. To provide awards and grants to programs which provide instruction and experience in golf-related studies.

4. To provide awards and grants that recognize and promote player development and retention.

5. To carry out any lawful purposed permitted by a charitable educational organization under Section 501(c)(3) of the Internal Revenue Code of 1986, or comparable provisions for subsequent legislation, including the making of distributions to organizations that qualify as exempt organizations under Section 501(c)3).

ARTICLE III

The corporation is organized upon a non-stock, directorship basis. The amount of assets which the corporation possesses is:

Real Property: none Personal Property: none

The corporation is to be financed under the following general plan: donations and fees.

ARTICLE IV

The physical address of the initial registered office is 603 S Washington, Suite 303, Lansing, Michigan 48933.

The mailing address of the initial registered office is 603 S Washington, Suite 303, Lansing, Michigan 48933.

The name of the initial resident agent at the registered office is Kate M. Moore.

ARTICLE V

The name and address of the incorporator is as follows:

Kate M. Moore, 603 S Washington, Suite 303, Lansing, Michigan 48933.

ARTICLE VI

Any action required or permitted to be taken at a meeting of the trustees may be taken without a meeting, without prior notice, and without a vote if a consent in writing, setting forth the action so taken, is signed by a majority of the trustees having not less than the minimum number of votes necessary to authorize or take the action at a meeting where all eligible trustees were present and voted. Such consent shall have the same effect as a vote of the trustees and may be stated as such in any Articles of document filed with the State of Michigan.

ARTICLE VII

No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its trustees, board, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Rcvenue Code of 1986, or comparable provisions of subsequent legislation, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or comparable provisions of subsequent legislation.

Upon the dissolution of the corporation, the board shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purpose of the corporation in such manner, or to such organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an comparable provisions of subsequent legislation, as the board shall determine. Any such assets not so disposed of shall be disposed of by the circuit court of the county in which the principal office of the corporation is then located exclusively for such purposes or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes.

ARTICLE VIII

When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its trustees or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor or trustee thereof, or on application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the trustees or class of trustees to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number represents 3/4 in value of the creditors or class of creditors, or of the trustees or class of trustees to be affected by the proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement or the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the trustees or class of trustees and also on this corporation.

ARTICLE IX

No member of the Board of Trustees of the corporation who is a volunteer trustee, as the term "volunteer director" is defined in the Michigan Nonprofit Corporation Act (the "Act"), shall be personally liable to this corporation or its shareholders or members, if any, for monetary damages for a breach of the trustee's fiduciary duty arising under the Act, the Uniform Management of Institutional Funds Act or other applicable law; provided, however, that this provision shall not eliminate or limit the liability of a trustee for any of the following:

1. A break of the trustee's duty of loyalty to the corporation or its shareholders or members, if any;

2. Acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;

3. A violation of section 551(1) of the Act;

4. A transaction from which the trustee derived an improper personal benefit;

5. An act or omission occurring before the filing of these Articles of Incorporation;

6. An act or omission that is grossly negligent.

The corporation hereby assumes all liability to any person other than the corporation or its shareholders or members, if any, for all acts or omissions of a trustee who is a volunteer trustee as defined in the Act occurring on or after the filing of these Articles of Incorporation, incurred in the good faith performance of the trustee's duties as such; provided, however, that the corporation shall not be considered to have an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, or comparable provisions of subsequent legislation (the "Code").

If the act is amended after the filing of these Articles of Incorporation to authorize the further elimination of limitation of the liability of trustees of nonprofit corporations, then the liability of members of the Board of Trustees, in addition to the limitation, elimination and assumption of personal liability contained in this Article IX, shall be assumed by the corporation as an organization described in Section 501(c)(3) of the Code. No amendment or repeal of this Article IX shall apply to or have any effect on the liability or alleged liability of any member of the Board of Trustees of this corporation for or with respect to any acts or omissions of such trustee occurring prior to the effective date of any such amendment or repeal.

ARTICLE X

The corporation may be dissolved upon the occurrence of the majority vote of the Board of Directors of the Michigan Golf Course Owners Association (or its successor in name or in form) to that effect. The plan of the distribution of assets of the corporation shall be as contained in Article VII. In accordance with Act 169, Public Acts of 1965, at least 45 days prior to the filling of any paper or document in respect to such dissolution with any other state or agency or court, the corporation shall give notice of the planned dissolution to the attorney general by registered mail.

ARTICLE XI

The President of the Board of Directors of the Michigan Golf Course Owners Association (or its successor in name or in form) has the sole authority to appoint and remove without cause each member of the Board of Trustees of this corporation; however, the incorporators shall appoint the members of the initial Board of Trustees pursuant to Section 223 of Act 162, Public Acts of 1982, as amended.

ARTICLE XII

Any amendment to the Articles of Incorporation shall be approved by the Board of Directors of the Michigan Golf Course Owners Association (or its successor in name or in form). The Articles of Incorporation are hereby signed by the incorporator on this 1 day of June, 1995.

____

John Dodge, Incorporator

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INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: ~~~ 1 2001

MICHIGAN GOLF COURSE OWERS
ASSOCIATION EDUCATIONAL SUPPORT
225 W WASHTENAW
LANSING, MI 48933

Employer Identification Number:
38-3297663
DLN:
300339074
Contact Person:
D. A. DOWNING ID# 31805
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
SEPTEMBER 1996
Advance Ruling Period Begins:
JUNE 1996
Advance Ruling Period Ends:
DECEMBER 31, 2000
Addendum Applies:
NO

Dear Applicant:

Our letter of the above date stated that we had determined your organization is exempt under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) and that you would be treated as a publicly supported organization and not as a private foundation during your advance ruling period. This was based on our determination that you could reasonably be expected to be an organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2).

