AGENDA
Committee of the Whole
Monday, March 13, 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**
    - February 13, 2017
    - February 20, 2017
    - February 27, 2017
4. **Public Comment on Agenda Items (Limited to 2 Minutes)**
5. **Presentation/Introduction:**
    - Tri County Regional Planning Commission Annual Report – Sue Pigg
6. **Discussion/Action:**

    A.) RESOLUTION – Temporary Relocation of Polling Location; Ward 3/Precinct 30; August 8, 2017 City Primary Election

    B.) RESOLUTION – Setting of a Public Hearing; Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2018

    C.) RESOLUTION – Council Rule Proposed Revisions, Motion to Amend Rule 27, to allow Standing Committee Public Comment at scheduled Committee of the Whole meetings (Per Council Rule #41, motion may not be considered for adoption until the March 27th Council meeting)

    D.) DISCUSSION - City Council Performance Measures for FY2017 Budget

7. **Public Comment on City Government Related Matters (Limited to 2 minutes)**
8. **Adjourn**

<u>The City of Lansing's Mission is to ensure quality of life by:</u>

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, February 13, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
Council President Spitzley called the meeting 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-excused
Councilmember Carol Wood
Councilmember Jessica Yorko

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Randy Hannan, Mayor Executive Assistant- arrived 6:24 p.m.
Eric Brewer, Council Internal Auditor
Angela Bennet, Finance Director
Stephen Blann, CPA, CGFM, CGMA, Principal Rehmann Robson
Paul Matz, CPA, CGFM, Assurance Principal Rehmann Robson
Denis Prisk, LPD
Dr. Joan Jackson Johnson
Jim DeLine
Jeremy Behr
Caroline Wong
David Douglass
Tyler Wood
Seth Kalis
Sam Inglot
Randy Eberhard
Carolyn Condell
L. LaShawn Erby
Megan Thompson
Lucas Anthony
Eugene Yacobson

Leslie Hunger
Oscar Castared
John Westra
Mary M. Mine
Kathy Ignasiak
Mikey Taylor
Ed Montemayor
Elva Reyes
Nino Rodriguiez
Eve Brown
Frances Holt
Ed Bowman
Betsy Riley
Diego Bonesatti
Angela Austin
Duncan Tarr
Olivia Guislain
Rachel Recker
Melissa Moorehead
John Krohn
Stephanie Ondeichauin
Chris Jackson
Michael Mercer
Dilhara Muthukuda
Jonathan Evans
Thasin Sardar
Jordan Evens
Zoe Steinfield
Linda Gordon
Josephine Mask
Leslie Hunter

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JANUARY 30, 2017 AS PRESENTED. MOTION CARRIED 7-0.

Public Comment on Agenda Items 6. A., 6 B., 6 C. limited to 2 minutes
Mr. DeLine acknowledge Mr. Eric on his audit report.

Presentation
Comprehensive Annual Financial Report (CAFR)
Ms. Bennett acknowledged the CAFR was presented to the Council and it was on the website. She then did a quick overview of the report and introduced Mr. Blann and Mr. Matz with Rehmann Robson.

Mr. Blann provided an overview of the audit process. The purpose of the document is to answer one simple question, with the 200 pages of data the City is responsible to prepare, and then Rehmann Robson answers the questions on if Council can rely on the data. The Committee was referred to page 11-12 on their opinion. In conclusion Mr. Blann assured Council that they believe the information is reliable. The audit not designed to find small errors but look at big items.

Council Member Brown Clarke asked for the matrix for the monetary and breakdown in procedure. Mr. Blann noted that for material there is a two part focus; 1) dollars and cents and sense, and with the planning perspective starting with a 1%. Even though some are not large in dollar, it could be large.

Council President Spitzley asked if they found any material weaknesses. Mr. Blann admitted that the financial statement audit notes material errors, but it does not answer how they got it, so they do another report. In that report it does focus on material weaknesses. He continued by noting that it is possible to have no material misstatements but have material weaknesses. Any material audit adjustments they work with management. Rehmann Robson did note that in regards to the Pension and OPEP the process is time consuming and the City needs to move things quicker. There are also yearend spreadsheets that are done manually and they are suggesting another set of eyes. Council Member Brown Clarke asked if there has to be reconciliation with human eyes, why they have not purchased software to speak to each other. Mr. Blann explained there are nuances and calculations that require customizing it for Lansing

Mr. Blann referred the Committee to page 28 noting that for a City the size of Lansing, a small list in their conclusion is good news.

Council Member Wood asked what programs and tests were done. Mr. Blann stated it is a single audit every year and rotation. The financial statement audit covers all accounts. Council Member Wood referenced past audits where Rehmann Robson would test an account from the report provided by the Finance Department to make sure the numbers are correct, and then asked which account they tested this year. Mr. Blann stated they always test multiple accounts.

Council Member Wood then asked Ms. Bennett about the reserve account that is utilized for supplies ahead of time, and Ms. Bennett acknowledged it was the Budget Stabilization Fund and those funds are unassigned. In the General Fund there were Committees with carry forwards, inventories, etc. In the 2016 CAFR there is about $930,000 that is fund balance restricted.

Council Member Wood asked Ms. Bennett what the plan is if East Lansing decides to start an income tax. Ms. Bennett stated that that a resident would pay ½% in Lansing and ½% in East Lansing, and at this time they are not sure what the impact of that will be.

Council Member Wood asked Rehmann Robson if they look at anything that deals with performance based budgeting or make recommendations to that. Mr. Blann stated they do not.

Council President Spitzley asked Ms. Bennett to do a comparison between the CAFR letter in 2015 to the recent 2016, and provide an updated on the material weaknesses that appear in both years. One of those weaknesses was the need for additional staff. Ms. Bennett stated the positions have been posted and they hope to start interviewing soon. Mr. Brewer was asked to research how many years the comments have been repeat comments from Rehmann Robson. Council President Spitzley noted to Ms. Bennett those questions would be asked again during the budget.

Council Member Brown Clarke pointed out that on the 2016 Carry Forward, with the pension study they re-appropriated $100,000, and asked was allocated unspent, and the FHT had stated the study would be done in 2016. Ms. Bennett stated she could address that during the discussion on the Carry Forward Resolution.

Mr. Brewer went through his CAFT analysis, confirming he came up with the same conclusion as Rehmann Robson.

Council Member Yorko stepped away from the meeting at 6:16 p.m.

DISCUSSION/ACTION

Mr. Blann and Mr. Matz left the meeting.

Council Member Dunbar stepped away from the meeting at 6:23 p.m.

RESOLUTION – FY2016 Budget Carry Forwards

Ms. Bennett outlined the items in the resolution, noting that the amounts were planned to be spent for that year, but didn't take place by that June 30, 2016 so those were requested as carry forwards. In regards to the General Fund Pension & Retiree Healthcare Study, the $100,000 was not spent and also a carry forward. Council Member Brown Clarke asked why the work was started in 2016, but the billing is in 2017. Ms. Bennett detailed that it took a while for the RFP, and work was performed but the billing came in after the fiscal year. The timeline was pushed back and the retiree health care and pension is complex and they are looking at options. Council President Spitzley reminded Ms. Bennett of a request during the budget last year, where Council asked for a "road map" to roll out the report, and draft recommendations, along with the process on the draft recommendations in a report at a public forum. Ms. Bennett stated she believe it would be presented to the City in late March or early April. The work will start in July, but the recommendations could take some time.

Council Member Dunbar returned to the meeting at 6:29 p.m.

Dr. Joan Jackson Johnson outlined the eleven (11) items from HRCS that were on the Carry Forward Resolution. The amounts were affected due to donations from outside agencies, and Project Homeless Connect was taken over by another agency.

Council Member Yorko returned to the meeting at 6:31 p.m.

Council Member Wood asked after the RFP for the Youth RFP Program if they were able to get anyone and that was the reason for the carry forward. Dr. Jackson Johnson stated they used a portion to add on and expand some programs. They are working with ITECH for this coming year. Council Member Wood then asked about the Women's Supportive Initiative, which Dr. Jackson Johnson stated that with the help from St. Thomas Aquinas, who received a donation, they did not have to spend it.

Council Member Wood then asked Ms. Bennett about the uncompleted Storm Sewer project. Ms. Bennett stated that the storm sewer amount is for the annual storm water MDEQ permit fee and a grant match for from the Army Core of Engineers was completed by June 30. Any other funds on the sheet are for major streets, final maintenance that was related to outstanding purchase orders and contracts.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE FY2016 BUDGET CARRY FORWARDS. MOTION CARRIED 7-0.

RESOLUTION – Special Operations Budget Appropriations

Council Member Houghton stepped away from the meeting at 6:35 p.m.

Mr. Prisk outlined the resolution which was an increase to the Special Operations from the LPD Drug Forfeiture in the amount to $47,500. This will address three (3) areas; a vehicle, a GPS tracker update and warehouse and facility repairs. Council Member Wood asked how much was left in the State and Local forfeiture fund. Mr. Prisk stated there was $266,600 at the close of FY16. Council Member Wood asked if the project for the repair of lighting has utilized the BWL assets. Mr. Prisk acknowledged he was aware of the grant programs with BWL but has not approached them.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR SPECIAL OPERATIONS BUDGET APPROPRIATIONS. MOTION CARRIED 6-0.

RESOLUTION – Special Assessment Capital Project Fund Deficit Elimination Plan

Ms. Bennett informed the Committee that these funds are where the City fronts the fund, and then does a special assessment to get re-paid.

Council Member Dunbar stepped away from the meeting at 6:40 p.m.

Ms. Bennett continued by outlining the criteria changes with the stated and different types of funding.

Council Member Dunbar and Houghton returned to the meeting at 6:41 p.m.

Ms. Bennett noted that the amounts are deferred revenue and in some funds it is recognized, and some funds cannot be recognized in the long term. Because certain criteria is excluded they are not able to receive them as an asset.

MOTION BY COUNCIL MEMBER DUNBAR TO APPROVE THE RESOLUTION FOR THE SPECIAL ASSESSMNT CAPITAL PROJECT FUND DEFICIT ELIMINATION PLAN. MOTION CARRIED 7-0.

RESOLUTION – Proposed Welcoming/Safe Community
Public Comment on Agenda Items 6. D

Council President Spitzley gave an overview of the then recognized Council Member Dunbar, Wood, Deputy City Attorney Abood, City Attorney Jim Smiertka and Mayors Executive Assistant Randy Hannan.

Council Member Dunbar asked for people not to sign in if they wanted to speak. Council President Spitzley stated they will need to sign in if they want to speak at public comment.

Council Member Yorko acknowledge all the public, encouraged decorum and suggested they could other options of their show of support, and provided examples. Council President Spitzley then stated she too respected everyone’s opinion, however the rules of Council and decorum stand, and she prefers they sign their name on the sign in sheet if they want to speak.

Council Member Hussain stepped away from the meeting at 6:47 p.m.

Mr. Smiertka began the outline of his memo and the three (3) components. As the Council legal counsel, he advised them that a Sanctuary City Resolution would place the City in jeopardy in number of front, and they should not move forward until courts have made a decision. The resolution Law looked at initially directed officers to do things that crossed lines between their roles and policies. Another component was the items related to immigration and dealing with immigration officials, this would have place the City at risk.

Council Member Hussain returned to the meeting at 6:50 p.m.

Lastly, his memo speaks to the Executive Order of the President, and in which he speaks to the Sanctuary City designation. Until that definition is defined or the Executive Order is clarified, he sees no reason to move forward

Council Member Houghton stepped away from the meeting at 6:51 p.m.

Mr. Smiertka spoke about the current resolution in front of the Committee, noting that there was a lot of work on the resolution, and it does not invade the Executive Order by asking law enforcement to do or not do something, and does not declare the City to be a Sanctuary City, but instead declares it a Welcoming City. Lastly it does not direct employees of the LPD to do things that would put them in jeopardy of the Federal law.

Council Member Yorko pointed out that there are certain things that are permissible under Michigan Law, but not under Federal Law; example of Medical Marihuana. She then asked if the Federal government can say something is not legal, how can this situation be any different.

Council Member Houghton returned to the meeting at 6:52 p.m.

Mr. Smiertka pointed out that there are Federal Officials in Michigan and arrest people in violation of Federal law and gave an example. The matter of enforcement is if the Federal law is enforced.

Council Member Dunbar asked if local law was assisting the Federal officers with the raids that were given as an earlier example, and if the LPD would become arms of the Federal Government. Mr. Smiertka confirmed that his earlier example, it was the local County officers that assisted. Council Member Dunbar then went into a brief history of her work on the resolution and research, lastly stating she did not agree with City Attorney memo. She noted that she had proposed language but it was not included, however she did collaborate on the current resolution. There is a legal precedence for taking a stand on this, and this executive order has not' been tested, and her opinion was that it appeared someone was "bullying" from Washington, DC. Council Member Dunbar concluded by stating that the sooner the City stands up the sooner the bully goes away.

Council President Spitzley informed the public that when the current resolution was drafted there was collaboration and they did get advisement from LPD and the City Attorney office. The City Council does not have authority to direct LPD to do things, and therefore for Council to include direction to the LPD to do something, it is out of the scope of Council's role, per the City Attorney. Council President Spitzley concluded by stating she believed the resolution reflects what Council can do.

Council Member Brown Clarke detailed her work on the draft resolution and communications to other communities, noting that there are some items being used as the best protocol in making borders. This intent is not the end all, but what can be done right now.

Council Member Hussain asked to hear the public comment.

Council Member Yorko asked to speak on 5-6 amendments she had for the resolution, and understood that Council cannot direct the LPD, but they can be clear on their desires.

Mr. Behr acknowledge Council Member Dunbar and supported her disappointment that her version of the resolution had been torn apart. Mr. Behr went on to speak in support of a sanctuary city, but opposed to the resolution the way it was currently written because his belief is it would not protect immigrants.

Ms. Wong spoke in support of a sanctuary city, and that the City should shield people from un-documentation.

Mr. Douglass spoke as BAMM, asking Council to take a stand.

Mr. Wood spoke in support of a sanctuary city.

Mr. Kalis spoke in opposition to the resolution the way it was written, with his opinion that the resolution does nothing and that Council is backing off.

Mr. Inglot spoke about families being torn apart, asking Council to research and consider a resolution that has “teeth”.

Mr. Eberhard spoke in opposition to a sanctuary city.

Ms. Erby on behalf of Black Lives Matter spoke in support of Council in hopes they understand that it is important to keep families together.

Ms. Thompson spoke in opposition of deputized LPD for enforcement, and asked for stronger policies.

Mr. Anthony spoke in support of the immigrants and opposition of the resolution thus far.

Council Member Wood stepped away from the meeting at 7:28 p.m.

Mr. Yacobson acknowledged Council Member Yorko and Dunbar for their work on the resolution and in support of a sanctuary city.

Mr. Castaede spoke on behalf of Action for Greater Lansing, and supported making the City a sanctuary city.

Council Member Wood returned to the meeting at 7:33 p.m.

Mr. Westoff cited the Oath of Office Council is given noting it states they will “support the Constitution of the United States” and that same oath is given to naturalized citizens. Mr. Westoff spoke in support of a welcoming city.

Ms. Ignasiak spoke in support of immigrants when they follow State and Federal, and in opposition to those that enter illegally. Ms. Ignasiak stated her opinion that BAMM was bullying Council.

Ms. Taylor stated her opinion that the resolution meant nothing, and in opposition that the Mayor was not present at the meeting.

Mr. Montemayo spoke in opposition to what was being proposed by the President of the United States, and that he also had sent Council emails with information.

Ms. Reyes spoke in opposition to just seeing the resolution at 5:30 p.m., not allowing the public time to respond. She then referenced the earlier resolution submitted by Mr. Lopez to the Ad Hoc on Diversity group, noting all that language was removed. Ms. Reyes asked the

Committee of the Whole to table the resolution so her group could speak to their immigration attorneys. Ms. Reyes concluded by speaking in opposition to a welcoming resolution, wanting a safe resolution

Mr. Rodriquez spoke in support of a stronger resolution.

Ms. Brown spoke on personal experience of growing up in a family of immigration.
Mr. Holt spoke in support of a welcoming city, and also asked for more "teeth" in the resolution.

Ms. Riley spoke on the proposed budget amount of $6.5 million the City could lose.

Council Member Brown Clarke stepped away from the meeting at 7:52 p.m.

Mr. Bonesatti spoke in support of a sanctuary city, and noted that the issue is not to ask about their status if it is not mandated by law.

Council Member Brown Clarke returned to the meeting at 7:54 p.m.

Ms. Austin, on behalf of Black Lives Matter quoted Dr. Martin Luther King.

Mr. Tarr spoke in opposition to what Council was doing, and referencing the resolution stated his opinion it was not a sanctuary city resolution.

Mr. Mercer referenced a recent article where the Mayor stated he would veto anything to make the City a sanctuary city.

Ms. Muthukuda spoke in support of a resolution for the safety and security all. Ms. Muthukuda then referred back to the speech by Mayor Bernero on January 30th, then he reversed his opinion shortly later and went to a "stripped down" version of the earlier proposed resolution.

Mr. Evans acknowledged Council for their work on the resolution.

Mr. Sardar spoke in opposition to a resolution that is not sanctuary.

Mr. Montemayor spoke in opposition to the ban.

Council Member Yorko stepped away from the meeting at 8:09 p.m.

Ms. Moorehead spoke in support of a sanctuary city.

Council Member Yorko returned to the meeting at 8:12 p.m.

Mr. Krohn supported Council in doing the right thing, asking them to be a leader and become a sanctuary city.

Council President Spitzley acknowledged that the Council was aware there were people sitting and watching the meeting live in the City Hall lobby, and the Clerk's office was making sure anyone who wanted to speak could come up.

Ms. Oudichanin spoke in opposition to the sanctuary city.

Mr. Jackson spoke in support of sanctuary city.

Council President Spitzley passed the gavel and stepped away from the meeting at 8:17 p.m.

Ms. Steinfield asked Council to stand for something.

Council Member Wood passed the gavel back to Council President Spitzley at 8:18 p.m.

Council President Spitzley assured the Committee and public again that the public in the City Hall lobby were asked again if they wanted to speak.

Mr. Clinkenburger asked the resolution to address a separate reference for each group of immigrants. Mr. Clinkenburger stated his opinion that undocumented is a political corrector for illegal immigrants and asked where the line drawn on illegal activity.

Ms. Leroy spoke in support of a sanctuary city.

Ms. Mask spoke in support of Law, Council and the Mayor, then spoke in opposition to immigrants coming in un-vetted, stating that if there is no way to vet them, then there is no way to let them in.

Ms. Gordon spoke in support of a sanctuary city, and asked the Committee to postpone the vote.

Mr. Hunter spoke on the topic of the earlier resolutions on bills.

Ms. Evans asked Council to be accountable to the residents and tell the Mayor what to do.

Council President Spitzley closed the public comment of the meeting and acknowledged all who spoke. The she went on to state that the Committee was at a cross roads based on comments, and then requested the Committee also consider tabling any action on the resolution for additional comments. Council President Spitzley pointed out that some things will not change because Council cannot direct the LPD on their tasks that is the role of the Police Commission who sets policy and procedures for the LPS. When the Committee talks about revisions, there is a struggle to address them and Council does not have the authority. She concluded that it would be a disservice to continue to work on a document that will not reflect what the public wants to see. To stated “shall and “shall not” in a resolution is something the Council does not have the authority to do.

Council Member Yorko addressed an earlier statement by someone from the public that if someone enters the US without correct documents it is a criminal violation, she clarified it is not, it is a civil violation. Council Member Yorko then asked to introduce her amendments.

Council President Spitzley acknowledged Council Member Yorko but pointed out again that there are things Council can and cannot do.

Council Member Dunbar spoke briefly on what appears to be the people targeted in raids, and that they are talking about going after people that are not illegal. She then referenced a watch list by FAIR, which is a conservative anti-immigration website where it already listed Lansing as an area to watch, and therefore Lansing needs to do something. She then lead into details on her original resolution and a conference call at 1:30 p.m. on 2/14/2017 with the ACLU. Council Member Dunbar asked that the resolution be pulled until more information can be gathered from experts.

Council President Spitzley pointed out that it appears that the City is not on a Federal list, but a conservative list so for Council Member Dunbar to reference that is inappropriate. It is misleading to tell people Lansing is on the list, and then she asked for the list Council Member Dunbar was referencing. Council President Spitzley approached the Committee on pulling the resolution from both agendas until more work can be done with Council, Law and the Administration.

Council Member Brown Clarke pointed out to the public the reason they did not get the resolution until 5:30 is because the entire Council was providing input and some things cannot change. Somethings could get strengthened, but they need to hear from policy conference call Council Member Dunbar mentioned earlier, and Law needs to hear that call also. The Council needs to work with the aspect of where to make recommendations where they have control. She spoke in support of not moving forward.

Council Member Wood reminded the Committee that on January 30, 2017 the City Attorney asked for more time to collect information, however there was a plea from some Council Members to move forward immediately. Law needs adequate time to review anything they research, comments and suggestions from Council Members. She suggested that Council staff compile all Council comments.

Council Member Yorko proposed 5 amendments to the Resolution in front of the Committee, acknowledging that if there was a vote and it failed, it does not preclude a future consideration. MOTION BY COUNCIL MEMBER YORKO INCLUDING THE amendments read as:

1. Lansing officials, officers and employees do not ask nor record information about a person's immigration status, except as required by Federal or State statute or court decision.
2. Lansing police officers do not pressure, detail, question or arrest any person based solely on his or her immigration status.
3. Lansing officials, officers and employees do not assist Federal immigration officers attempting to pursue, detain, question or arrest any person based solely on his or her immigration status.
4. Lansing officials, officers and employees do not provide Federal immigration officers nonspecific access to municipal or court documents or jail records for the sole purpose of identifying undocumented immigrants.
5. Lansing police officers may assist Federal immigration officers and honor ICW detainers when a) presented with a criminal warrant or court order; b) the individual sought has been convicted of a crime; or c) there is a probable cause to believe the individual sought has committed a crime.

   BE IT FURTHER RESOLVED, the above policies in no way affect the City of Lansing's commitment or ability to maintain a safe community for all residents. Lansing officials, officers and employees and employees will continue coordinating with and assisting other law enforcement agencies to pursue, detain, arrest and prosecute all persons, including undocumented immigrants, who commit or are suspected of committing crimes in our community, with the understanding that undocumented status is not in and of itself a crime.

Council Member Brown Clarke stated that all Committee members may have input on their own language and she would like to wait on a motion until all that can be given to the City Attorney office.

Council Member Hussain spoke briefly on his encounter with diversity during his campaign in 2015 and spoke in support of taking a pause for the opportunity to weigh in. There are levels that can be because the City is proactive, but certain things cannot do. There may never be a point when people are happy.

Council Member Houghton acknowledged all Council Members for their work thus far on the resolution and Council Member Yorko on her recent amendments. The current process is ever changing and the City needs to be cognizant of all constituents.

Council Member Dunbar supported tabling the resolution.

Council President Spitzley asked Council Member Yorko what her action would be. Council Member Yorko stated her intention was to move the Resolution with the amendments. Council President Spitzley stated her preference to pull the resolution for more input, and ask the City Attorney to participate in the conference call on Tuesday, along with asking Council to forward comments and questions to Council Staff. Council Member Yorko state she would not rescind her motion and again called to move the resolution with the amendments. Mr. Smiertka reminded Council President Spitzley that if it was pulled from this Committee agenda it would not be on the Council agenda later in the evening, because it would not have come out of Committee. If something occurs and it is desired to be acted on at the Council meeting then it will have to be a Late Item and in need of 6 votes to get on the Council agenda later.

Council President Spitzley called for a vote on the motion.

Council Member Wood stated she had not received copies of the amendments and they had not been reviewed by Law either.

Law left the room and made copies.

Council President Spitzley called for a recess at 9:08 p.m.

Council President Spitzley called the meeting back to order at 9:12 p.m.

Council Staff distributed Council Member Yorko's previously stated amendments.

Council President Spitzley reminded the Committee there was a motion on the floor to add amendments to the resolution, and then opened it up for comments from the Committee before the call for a vote. Council Member Yorko clarified her intention that her motion was to approve the presented resolution with the amendments, all in one motion.

Council Member Dunbar acknowledged that the amendments were the similar language she had proposed in her original and were taken out, nothing they should be added in not as new "Whereas", but as "Now therefore be it resolved". Council President Spitzley pointed out that those items were vetted by law, LPD and the administration and that confirmed that Council does not have the authority to direct those policies and then referred to the Charter under the Police Commission.

ROLL CALL VOTE TAKE ON THE MOTION BY COUNCIL MEMBER YORKO FOR THE RESOLUTION WITH HER AMENDMENTS, AND THE MOTION FAILED 3-4. YAY – DUNBAR, HOUGHTON, YORKO; NAY – SPITZLEY, BROWN CLARKE, HUSSAIN, WOOD.

Council Member Brown Clarke pointed out that her vote of no was not against the resolution but against language that the Committee did not get a lot of time to consider.

Council Member Wood made a motion to pull the resolution and asked if Council Member Yorko's amendments, along with any other Council Members suggestions be sent onto to Council Staff to coordinate with the City Attorney for his review.