We also stated that at the end of your advance ruling period you would have to establish that you were in fact an organization described in one of the above sections.

Our records indicate that your advance ruling period begins and ends on the dates shown above. Your exempt status as an organization described in section 501(c)(3) is still in effect. However, to establish that you are a publicly supported organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2), please complete the attached Form 8734, Support Schedule for Advance Ruling Period, for each of the tax years in your advance ruling period.

The information requested in this letter is required to support your claim to be other than a private foundation. It is needed in addition to any required Form 990 or other annual return. Please send it to us within 90 days from the end of your advance ruling period.

If we do not receive this information, we will presume you are a private foundation and you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940 of the Code. In addition, if you do not provide the information by the time requested, it will be considered by the Internal Revenue Service that you have not taken all reasonable steps to secure the determination you requested. Under section

7428(b)(2) of the Code, not taking all reasonable steps, in a timely manner, to secure the determination may be considered as a failure to exhaust administrative remedies available to you within the Service, and may preclude the issuance of a declaratory judgment in the matter under judicial proceedings.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Thank you for your cooperation.

Sincerely yours,

Steven T. Mil-e-

Steven T. Miller
Director, Exempt Organizations

Enclosures:
Form 8734
Copy of this letter

CITY OF LANSING

Receipt: 688 12/21/16

CITY CLERK
124 W MICHIGAN AVENUE 9TH FLOOR

Cashier: MZuchowski
Received Of: **MI GOLF COURSE OWNERS ASSOC.**

The sum of: 100.00

530	NON-PROFIT STATUS		100.00
		Total	100.00

CHECKS	1210	100.00

Signed: ____________________

City of Lansing
OFFICE OF THE CITY ATTORNEY

TO: Ways and Means Committee

FROM: F. Joseph Abood, Chief Deputy City Attorney

DATE: January ___, 2017

RE: 2062876wc03001256001

[redacted]

CompOne Administrators, Inc. has evaluated this claim for settlement. We have negotiated a settlement of $170,000.00 to release all past, present and future claims against the City of Lansing.

The Mayor, the Law Department and the Department of Human Resources support the recommendation for settlement and the Department of Human Resources advises that funds are available in the Workers Compensation Claims account. We are requesting your approval of the redemption of this case.

Please contact this office as soon as possible with any concerns you may have regarding the redemption of this claim.

cc: Mary P. Riley, Human Resources Director
Kathy Woodman, Health & Wellness Administrator
Elizabeth O'Leary, Employee and Labor Relations Specialist

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@lansingmi.gov

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant 2062876wc03001256001, in which, the City of Lansing would agree to pay Plaintiff the sum of One-Hundred Seventy Thousand Dollars ($170,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever; and

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the payment of One-Hundred Seventy Thousand Dollars ($170,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

Approved for placement on the City Council Agenda:

____
City Attorney

____
Date

XV B 1 a

STATE OF MICHIGAN

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION
ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

December 22, 2016

City Clerk
City of Lansing
city.clerk@lansingmi.gov

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 854722

Transfer ownership and location of SDD & SDM licenses

Name of applicant(s): Markham Enterprises, Inc.

Business address and phone: 3000 Dunckel Rd, Lansing 48910, Ingham County

Home address and phone number of partner(s)/subordinates:
Randolph Markham, 6060 Columbia, Haslett, MI 48840, B (517) 749-2907, C (517) 290-4085

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

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

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION

RICK SNYDER
GOVERNOR

ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

December 22, 2016

City Clerk
City of Lansing
city.clerk@lansingmi.gov

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 860401

Transfer ownership of SDM license

Name of applicant(s): Sital Kaur, LLC

Business address and phone: 533 S Chestnut, Lansing 48933, Ingham County

Home address and phone number of partner(s)/subordinates:
Sukhvir Singh, 940 N Euclid Avenue, Benton Harbor, MI 49022, B (269) 519-9029

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

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

XV B 1 c

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN LIQUOR CONTROL COMMISSION

RICK SNYDER
GOVERNOR

ANDREW J. DELONEY
CHAIRMAN

SHELLY EDGERTON
DIRECTOR

December 29, 2016

City Clerk
City of Lansing
city.clerk@lansingmi.gov

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 861664

New SDM license to be held in conjunction

Name of applicant(s): Urbanbeat Event Center, Inc.

Business address and phone: 1213-1215 Turner St, Lansing 48906, Ingham County

Home address and phone number of partner(s)/subordinates:
John Sztykiel, 6040 Stoney Point Dr, Lansing, MI 48917, C (517) 230-3716
Terry Neal Terry, 6204 Coleman Rd, East Lansing, MI 48823, B (517) 482-3333, C (517) 281-1111
Joni Sztykiel, 6040 Stoney Point Dr, Lansing, MI 48917, C (517) 420-5105

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. The Michigan Liquor Control Code does not require the approval of this request by the local unit of government.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

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

525 W ALLEGAN • P.O. BOX 30005 • LANSING, MICHIGAN 48909
www.michigan.gov/lcc • (866) 813-0011