Council President Spitzley stated there would be no need for a motion to pull it, she as President was pulling it, charging the City Attorney office to listen to the conference call referenced earlier by Council Member Dunbar, and compile all the Committee member suggestions.

The question was raised as to which conference call to utilize and what number, also if it was a public participation. Council Member Dunbar stated it was with Michigan United and all can participate. The representative from the Michigan United Organization Committee stepped up to the microphone in the audience and stated the conference call was not public, but he would reach out to his supervisor to get the information on the call that would be for public participation. Council President Spitzley asked that representative to inform the Council as soon as he was aware so that the City Attorney office and any Council members could participate.

<u>Adjourn</u>
Adjourned at 9:21 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

MINUTES
Committee of the Whole
Council Training
Monday, February 20, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
Council President Spitzley called the meeting to order at 5:30 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar- arrived at 7:00 p.m.
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- left the meeting at 8:15 p.m.

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Kelly Rossman-McKinney, Rossman
Joseph Abood, Deputy City Attorney
Brandon Waddell, Assistant City Attorney
Mark Dotson, Deputy City Attorney
Billie O'Berry, Assistant City Attorney
Heather Sumner, Assistant City Attorney
Nicole Maison, City Attorney Office
Elizabeth O'Leary, Human Resources
Eric Brewer, Council Internal Auditor
LaSondra Crenshaw, Council Staff

Public Comment
No public comment

Presentations
Media Tips(optional attendance required)
Kelly Rossman-McKinney distributed handouts that spoke to Key Messages, talking points, semantics on good vs. bad, capturing media attention, media phone calls, tips on preparing and talking to the media, and TV tips. The challenge was noted that Council needs to come

together as a body and an individual council member. A key message, she noted, should be supported by proof positive points. If there is an action moved as Council, then every Council Member needs to say the same thing. The message should be clear, consistent, and continuing to deliver the message in every venue so everyone can remember that message. Ms. Rossman-McKinney provided advice when setting the stage before it comes before Council and how to announce what is going to happen at the meeting to capture media attention. Preparation was also recommended for when speaking to the reporters and all parties that are involved, including being the source before the subject, have a media policy, and key people should be notified so they know there is a story in the works, do not respond to any reference of what your opinion was, if the reporter is asking a question, they already know the answer. Highlighted in the presentation she stated that the Council Member should repeat their key messages at the end of the conversation.

Ms. Rossman-McKinney's final recommendation to Council Members was to be mindful when speaking to a reporter, their own words could be used against them, and there is nothing wrong to state you made a mistake. Lastly, if there is a disagreement between members, keep to a minimum and not in the public.

Council Member Spitzley acknowledged Ms. Rossman-McKinney, and added that on the DIAS the Council needs to be professional and mindful because setting an image.

Recess at 6:00 p.m.
Council President Spitzley called the meeting back to order at 6:05 p.m.

Human Resources

Ms. O'Leary presented the annual video on sexual harassment and non-discrimination, then reviewed the City Policy No. 6. Council President asked what the procedures are since the Council is elected and not an employee, if they were found to have created harassment or discriminated against someone. Mr. Smiertka stated they would be removed from office, have to resign or forfeit their office. There were no further questions from Council Members. Council Member Spitzley made note that any Council Members not present at the time of this presentation will need to schedule an appointment with HR.

City Attorney

Mr. Smiertka introduced his attorneys and staff that were present and handed out the power point presentation. The overview began with the Fiduciary Duties as defined in the Lansing Code of Ordinances, Section 290.01 Included in the overview he covered Duty of Loyalty and Duty of Care. Outlined in Duty of Loyalty was the conflict of interest and "self-dealing". In the slide on Duty Care spoke to statutory duties and acting in good faith and with reasonable care. Council President Spitzley reminded her fellow Council Members that if they are unsure if a conflict exits, assume the conflict does exits and disclose it.

Ethics Ordinance

Ms. Sumner went through the ordinance listing the purpose, the penalty which would be a misdemeanor, and prohibitions. The prohibitions included but were not limited to non-monetary gifts valued over $50, using the position to obtain financial gain, participating in a business transaction that allows the member to profit, and offer, give or solicit any item of value with the understanding that the vote will be influenced. Council Member Wood asked if the $50 mentioned was per incident or combined for the year. Ms. Sumner advised Council that if in doubt doesn't do it, and Mr. Smiertka stated if it becomes a pattern, then there is a subjective issues. Council Member Wood asked about a Council Member running a non-profit and if a developer could come and give funds to the non-profit. Ms. Sumner stated it

should be disclosed. Mr. Smiertka stated it should also be disclosed during the budget and then recuses them from the vote.
The group moved onto the discussion on Conflict of Interest, and the slide detailed when a Council Member should file an affidavit, and disclose information. Council President Spitzley asked if as President she should ask for the disclosure from the Council Member if there is a situation of conflict. Ms. Sumner stated that the Council Member should disclose the conflict and asked to be recused, but Mr. Smiertka stated the President can call for it, and then the Council will vote for that member to be recused.

Council Member Spitzley informed the Council Members they could ask the City Attorney for an opinion if they are not sure if there is a conflict, but they should not "shop for an attorney". Inquiries should go through the City Attorney himself so he can direct his staff. Mr. Smiertka assured the Members that if they want to reach out to the attorney on their committee, which ever one they sit on, they can do that also, if it pertains to that Committee.

The topic concluded with a discussion on not using the Council offices for personal business, using of City property for personal business including phones and stationary, or leaking confidential information to the press or others who are not privy to the information.

Elections
Ms. O'Berry referenced the Charter Section Ch. 1 2-102 and 2-103.   This outlined the qualifications to be in the elective office of Council and the ineligibility for office.

Council Member Spitzley stepped away at 7:01 p.m.

Ms. O'Berry detailed candidate and campaign information, and referred them to the City website also where the material is also listed.

Council Member Spitzley returned to the meeting at 7:04 p.m.

The topic then addressed the Michigan Campaign Finance Act and discussions on co-mingling funds. Council President Spitzley reminded the Members they cannot announce their campaign related events on the Dias or at their monthly neighborhood meetings. Ms. O'Berry advised the Members to keep everything completely separate. This would include no campaign material in the office because it is a public building and they are in the building as representatives of the City, so it is not permitted. Ms. O'Berry added to the presentation that Council Members should remember they are perceived as Council Members 24/7.

Human Rights
Mr. Waddell outlined the Human Rights ordinance, the values and principals, and referenced 42 U.S. Code 1983. Council President Spitzley asked if there should be a written policy on abiding by someone's human rights, and Mr. Waddell confirmed it does not have to be, it can be a customary practice. It was suggested that if there is a policy to implement, the best practice before going to the public is to vet it with the City Attorney office.

Open meetings
Mr. Abood outlined the Open Meetings Act and the State Stature. The policy of the OMA is to strengthen the right of all Michigan citizens to know what goes on in government by requiring public bodies to conduct nearly all business at open meetings. The Charter does speak to everyone being present for deliberations and the vote. The advice of legal counsel in many communities is that there should be no electronic devices at the Dias. Council Members discussed using their phones to text their family members during the meeting or researching information on a topic on the agenda. Mr. Abood stated that the use of a device on the Dias is

the matter of the public feeling comfortable that they are aware of what is going on. Council Member Washington noted that she has heard that that are many cities that have banned any electronic devices on the Dias. Council Member Dunbar stated her knowledge that Ingham County only uses computers for their meetings, their members no longer get paper copies. Council President Spitzley reminded the members that the City of Lansing currently does not have any rule or policy, and the presentation by Mr. Abood is to make them all aware of the possibilities and liabilities. Council Member Hussain added that every member would open themselves for public back trust at their own risk. Council Member Washington reminded the Members based on the earlier discussions, that using a personal computer on the Dias is an ethics issues because it would be using the City offices and utilities for their personal business. Council Member Dunbar asked what the purpose would be if someone FOIA the cell phone. Mr. Smiertka stated the phone would have to be turned over to the City Attorney office and information would have to be redacted, this would involve working with the IT Department also. A FOIA does not have to be subject specific, but can be vague as in a date and time relative to any device a member had with them during a discussion or vote.

FOIA

Mr. Dotson outlined the City's FOIA practices, procedures and requirements. The person requesting the information, must ask for the specific documents, the City does not create documents.

The presentation went into the exemptions, redactions, standards and appeal process.

Council Member Yorko stepped away from the meeting at 8:11 p.m.

Mr. Dotson stated that the FOIA Log is updated monthly and posted on their website.

Mr. Smiertka stated he could have the recent FOIA log emailed to the Council, and concluded by letting Council know he will continue to rotate attorneys at their meetings, and Law will continue with their ongoing training.

Council President Spitzley then turned the topic to the recent Sanctuary City resolution, stating that as Council President she will not be placing it back on any agenda in the near future.

Council Member Yorko returned to the meeting at 8:14 p.m.

Council President Spitzley acknowledged that the City Attorney is still looking at House Bills, revisions, and the effect at the national and local level. She asked that all recommendations from Council Member be sent through Council Office Manager Sherrie Boak who will compile them and forward them to the City Attorney office.

Council Member Yorko left the meeting at 8:15 p.m.

Council Member Washington acknowledged Council President Spitzley for taking leadership on the topic and taking a step back.

Council Member Dunbar informed the Committee that she has gotten information from other attorneys, and has been hearing that there is an issue in what is legal, and what is possible or not possible. She confirmed she would forward that information onto all Council Members. She did acknowledge she understands the Presidential Executive Order, however is not concerned with the State and we are becoming reactionary. Council President Spitzley, interjected and stated that the City has already been reactionary, and now they are being thoughtful. Council needs to let the City Attorney do their job. Council Member Dunbar reminded the group that the State House Bill had died 3 times and if it does come out it will be challenged. She concluded by stating her fear to stop create something at this level because of a threat that is over reached and over broad, that will stop something happening in the City at all. Council President Spitzley acknowledged Council Member Dunbar's statements but again clarified she will be following laws direction. Council Member Houghton confirmed she is still gathering information and will forward to Ms. Boak when she has something.

Council Member Brown Clarke asked Council President Spitzley to make a statement to the public to remind them what the City currently does have in place. There is currently an assumption that the City does not have anything however there is a Human Rights Ordinance in place.

<u>Adjourn</u>
Adjourned at 8:21 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

MINUTES
Committee of the Whole
Monday, February 27, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER
Council President Spitzley called the meeting to order at 5:32 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton- arrived at 5:34 p.m.
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko-excused

OTHERS PRESENT
Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Heather Sumner, City Attorney Office
Eric Brewer, Council Internal Auditor
Angela Bennett, Finance Director
Susan Stachowiak, Planning & Neighborhood Development
Jeremy Behr
Seth Kalis
Sam Inglot
Reverend Jenn Tafel
Sara Bijani
Sue Eby
Ed Montemayor
Brandy Ellison
Megan Thompson
Frances Holt
Michael Mercer
Heidi Thornley
Zenon Wisniiewski
Dilhara Muthukuda
Maximo Anguiano
Oscar CasVaneda

Jenn Tafel
Tamyra Murray
Sydney Darling
Mikey Taylor
Dominic Bertucci
Robert King
Sherri Defere Conrad
Paul Klinkenberger
Monica Silva
Niki Schreiber
Chelsea Bridson

Council Member Brown Clarke referred two items from the Committee on Development and Planning because the Committee was unsuccessful in obtaining a quorum for two meetings. Those items were:

- RESOLUTION – Appointment of Christie Poitra to the Board of Review; At Large Member; Term to Expire June 30, 2020

- RESOLUTION – Set a Public Hearing; Z-1-2017; 4215 N Grand River Avenue "D-1" Professional Office to "F" Commercial District

Council Member Washington requested that the Resolution on Transparency for Bidding be removed from the agenda.

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM FEBRUARY 13, 2017 AS PRESENTED.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM FEBRUARY 20, 2017 AS PRESENTED.

Council Member Dunbar stated she had not had time to read them, and wanted the Committee to wait until later in the meeting or the next meeting. Both sets of minutes were moved to the next meeting.

Council Member Dunbar asked for clarification on why the Resolution on Transparency on Bidding was pulled from the agenda. Council Member Washington stated it was because she believed it was the best interest of the public, in addition she had spoken to the labor unions. Since she was the Member who chaired Development and Planning when it was drafted and the public hearing was held, she was asking for it to be pulled.

Council President Spitzley noted to the public that the "Welcoming City" resolution was not on the agenda, and however even though it was not on the agenda, things are still being discussed and fluent with continued research with discussions at the State level. She reiterated it was not "buried", not pulled to let it die, but pulled to give it thoughtful consideration and give it discussions. Council President then directed the public that public comment on that item can be taken at the Council meeting at 7:00 p.m., and anyone interested should sign the yellow sheet at the back of the chambers.

Public Comment on Agenda Items (limited to 3 minutes)
Council President Spitzley asked for any public comment on the remaining agenda items. There were no public comments.

Presentation/Introduction

Tri County Regional Planning Commission Annual Report

Council Member Brown Clarke referenced the annual report in the packet, and noted it does not speak to the grants this year and new initiatives, so asked Council President Spitzley to direct Council staff reach out to Ms. Pigg with Tri County Planning to attend the next meeting. Council Member Wood asked that Ms. Pigg address the areas, the new administration, the idea on transportation dollars and the BRT discussion. In addition, if Ms. Pigg can address if the Commission dues will be raised from previous years. Council Member Brown Clarke noted that from the last calendar year, there has been no discussion on increases, but with new positions there might be. She then noted it would be a good idea to also invite the new Deputy Director at CATA who is spearheading the BRT process out to the community and businesses.

FY2017 2nd Quarter General Fund Status Report & Vacancy Report (Angie Bennett)

Ms. Bennett outlined her report looking at the revenues and expenditures, noting the benchmarking is where it should be, along with comparison to year end. With a 3 year average, the City is up a 56.6% along with the property taxes being up. She admitted they have been conservative in their projections since they are not sure where will be going with the State. The revenue sharing is on track.

Public Comment

Mr. Montemayor asked to speak on the resolution for a welcoming city, and that Council should suspend their Rules to allow public comment on legislative matters as Rule 27 of the Council Rules states they should. That being the Committee of the Whole follow the same process as Council meetings.

Mr. Kalis spoke in support of discussing the transparency on bidding ordinance and need for affordable housing. Mr. Kalis was opposed to removing the discussion off the agenda.

Ms. Bennett distributed the vacancy factor report and continued her presentation.

Council Member Brown Clarke asked if allocated unspent dollars go to the general fund or carry forward to next fiscal year. Currently there is $800,000 for FY2017 for vacancy factor, what happens if the vacancies exceed that amount.
Judi – in some cases, is there a plan to fill some or doing desk audits to see if still necessary

Council President Spitzley passed the gavel and stepped away from the meeting at 5:59 p.m.

Ms. Bennett detailed the steps that are taken to fill every position.

Council Member Wood noted the report was a 6-month report and the budget has these positions in them, so the question would now be what has changed after 6 months. Ms. Bennett replied that these positions might have become vacant in that time, some might be restructured, and some might be on hold for higher positions to be filled. Council Member Dunbar noted to Ms. Bennett that if there are so many vacancies someone must be doing the job, so where are those funds going. Ms. Bennett replied that some maybe on hold, some have contract employees doing the work.

Council Member Spitzley returned to the meeting, and Council Member Wood passed the gavel.

Council Member Wood asked Ms. Bennett where the general fund dollars come from because the report reflects only 3 positions with dollars not being dealt with that does not have contract employee. Council Member Wood also reminded Ms. Bennett that the Committee on Ways and Means added more information to this report, however it was missing and asked when that would be provided. Ms. Bennett did not provide a timeline, but stated her belief that the relevant information is listed. Council Member Wood reminded Ms. Bennett that the report was because Council put it together to provide them relevant information in making their determinations. Ms. Bennett stated again her opinion that the report was created by the Administration as a budget monitoring tool. Council Member Wood asked again for the report that was requested of Finance and HR at the Committee on Ways and Means in 2016. Mr. Hannan stated the Administration will not spend additional staff time to do the request, so Council staff can perform the work that Council is asking for. Council Member Wood pointed out to Ms. Bennett and Mr. Hannan that Council staff does not have access to the different platforms to pull that information and therefore that is why Council continues to ask the administration for the work. Ms. Bennett was asked when Mr. Brewer would get access. Mr. Hannan advised Ms. Bennett, and Ms. Bennett's response was that she would take that under advisement. Council Member Wood noted that the Administrations' response will be taken under advisement.

Council Member Dunbar asked if the raw data could be provided to Mr. Brewer the Council Internal Auditor to evaluate. Ms. Bennett stated it would be administrative burdensome to track the length in the vacancies, and she believes the report shows how positions are vacant.

Council Member Brown Clarke reminded Ms. Bennett and Mr. Hannan that Ms. Black from HR attended a meeting Ms. Bennett attended where Ms. Black stated HR could provide that information that Council is asking for. Ms. Black stated her department did have the ability to determine how each position is captured in HR with positions numbers and cross referencing. Council Member Brown Clarke suggested that maybe Mr. Brewer could determine its difficulty if he had access to the system. Ms. Bennett's response to the suggestion was that Ms. Black in 2016 was new to the process, and there is no way to tie a person to a position. Council Member Brown Clarke again reiterated that Mr. Brewer needs access to the information to create his data report. He will not need access to manipulate the information. Council President Spitzley asked Ms. Bennett if it would be possible for her to sit with Mr. Brewer to discuss the issues and nuance while under advisement. Ms. Bennett stated she has been speaking to Mr. Brewer about the challenge, the administrative burden on producing the report.

Council Member Wood asked the Administration about the recent for sale signs at the Waverly Golf Course. Mr. Hannan stated the agreement with the potential buyer as withdraw and did not renew their option.

Mr. Brewer had no comments further than his report in the packet. He did note that he does need access to make determinations and if he can create the report, but that is not possible if he does not have access. Council President Spitzley encourage Ms. Bennett to continue her discussions with Mr. Brewer.

Council President Spitzley then acknowledged a conversation with the City Attorney office, and based on their advice, under Council Rule 40 will move to suspend Council Rule 9 to discuss and add public comment on City matter to the end of this meeting. The public comment will be limited to two (2) minutes.

Council Member Dunbar asked for the specific Rule number. Ms. Sumner stated is was pointed about by a resident it was Rule 27, which states Committee of the Whole uses the same rules as Council, and Rule 40 suspends the rules to change, and Rule 9 allows the protocol to be changed to add an item to the agenda.

Council Member Washington asked Law if this would be the practice at all Committee of the Whole meetings from this point on. Ms. Sumner stated the determination was made on a quick review and rule 27 shall be observed. Rule 15 lays out the order of the meeting, and based on Rule 27 Committee of the Whole should be allowing public comments on bother matters. Council President Spitzley replied to Council Member Washington that until Law can tell for sure what will occur in the future, she will error on the side of caution. After the Closed Session, City Council will hold the public comment, and the residents can speak then or at the scheduled time on the Council agenda. Because there is a large number of public present, they will be limited to 2 minutes so everyone can be to be heard. Council Member Dunbar asked if this would be a practice moving forward or something Council can choose to do. Council President Spitzley again stated until Law makes their determination, she will error on the side of best judgement.

<u>RESOLUTION – Set a Public Hearing; Z-1-2017; 4215 N Grand River Avenue "D-1" Professional Office to "F" Commercial District</u>
Ms. Stachowiak informed the Committee that this rezoning will join the commercial zoning to the East, and currently the applicant occupies the building but has no room for expansion.

Council Member Washington asked Ms. Stachowiak what the purpose of the rezoning would be. Ms. Stachowiak stated the applicant has not specified. Council Member Wood asked if there were any conversations on contract or conditional zoning. Ms. Stachowiak acknowledged they had not had those discussions with the applicant, but could reach out to them, however under the Statue for conditional zoning the applicant has to approach the City. Council Member Washington noted it is difficult to approve without knowing the proposed use. Ms. Stachowiak stated with rezoning it is common not to have a specific use determined when applying for rezoning, but to look at what all uses could go there.

Council Member Brown Clarke stated it did not appear to be a sense of urgency, so asked that Council President Spitzley refer the request back to the Committee on Development and Planning.

Council President Spitzley referred the resolution back to the Committee on Development & Planning.

<u>RESOLUTION – Appointment of Christie Poitra to the Board of Review; At Large Member; Term to Expire June 30, 2020</u>
Council Member Brown Clarke spoke briefly on Ms. Poitra experience and confirmed some of the Committee on Development and Planning members had spoken to Ms. Poitra informally.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE RESOLUTION FOR APPOINTMENT OF CHRISTIE POIRTRA TO THE BOARD OF REVIEW. MOTION CARRIED 7-0.

MOTION BY COUNCIL MEMBER WOOD TO GO INTO CLOSED SESSION AT 6:40 PM FOR THE WORKERS COMPENSTATION REDEMPTION SETTLEMENT FOR #WC2062876-00997. ROLL CALL VOTE, CARRIED 7-0.

{CLOSED SESSION}

{RECONVENE}
Council President Spitzley reconvened the Committee of the Whole at 6:50 p.m.
Council Member Spitzley called for a recess at 6:51 p.m.
The Committee of the Whole reconvened at 7:02 p.m.

Discussion/Action

RESOLUTION – Workers Compensation Redemption (Settlement); Claim # WC-2062876-00997

Council Member Wood informed the public that the resolution was for a redemption of a Workers Compensation Claim that was confirmed by Law Department.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR WORKERS COMPENSATION CLAIM WC2062876-00997. MOTION CARRIED 7-0.

DISCUSSION - City Council Performance Measures for FY2017 Budget

Council President Spitzley to consider 2-3 goals to achieve for the next fiscal year and incorporate those into a measureable phase.

Council Member Brown Clarke asked that when the Departments present their budget they present specific finance information and 1-2 performance measures. Council President Spitzley stated she will also request they submit their information prior to the meetings. Council Member Houghton referenced the Fire Department presentations in the past which focused on the performance based budget. Council Member Dunbar asked that when the Departments present, they speak only on their performance goals, and not provide a history of the highlights of their department. Council President Spitzley stated she will work with Council Staff on a template for the departments to follow in their presentation, and also asked the Council Members to provide any questions for the departments to the Council staff before March 13th. Council Member Washington asked that the departments be asked to present their budget with a focus on the funds, because the Council is aware of the great job they are already doing. Council Member Brown Clarke asked that Council staff also research the specific questions from the previous year budget session be provided ahead of time to Council also. Council President Spitzley stated she would work over the next weeks with the Council Member Wood on a listing, format and questions for the departments. Council Member Houghton asked if the departments were invited to earlier Committee of the Whole meetings to provide their overviews before budget season. Council President Spitzley acknowledged the invitations had been extended, however there had been issues with making them happen.

ORDINANCE – Transparency in Bidding and Opening of Bids for Projects that Receive Certain Economic Incentives Approved by the Lansing City Council

This item was pulled earlier in the agenda.

Council President Spitzley suspended the Council Rules to add an agenda item to include an additional public comment.

Public Comment

Mr. Behr spoke on the vacancy report and supported the frustration of Council on lack of information. Mr. Behr then spoke in support of passing a sanctuary city resolution, and asked the discussion be placed back on the agenda.

Mr. Kahlis spoke in opposition to Council Members Washington, Spitzley, Brown Clarke, Wood and Hussain because of his belief they are obstructing the sanctuary city.

Reverend Tafal spoke in support of a sanctuary city.

Mr. Montemayor spoke in support of sanctuary cities

Ms. Bijani spoke on opposition for no action on the resolution for a sanctuary city.
Mr. Holt spoke in support of sanctuary city

Ms. Mithikuda asked that the LPD not assist ICE unless they are legally required to do so, and asked Council to work with the Mayor on anti-discrimination.

Mr. Anguiano spoke in support of a sanctuary city.

Mr. CasVaneda spoke in support of a sanctuary city.

Ms. Murray, on behalf of the Michigan for Immigration Enforcement, wants to ask Council to consult with both sides of the issue, and asked how Law feels about having their hand tied. Ms. Murray also spoke briefly on ICE and border patrol suing the Federal government.
Spoke in support of trump executive order.

Ms. Darling spoke in support of a sanctuary city.

Mr. Bertucci spoke in support of a sanctuary city.

Mr. Kerr asked for Law to provide an opinion on if it is a felony for someone to conceal their status.

Council Member Wood stepped away from the meeting at 7:38 p.m.

Mr. Kerr also asked for enforcement of adding and abetting.

Council Member Wood returned to the meeting at 7:39 p.m.

Ms. Defere-Conrad spoke in support of keeping families together and in opposition to coming into America illegally.

Mr. Klinkenberger spoke in opposition of refugees, immigrants, and what he called illegals. His opinion was that America is based on rule by Law, and not on emotions and feelings. Mr. Klinkenberger asked Council to up hold the law.

Ms. Silva spoke in support of the sanctuary city, and asked for urgency.

Ms. Schreiber urged Council for a safe place and encouraged diversity which makes the situation stronger.

Ms. Bridson spoke in support of a sanctuary city and for Council to oversee the LPD.

Mr. Taylor asked for a time to speak because his name was on the list. Council President Spitzley stated she had read the list and did not believe the name was on the list.

Council President Spitzley adjourned the meeting at 7:50 p.m.

Council President Spitzley opened the meeting at 7:51 p.m.

Council President Spitzley apologized to Mikey Taylor.

Mr. Taylor spoke in support of sanctuary city, and against the intimidation of the militia at the entrance to City Hall.

Adjourn
Adjourned at 7:54 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

TRI-COUNTY REGIONAL PLANNING COMMISSION

Planning Mid-Michigan's Future Together Since 1956

ANNUAL REPORT

MISSION

The Tri-County Regional Planning Commission (TCRPC) is a voluntary organization of the local governments and agencies of Clinton, Eaton, and Ingham counties in mid-Michigan. We are organized to foster a cooperative effort in resolving problems, policies, and plans that are common and regional with the greatest benefit to citizens of the Tri-County area while maximizing the efficient use of resources.

The TCRPC facilitates participation in regionally significant planning and development with a strong core commitment to concepts, education, and practices that support regional sustainability, wise growth, and community resilience.

PURPOSES

To prepare and/or coordinate the development of plans and aid in the implementation of agreed upon plans and services within the mid-Michigan tri-county region.

To furnish general and technical aid to member governments and organizations relative to regional issues and opportunities.

To encourage and assist in the development of region-wide policies for coordinating land use, transportation, environmental protection, human services, and other related physical planning programs among area local governments.

To review and coordinate federal, state, and local programs of regional importance. To assist local governments, agencies and individuals in securing federal and state funding programs that would have regional significance.

To encourage region wide cooperation between the public and private sectors that can enhance economic opportunity in development, expansion, attraction, and retention of business and industry.

TABLE OF CONTENTS

TRI-COUNTY REGIONAL PLANNING COMMISSION

Planning Mid-Michigan's Future Together Since 1956

2016 COMMISSIONERS

CLINTON COUNTY
David Pohl
Adam Stacey
Gail Watkins, Secretary

EATON COUNTY
Kent Austin
Roger A. Eakin
Howard Spence
Darrell Tennis

INGHAM COUNTY
Teri Banas
Robin Case-Nayert
Brian McGrain, Treasurer

CITY OF LANSING
Judi Brown Clark
Shirley M. Rogers
Chris Swope
Jessica Yorko

CITY OF EAST LANSING
Shanna Draheim

DELTA TOWNSHIP
Kenneth Fletcher, Chairperson

MERIDIAN TOWNSHIP
John Veenstra

CAPITAL AREA TRANSIT AUTHORITY
Robin Lewis, Vice-Chairperson

MICHIGAN DEPARTMENT OF TRANSPORTATION
Denise B. Jones

EXECUTIVE DIRECTOR
Susan M.C. Pigg, CEcD

TRI-COUNTY REGIONAL
PLANNING COMMISSION
Planning Mid-Michigan's Future Together Since 1956

A Letter from the Executive Director

Dear Commissioners, Partners, & Friends:

Thank you to all of our members, partners, clients, and friends for a great year! 2016 was full of opportunities for success and we accomplished much. This report offers a glimpse of our many activites this year. We maintained a strong financial position. We secured and leveraged public funding for many regional projects. We finished some projects and started new ones. We held dynamic dialog about the issues that face our region. And we continued planning for a more sustainable regional future.

Vietnamese spiritual leader Thich Nhat Hanh wrote, “We have more possibilities available in each moment than we realize.” Helping the municipalities and citizen’s groups in our region to realize their many possibilities is one of the most rewarding aspects of working with the TCRPC. And, in a world of possibilities, sustainable regional success requires good planning. Whether it is sharing a regional profile of water protection programs, funding entrepreneurship and education projects, or sharing data across agencies to coordinate transportation improvements, the leadership and commitment of the TCRPC board and its staff make our region a better place.

We look forward to 2017 with excitement. We anticipate many new opportunities. The joint vision of TCRPC Commissioners combined with the expertise of staff carries our region forward to realize more possibilities. We look forward to planning for a more sustainable future with you in the coming year.

Susan M.C. Pigg, Executive Director

Tri-County Regional Planning Commission

STAFF

Susan M. C. Pigg, CEcD., Executive Director
Paul Dionne, Transportation Planner
Rachel Elsinga, Economic Development Planner
Ken Hall, Land Use Planner
Greg Hoffman, Finance & Personnel Coordinator
Meghan Martin, Outreach & Communications Coordinator
Jim Snell, Chief Transportation Planner
Andrea Strach, Transportation-TIP Coordinator
Laura Tschirhart, Senior Transportation Planner
Linda Thomas-Boyd, Administrative Assistant/Clerk

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www.facebook.com/TriCountyPlanning

2016 TCRPC by the Numbers

TCRPC has a mission to actively engage local governments, citizens, and stakeholder groups to plan projects that guide the growth and development of our region. By convening collaboration, TCRPC supports implementation of regionally shared visions and goals. TCRPC facilitates many standing committees, project work groups, and task forces. It also hosts some region-wide events each year and partners with other area organizations to faciliate such such events. In addition to convening the full board ofthe Commission each month, TCRPC committees, work groups, and task forces meet regularly to plan actions that address issues in our lead program areas of Transportation, Economic Development, Environmental Protection, and Land Use planning. For some committees, the membership is prescribed with reprentatives of member municipalities assigned by their community. In other cases, TCRPC staff faciliate meetings that seek and encourage input from concerned or impacted stakeholders. The public and any interested people are welcome to attend and comment at any meeting of the TCRPC or its committees and work groups.

104
hosted & facilitated gatherings & work sessions

TCRPC in 2017

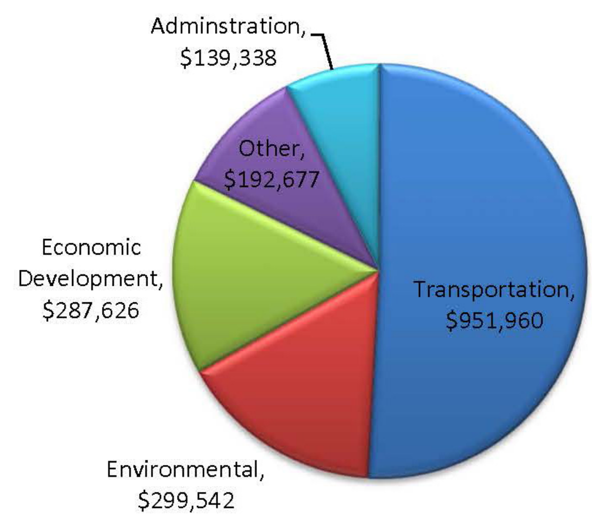
The TCRPC Agency Wide Annual Work Plan summarizes key initiatives and activities for the coming year. The 2017 Plan includes the many ongoing activities and projects required by our funding and recommended by our role in the region. In transportation, we will update long and short term plans and seek federal recertification. The new Land Use Committee will put feet under regional recreation and green space projects. The Economic Development program continues forward momentum in its many projects to acheive regional prosperity. With new staff coming onboard, our Environmental programs will re-boot and reinvigorate. They will continue technical assistance to area municipal stormwater managers and well head protection plans. And, TCRPC will take on administration of the Greater Lansing Area Clean Air Coalition. Administratively, we continue to tighten and streamline our procedures while we expand our digital access. And, in 2017, while we employ our new logo and brand, we will increase our effective communications to be more educational. We continue to expand and improve our role as a resource for regional data including current contacts for the region's municipalities and public works authorities.

1,807
estimated people in meeting & event attendance

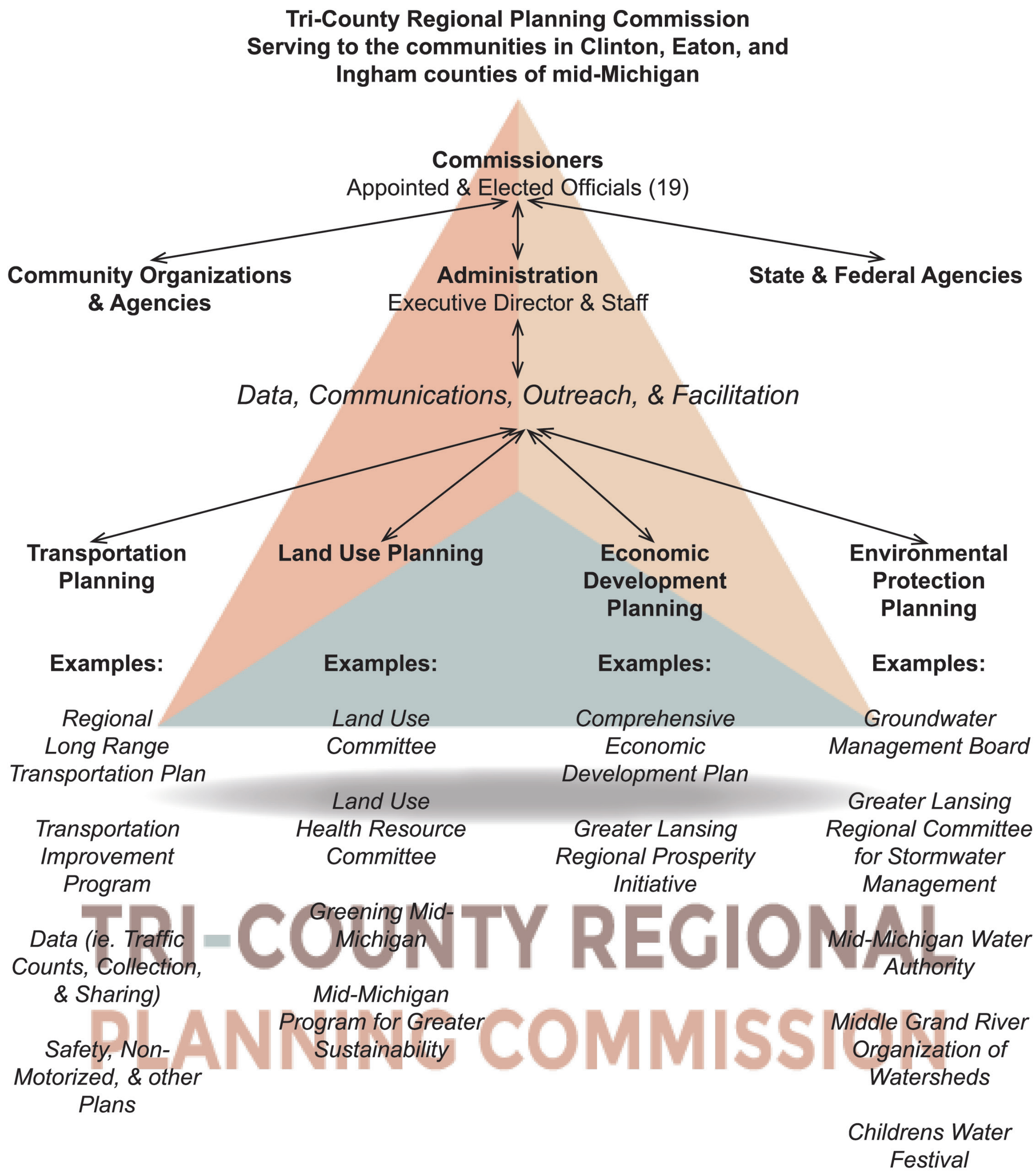
2016 Finances

Revenue by Funding Source

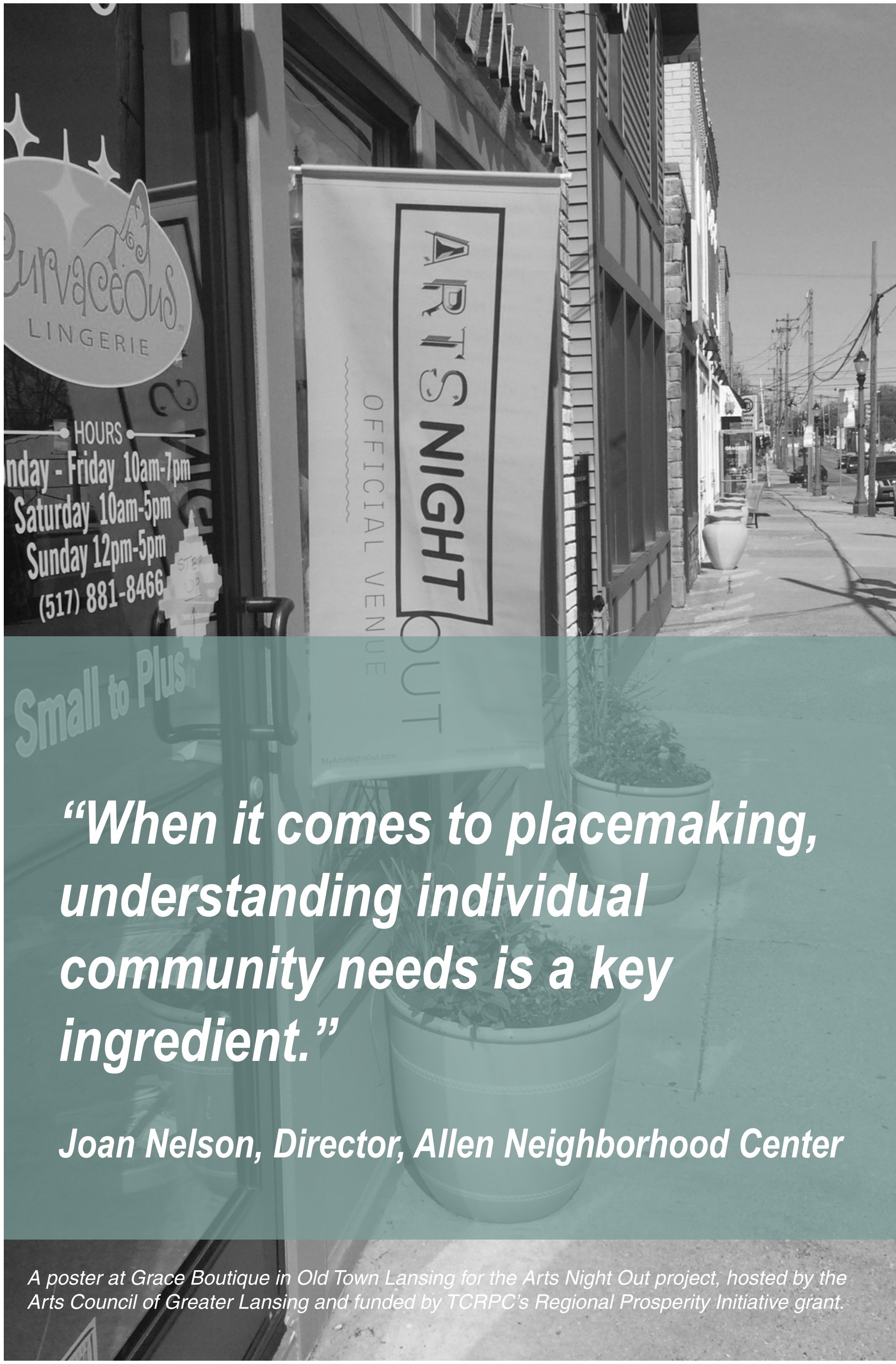
Expenditures by Program



STRUCTURE AND FUNCTIONS OF THE TRI-COUNTY REGIONAL PLANNING COMMISSION



Economic Development



"When it comes to placemaking, understanding individual community needs is a key ingredient."

Joan Nelson, Director, Allen Neighborhood Center

A poster at Grace Boutique in Old Town Lansing for the Arts Night Out project, hosted by the Arts Council of Greater Lansing and funded by TCRPC's Regional Prosperity Initiative grant.

The TCRPC supports and fosters sustainable economic development planning. As an Economic Designated District, appointed and certified by the U.S. Department of Commerce, Economic Development Administration (EDA), TCRPC receives a planning grant which provides planning services and technical assistance to municipalities in the region.

TCRPC Planners provide data and analysis; coordinate regional meetings of development professionals; host national speakers and share best practices to improve and support economic developers' practice in the region; and facilitate regional planning for economic development.

TCRPC maintains the Comprehensive Economic Development Strategy (CEDS) that provides eligibility for communities to apply for funds from the EDA to support infrastructure and programs that enhance business attraction and job creation.

Economic Development in 2016

The Economic Development Program focused on extending economic development planning throughout the region by building effective partnerships for region-wide economic development success, bringing in expert resources, and funding initiatives to further economic prosperity.

TCRPC staff and partners worked together to update our region's Comprehensive Economic Development Strategy (CEDS). Discussions of our region's vision for economic prosperity focused on talent, education, regional revitalization, transit services, and placemaking. We renewed our Partnership Planning Program with the Economic Development Administration and were awarded a three-year grant $157,884 for regional economic development planning programs. TCRPC hosted nationally-recognized urban strategist Michele Reeves for work sessions with Downtown Development Authorities. She emphasized revitalizing commercial districts. TCRPC organized a bus tour for development professionals and local elected officials to explore urban infill and density impacts. The day trip to Marshall and Battle Creek included guided walking tours and sit-down discussions with community leaders, development professionals, and local business owners in those communities.

Imagine Mid-Michigan Bus Tour:
Presentation from City of Marshall (Above)
Walking tour through Battle Creek (Below)

In 2016, Economic Development Planner Rachel Elsinga facilitated the Greater Lansing Regional Prosperity Initiative (GLRPI), our regional partnership of community and economic development professionals. Local development officials joined members of area development firms, non-profit organizations, community groups, and businesses. We expanded public and private partnerships though monthly gatherings held throughout the region.

With support from GLRPI leaders, particularly LEAP, Capital Area Michigan Works!, Michigan State University, and Lansing Community College, we secured a third round of Initiative funding from the State of Michigan (DTMB) and applied for year 4. The grant of $185,500 was immediately implemented to support regional initiatives in talent and education with funding for Capital Area Michigan Works! Teach, Talent, Thrive (T3) program that is creating a network of STEAM opportunities. We funded a regional Youth Entrepreneurship program hosted by LEAP and were the title sponsor for a Talent Summit led by the IT Council and the Capital Area Manufacturers Council. We initiated a study of latent demand for transit and the economic impact of transit access in the region. TCRPC's GLRPI group was a title sponsor of the Creative Placemaking Summit II and Greater Lansing's Arts Night Out events hosted by the Greater Lansing Arts Council. And, to continue outreach and revitalization efforts, funding supported purchase of a site selection mapping tool hosted on the LEAP website to attract business locations. maintenance of a regional ddashboard of progress toward regional prosperity (at www.micapitalregion.com).

Environmental Protection Planning

The TCRPC Environmental Planning Programs develop technical resources; facilitate work groups and committees, and offer outreach and education to protect our region's groundwater and surface water resources. They focus on protecting the quality and health of our region's ground and surface waters. Through the Groundwater Management Board, the Greater Lansing Committee for Stormwater Management (GLRC), the Middle of the Grand River Organization of Watersheds (MGROW) and the Mid-Michigan Water Authority, TCRPC helps develop watershed and wellhead protection plans and offers education programs for residents and schoolchildren. TCPRC staff members assist municipalities and non-profit groups to meet permit requirements, to identify challenges and opportunities and to coordinate regional water protection efforts.

"Each municipality is not an island. We have a place in the region and the actions that we take, impact our neighbors."

Julie Brixie
Treasurer, Meridian Township

Environmental Planner Erin Campbell teaches kids about topography and runoff at the 2016 Michigan State University Science Week.

Environmental Protection Planning in 2016

The TCRPC environmental staff provided direct technical assistance to area municipalities on groundwater protection. They made presentations to area municipalities on an environmental permits checklist, an audit tool to evaluate their water protection practices. They shared a regionally specific water protection program and policy guide that summarizes the region's water protection programs and practices. They conducted audits of municipal practices to recommend sustainable water protection actions. And, they worked with municipal staff to draft, revise, and submit grant funding applications to support wellhead protection, watershed management, and a special study of the potential impacts of memorial gardens on nearby water quality.

Environmental staff, along with the rest of TCRPC staff, installed a rain garden at the edge of our parking lot with funds from the Great Lakes Communities Network. TCRPC Environmental planning staff worked with the Alliance for the Great Lakes on a policy guide for elected officials and participated in an advisory group on integrated watershed management at Grand Valley State University's Annis Water Resources Institute. The resulting final report addresses some the Michigan Drain code. They offered sessions on water resources during the Michigan State University Science Week to educate middle school youth. They worked with area watershed protection groups to develop implementation activities for watershed protection plans covering the Middle Grand River watershed (Eaton County area) and the Red Cedar River watershed (Ingham County area).

Also in 2016, environmental staff coordinated the MidMichigan Buying Consortium. The Consortium is in the process of accepting bids for chemicals and lime removal for water and wastewater utilities for FY 2018. It continues to grow, adding members from the mid-Michigan area. It saves utilities thousands of dollars annually through group purchasing power. The Lansing Board of Water and Light continues to coordinate the bidding and award process, while TCPRC and the East Lansing Meridian Water & Sewer Authority facilitate the overall process, guiding the Consortium's goals and answering member questions. The Consortium continues to be an excellent example of regional cooperation resulting in economies of scale.

(Right) A topography lesson at a 2016 Arbor Day celebration.

(Below) TCRPC's Rain Garden, installed in 2016, by TCRPC staff and friends.

The Rain Garden will serve as a natural filter for run-off from our parking lot. This project was funded by a grant from the Great Lakes Clean Communities Network.

Land Use Planning

Old Town Lansing, MI: Sustainable land use planning for our region ensures the cohesion of spaces used by the region's residents and businesses.

"Creating awareness for responsible construction, management of our infrastructure and green space, health and welfare, connectivity, and making sure we have a balance of style and affordability in our housing are keys to making sure we have a community that thrives economically. "

Brent Forsberg, President & Broker, Forsberg Real Estate

TCRPC's Land Use Planning Program provides land use planning and education focused on implementing regional goals of sustainable development. The Program encourages the integration of sustainable development approaches into municipal planning policies and procedures. The TCRPC Land Use Planner introduces best practices for developing green infrastructure, promotes our regional parks and recreation resources, and links healthy community initiatives with non-motorized transportation planning.

To accomplish program goals, the Land Use Planner actively engages citizens, agencies, and local governments to examine the implications of regional land use and growth trends on the region's future. TCRPC is formulating consensus on a shared vision that assures a regional quality of life, economic competitiveness, resilience, and sustainability.

Land Use Planning in 2016

The Land Use Program took on new energies this year under the direction of Ken Hall, land use planner, who joined us in April. He continued some program initiatives already underway and geared up to start some new projects. Imagine Mid-Michigan is our name for the peer exchange program facilitated by Portland State University's Sustainable Planning Program in Oregon. Through that effort, we took teams of regional leaders on intensive tours to learn about sustainable land use practices, infrastructure investment, housing, and economic development approaches. Local municipal officials, private sector developers, public health workers, and local land use planning staff joined TCRPC commissioners and staff on trips to Sacramento, CA and Portland OR. We also held a Michigan exchange with leaders in Marshall and Battle Creek. And, via phone, skype, and emails, TCRPC staff shared program materials and techniques with Portland State leaders and our 2016 cohort partner, the Truckee Meadows region of Sparks/Reno NV.

Efforts continue to improve and expand the use of a web-based health impact assessment tool. Building on the technical geographic information system tool released in 2015, Ken has been working to collect and insert updated data into the tool. Data about land parcels, public infrastructure, natural resources and the built environment along with proposed development characteristics such as sidewalks or green spaces, are assessed together to evaluate the potential public health impacts of development. When data gaps are filled and the functionality improved, the HIA tool will offer a helpful perspective on the impacts of proposed developments. When fully employed, the tool can guide locations and design of development projects to offer the greatest positive impact on public health.

In October 2016, the Land Use program renewed and refreshed its commitment to enhance regional land use planning by holding a Summit. Over forty area land use related agencies and organizations were represented in this half day discussion about shared goals and opportunities. The Regional Land Use Summit brought together a diverse crowd to give valuable input on how we can work together. Private and public leaders, parks and recreation and land use zoning staff and stakeholder groups of cyclists, walkers, and paddlers all participated in identifying shared goals for the region. With the Summit results, the TCRPC Commission established the Regional Land Use Project and Programs group to plan and implement land use enhancements and conduct sustainability planning programs for the region.

With the monthly Tri-County Brown Bag Lunch Series, TCRPC continued offering a forum for working land use professionals to share resources and best practices amongst their peers. At the 2016 lunches, participants discussed topics ranging from medical marijuana and land use regulations to food trucks to aging-in-place planning. In late 2016, the TCRPC Land Use Planning program joined with the Transportation program to launch the development of a regional non-motorized transportation plan. TCRPC staff are integrating land use planning focused on a healthy environment with development of a non-motorized transportation plan.

IMAGINE
Mid-Michigan

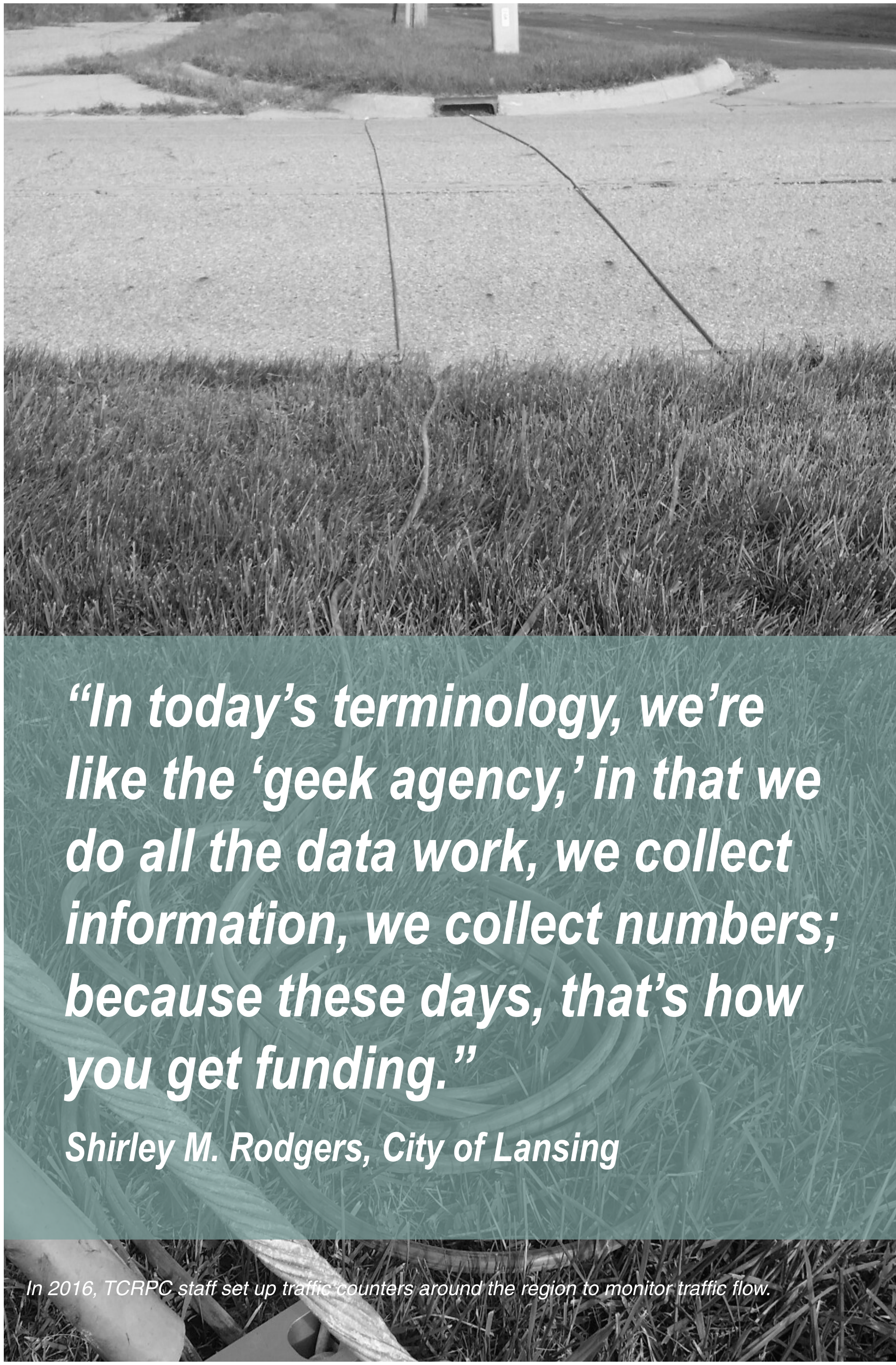
Transportation Planning

TCRPC is the federal and state designated center for Transportation Planning in the region's urbanized and non-urbanized areas. Certified by the Federal Highways Administration and the Federal Transit Administration, TCRPC is the Metropolitan Planning Organization for the greater Lansing region. The TCRPC staff work closely with MDOT also. We are often the bridge that links local roads and transit agencies with state and federal funding for transportation improvements and operations. Federal and state-funded transportation projects are coordinated through TCRPC.

TCRPC transportation planning staff members facilitate regular public meetings and work closely with area roads and transit agencies to identify and plan for roads, public transit services, and non-motorized pathways. TCRPC coordinates and facilitates regional planning for federal and state investments in surface transportation.

"In today's terminology, we're like the 'geek agency,' in that we do all the data work, we collect information, we collect numbers; because these days, that's how you get funding."

Shirley M. Rodgers, City of Lansing



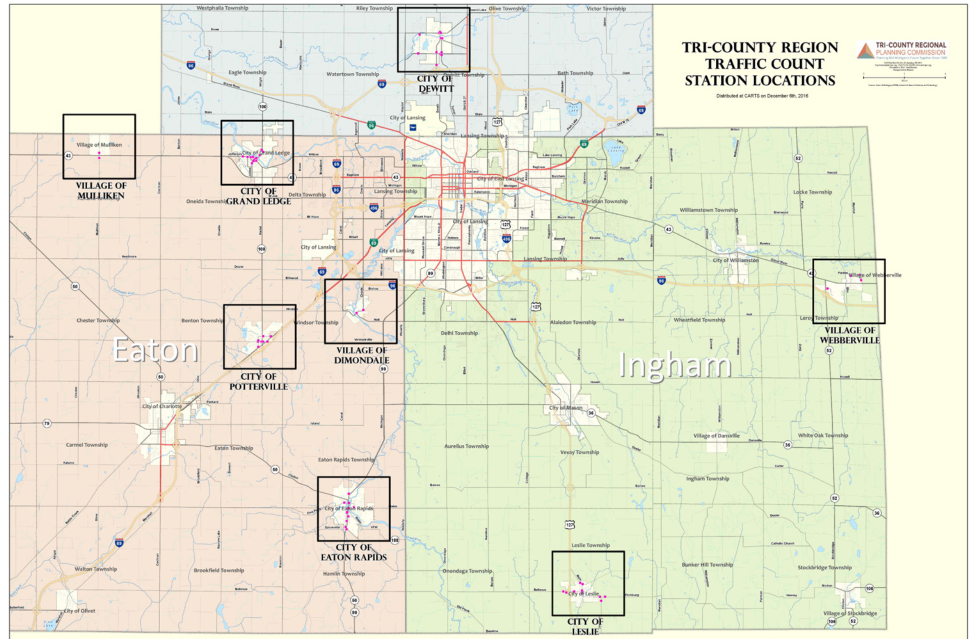
In 2016, TCRPC staff set up traffic counters around the region to monitor traffic flow.

Transportation Planning in 2016

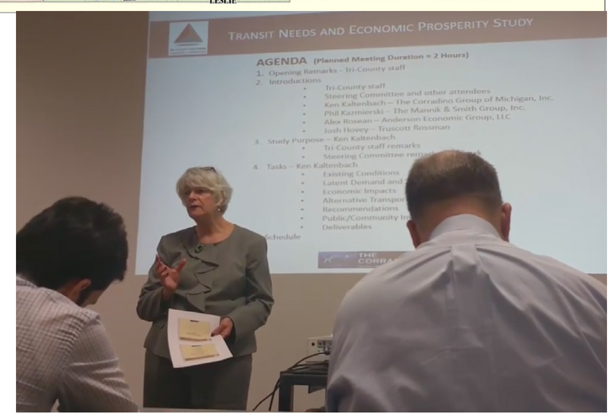
In 2016, Transportation planning staff began implementing goals set out in the 2040 regional transportation plan. They worked with MDOT technical support and the region's road agencies to develop a Local Road Safety Plan. Considered Phase I of a regional safety plan process, the plan document outlines safety related issues specific to our region along with possible solutions. TCRPC staff also completed work on an MDOT University Region Bicycle Map. A guide to bike paths and routes in 7 Michigan counties, it will go to print and distribution in early 2017.

TCRPC's transportation planning committees and staff completed on schedule the region's new three-year Transportation Improvement Program (TIP), a coordinated program of transportation projects of $544 Million of transportation investments for the region.

TCRPC's transportation staff made notable improvements to regional data collection and reporting that improved its timeliness and accuracy. They initiated reliable, weekly reports on road construction activity. They established an electronic portal with a new project management software to streamline entering projects into regional plans. And, they adjusted the region's Metropolitan Area Boundary to account for US Census findings to reflect population density that impacts regional planning. TCRPC invested in equipment so that staff could begin to supplement traffic counting in the region. TCRPC staff are gathering traffic volume and speed information at up to 320 locations region-wide to supplement and enhance real transportation data to inform good planning.



(Above): A TCRPC-produced map of areas where TCRPC staff collected traffic counts in 2016.



(Right): Executive Director Pigg introduces the Study of Transit Demand and Economic Prosperity at the October Kick-Off Meeting.

TCRPC secures funding for regional transportation planning through the Michigan Department of Transportation and the Federal Transportation agencies–FHWA and FTA. The scope of work for those funds was re-established with more accountability measures. As in past years, TCRPC developed and successfully implemented the annual Unified Planning Work and Regional Planning Work Programs to cover required planning activities and budgets. This year, the TCRPC adopted a Fiscal Constraint Policy which will help assure that our region accesses the most possible transportation funding while meeting federal and state fiscal constraint requirements. The policy addresses how to ease uncertainty in programming of projects in a given fiscal year without creating delays caused by projects with higher than anticipated costs.

The Economic Development Program and Transportation Program staff joined to undertake a Transit Demand and Economic Prosperity Study. Research began in 2016 to identify transit needs and gaps particularly focused on getting employees to employers region-wide.

1956

1956: TCRPC Founded

1966

1973: Designated a federal Metropolitan Planning Organization

1976

1977: First Long Range Transportation Plan completed

1986

1986: Designated an Economic Development District by US EDA

1996

1996: Designated a national Groundwater Guardian Community by the Groundwater Foundation

2003: Adopted Regional Growth: Choices for our Future Regional vision plan

2006

2012: Designated a Sustainable Community by US HUD

2016

TCRPC Celebrates 60 Years

Director Pigg greets guests at the 60th Anniversary Gala at the Eli & Edythe Broad Art Museum in East Lansing.

"Since the time of TCRPC's founding, they've taken on leadership around environmental planning, land use planning, transportation planning, as well as assisting local municipalities in using best practices to make their communities stronger, safer, and more vibrant." Julie Powers, Greater Lansing Housing Coalition Director

Guests of the TCRPC 60th Anniversary Gala gather to reflect on 60 years of regional facilitation and cooperation.

TRI-COUNTY REGIONAL
PLANNING COMMISSION

E.O.E. Publicly Supported.

Tri-County Regional Planning Commission
3135 Pine Tree Road, Suite 2C
Lansing, Michigan 48911
Phone: 517.393.0342
Toll Free: 800.619.6676
www.mitcrpc.org
www.facebook.com/TriCountyPlanning

Chris Swope
Lansing City Clerk

February 24, 2017

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

Dear Councilmembers:

Your approval of the attached resolution is requested.

Sincerely,

Chris Swope

Chris Swope, CMC
Lansing City Clerk

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

WHEREAS, Averill School at 3201 Averill Drive is the Polling Place for Ward 3, Precinct 30; and

WHEREAS, Averill School will be inaccessible and unusable as a Polling Place due to construction at the facility for the August 8, 2017 City Primary Election; and

WHEREAS, the Tabernacle of David already serves as a Polling Location for the City of Lansing; and

WHEREAS, City Clerk Chris Swope recommends that the Polling Place for Ward 3, Precinct 30 be relocated to the Tabernacle of David for the August 8, 2017 City Primary Election;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, relocates the Polling Place for Ward 3, Precinct 30 to the Tabernacle of David at 2645 W. Holmes Road for the August 8, 2017 City Primary Election, and that that the City Clerk shall notify the Registered Electors of Ward 3, Precinct 30 of the relocation.

BE IT FURTHER RESOLVED, that effective with any election after the August 8, 2017 City Primary Election, the Polling Place for Ward 3, Precinct 30 shall return to the Averill School at 3201 Averill Drive, and that the City Clerk shall notify the Registered Electors of Ward 3, Precinct 30 of the relocation.

BE IT FINALLY RESOLVED, that the City Clerk shall work to ensure proper signage to assist relocated voters in finding their Polling Place.

Virg Bernero, Mayor

City of Lansing

Inter-Departmental Memorandum

WORKING TOWARD A CLEANER GREENER LANSING

To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM
CDBG Annual Action Plan Adoption - FY 2017-18

Date: February 20, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

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

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submits the Annual Action Plan in order to receive Community Development fund resources, including Community Development Block Grant (CDBG), HOME and Emergency Solutions Grant (ESG) program funds, for the upcoming fiscal year 2017-2018; and

WHEREAS, the CDBG, HOME and ESG entitlement amount allocated to Lansing for the upcoming fiscal year is $3,048,094 which is subject to adjustment by HUD; and

WHEREAS, the City estimates the amount of program income to be 40,000; and

WHEREAS, the City anticipates that HUD will approve a one-time transfer of $412,961 NSP3 program income into the CDBG program; and

WHEREAS, pursuant to program requirements, the City has conducted a citizen participation and open review process which has included meetings and public hearings with several organizations; and

WHEREAS, the City has further promoted participation, input and review in the process by conducting two (2) separate advertised public hearings before the Lansing Planning Board, one on December 6, 2016 regarding housing and community development needs and one on February 7, 2017 regarding proposed Annual Action Plan program objectives and projected use of Federal entitlement and formula program funds; and

WHEREAS, the City did also initiate and carry out the required thirty (30) day public comment period on the proposed 2017-18 Annual Action Plan by publishing a summary of the plan in the Lansing City Pulse March 15, 2017; and

WHEREAS, a public hearing will be held by the Lansing City Council on April 10, 2017, to again receive citizen comments and recommendations and to give final review to the Annual Action Plan; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the City's application and Annual Action Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the Annual Action Plan for the City of Lansing that includes housing and community development goals, objectives, strategies, and budget for the use of community development fund resources for fiscal year 2017-2018 as proposed by the Committee of the Whole.

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, is hereby authorized to sign the Annual Action Plan and application for FY 2017-2018, including all understandings, assurances and certifications contained therein, and to submit the grant application to the Department of Housing and Urban Development.

BE IT FINALLY RESOLVED that the Mayor is authorized, as the official representative of the City of Lansing, to set-up budget line items, provide any and all information, to act in connection with the Annual Action Plan application and to execute all agreements, contracts and legal documents, including the agreement between the City and the Department of Housing and Urban Development, to secure CDBG, HOME and ESG funding and implement the Annual Action Plan programs.

Bob Johnson, Director
Planning & Neighborhood Development

Virg Bernero, Mayor

Development Office
316 N. Capitol Avenue, Suite D-2
Lansing, Michigan 48933
PH: 517.483.4040 – FAX: 517.483.6036
www.lansingmi.gov/development

February 22, 2017

Honorable Mayor Virg Bernero
Ninth Floor City Hall
Lansing, MI 48933-1694

Dear Mayor Bernero:

RE: Proposed Program Objectives and Projected Use of Federal Funds
Annual Action Plan FY 2017 (July 1, 2017- June 30, 2018)

The Lansing Planning Board, at their meeting on February 7, 2017 voted unanimously (4-0) to recommend approval of the Statement of Proposed Program Objectives and Projected Use of Community Development Fund Resources for the Annual Action Plan FY 2017 (July 1, 2017- June 30, 2018). A copy of the statement is attached for your review, which identifies the activities to be undertaken by the City using Community Development Block Grant (CDBG), HOME Program and ESG (Emergency Solutions Grant) Program Funds commencing July 1, 2017.

In accordance with the Citizen Participation Plan, several public hearings are conducted. The first public hearing was held on December 6, 2016 before the Planning Board to receive public comments about housing and community development needs. The minutes of the public hearing are attached to this letter for your information. Two participants expressed the need for CDBG resources to assist low to moderate income persons including youth, senior citizens, veterans and the disabled population with housing and supportive services.

The second of three public hearings regarding the federal funding allocations was held on February 7, 2017. There was one participant speaking on the need for additional funding to assist low to moderate income senior citizens with their housing needs.

The last hearing will be held before the City Council on April 10, 2017. In addition to the hearings, a public notice in the Lansing State Journal will be the final opportunity for public comments on the *draft* Annual Action Plan which will be solicited for a thirty (30) day period from March 14- April 12, 2016.

The Annual Action Plan, which is the City's planning document and application for these programs, must be submitted to the Department of Housing and Urban Development by May 14, 2017.

The proposed use of funds is based on goals and objectives established for each of the three (3) programs, and reflects needs identified and commitments made relative to housing, homeless services, economic development, weatherization, public improvements and other community development activities. The allocation for public services is limited to 15% of the estimated Community Development Block Grant. The allocations for administration, planning and urban design and project operations are staff and operating costs related to delivery of not only the CDBG, HOME and Emergency Solutions Grant Programs, but other State and Federal Programs as well. The federal resources for this year include Community Development Block Grant, NSP3 transfer of program income into CDBG, HOME grant (plus program income estimate), and Emergency Solutions Grant in the total amount of $3,048,094, which will be budgeted as proposed in the attached Summary of Funding Allocation for the next fiscal year

The Planning Board recommends that the Mayor and City Council adopt the Proposed Program Objectives, Goals and Projected Use of Community Development Fund Resources as part of the budget for Fiscal Year 2017-2018 for the City of Lansing. The recommendation was made by unanimous vote at the February 7, 2016 Planning Board meeting with the understanding that pro-rata adjustments will be made to the budget amount proposed for each activity once the actual grant amounts from HUD have been awarded. Attached for your information are copies of the minutes of the public hearings on December 6, 2016 and February 7, 2017.

Please forward this information to the members of the City Council.

Sincerely,

Susan Stachowiak, Secretary
Lansing Planning Board

Regular Meeting
LANSING PLANNING BOARD
December 6, 2016
6:30 p.m., Conference Room
Neighborhood Empowerment Center
600 W. Maple Street

MINUTES

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:35 p.m.

a. Present: Josh Hovey, Beth Graham, Lynne Martinez & Marta Cerna
b. Absent: John Ruge, Alisande Henry, Tony Cox
c. Staff: Bill Rieske, Susan Stachowiak & Doris Witherspoon

Ms. Graham made a motion, seconded by Ms. Martinez to grant excused absences for Ms. Henry and Mr. Cox. On a voice vote (4-0), the motion carried.

2. APPROVAL OF AGENDA

Ms. Martinez asked that the Board take up item 2 before item 1 under Old Business.

Mr. Hovey approved the agenda by unanimous consent with the change requested by Ms. Martinez.

3. COMMUNICATIONS - None

4. HEARINGS

a. **Fiscal Year 2017-2018 Annual Action Plan –**Housing & Community Needs Public Hearing

Ms. Witherspoon said that the purpose of the hearing is to allow citizens an opportunity to provide input and indicate needs, views and proposals for:

1. Housing and non-housing community development needs within the City of Lansing relevant to preparation of the City's FY 2017 - 2018 Annual Action to the Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG), HOME Investment Partnership Program formula programs and ESG (Emergency Solutions Grant)
2. The use of CDBG, HOME and ESG Program funds for fiscal year commencing July 1, 2017.

Ms. Witherspoon said that this is an opportunity for concerned citizens and neighborhood organizations to participate in the planning process and influence future programming and use of Federal program funds in Lansing. She said that the City of Lansing federal funds have historically been used for such activities as: housing rehabilitation, weatherization, public services, economic development, public improvements, new construction, down payment assistance and programs/services to assist the homeless. Ms. Witherspoon said that this is the action plan for the second year of the five year plan. She stated that the City does not know how much it will be receiving but it is anticipated that there will be a slight decrease in CDBG funds and a slight increase in Home funds.

Mr. Hovey opened the public hearing.

Julie Powers, Executive Director, Greater Lansing Housing Coalition, stated that the CDBG funds that they receive are used to leverage other funding sources. She said that some of the money is used for the "Tuesday Tool Men" program which is a group of about 25 volunteers that do a lot of very important work in the community. This is the largest tool man group in the country and they have built 30 handicap ramps in the City as well as several other projects to benefit persons of low to moderate income. She said that the Tool Men are able to build a ramp for about $1,500 whereas, it would cost about $6,000 if it were being done by a contractor. Building handicap ramps allows seniors to age-in-place which is something that GLHC strongly supports. Ms. Powers said that the funds also go to support the GLHC's Homeowner Education Resource Organization which provides free courses covering a variety of topics to help homeowners repair, maintain and improve their homes. She said that GLHC receives less than $100,000 of CDBG funds from the City on annual basis but it goes a long way.

Angela Pruitt, 809 Center Street, Board Chairwoman of Closing the Digital Gap (CTDG), said that this is the first time in several years that CTDG is not included in the proposed funding plan. She said that CTDG still needs the funds to continue their program and hopes that removing them from the plan was just an oversight. Ms. Pruitt stated that they provide computer training to seniors, youth, veterans, disabled individuals, etc. and are partnering with the YMCA and others in this endeavor.

Seeing no one else wishing to speak, Mr. Hovey closed the public hearing.

5. COMMENTS FROM THE AUDIENCE – None

Kathy Miles, 1128 Woodbine Avenue, Representing Rejuvenating South Lansing, asked if the Board considered her concerns about form-based codes and read them into the record. She said that what Ms. Stachowiak said at the last meeting about cats being kept indoors is not true. Ms. Miles stated that there are a lot of feral cats in her neighborhood and they do cause problems. She asked why the medical marijuana facility at 3001 S. Washington Avenue is still open while the rezoning is pending as it is not legal under the current zoning.

Elaine Womboldt, 4815 Tressa Drive, Representing Rejuvenating South Lansing, stated that the draft of the medical marijuana ordinance that the Board will be changing and therefore, it should not be considered at this time. She said that Mr. Smiertka did not know how the Planning Board received a copy of the letter that he wrote to the President of the City Council and the Mayor on October 4, 2016 requesting 60 days to revisit the proposed ordinance. Ms. Womboldt asked that the ordinance be sent back to the Public Safety Committee.

Jeff Donahue, 617 E. Hazel Street, stated that his facility conducts testing on medical marijuana and he is concerned about the separation distance requirements in the proposed ordinance and how it will affect his ability to continue operating at 617 Hazel Street. He questioned why pharmacies and liquor stores are not bound by these same separation requirements. Mr. Donahue said that grow, testing, and processing facilities should be concentrated in industrial districts. He said that he has invested a lot of money into his facility and the location seems very appropriate for the use.

6. **RECESS** – None.

7. **BUSINESS**

A. **Consent Items**

1. **Minutes for approval: November 1, 2016** – Approved as written

2. **2017 Planning Board Meeting Schedule:** Approved as written

B. **New Business**

1. **Act-11-2016– 637 E. Michigan Ave. (Clara's restaurant), Vacate Easements**

Mr. Rieske said that this is a request by 637 E. Michigan Avenue, LLC for the City to vacate utility easements remaining in the vacated N. East Street right-of-way at the site of the former Clara's restaurant. The street was vacated in 1990 with a reservation of utility easements that are no longer necessary. Mr. Rieske said that neither the railroad nor any of the utilities that responded to his notification of this request expressed any need for reserving this easement. To that end, staff is recommending approval of the request.

Ms. Martinez made a motion, seconded by Ms. Graham to recommend approval of Act-11-2016 to vacate the easements reserved in the 1978 and 1990 resolutions located within the N. East Street ROW and now attached to the former Clara's property at 637 E. Michigan Avenue. On a voice vote (4-0), the motion carried.

C. **Old Business**

1. **Zoning Ordinance Amendment - Medical Marijuana Facilities**

Ms. Stachowiak stated that the proposed ordinance that is included in the Board packet is the same as the one that was reviewed by the Board at its October meeting. She said that the Board members expressed the following concerns at the October meeting relative to the proposed ordinance:

- Requiring separation distances between grow/testing/processing facilities when it would seem appropriate to have such facilities concentrated in industrial area.
- Excessive separation distance requirements between medical marijuana dispensaries and churches, playgrounds, schools, parks, etc., thus significantly limiting the locations where MM facilities could be located.

- Placing requirements on a medical marijuana business with respect to security, financial assurances, hours of operation, licensing, etc., not required of drug stores or businesses that sell alcohol.

She said the Board also felt that it may be premature to enact an ordinance until such time and the State has had a chance to promulgate the rules pertaining to medical marijuana.

Ms. Martinez said that the State Commission that will be charged with promulgating the rules has not even been appointed yet. She also said that it is her understanding that the City has to have an ordinance in place to allow medical marijuana facilities before the State will issue licenses for such facilities within the City.

Mark Dotson, Deputy City Attorney, said that the Commission will likely not be appointed until December of 2017. He said that the only reference in the ordinance to zoning is a requirement that grow facilities must be located in industrial districts. Other than that, there is no reference to zoning in the State regulations. Mr. Dotson said that it is completely up to the City to determine how or if it wants to regulate and license these types of facilities.

Ms. Stachowiak said that the purpose of having the ordinance on the agenda for this meeting is to provide the City Attorney's Office with a complete list of concerns that the Board has with regard to the proposed ordinance. Ms. Stachowiak said that the Mayor's Office authorized the distribution of Mr. Smiertkas' October 4th letter to the Planning Board

Mr. Hovey asked what the problem is with regard to medical marijuana that the ordinance is trying to solve. He said that it is a legal, medicinal product and it is being very regulated and restricted, especially in comparison to how other controlled substances are regulated.

Ms. Martinez said that it appears that medical marijuana is being regulated far more restrictively than other schedule 1 narcotics. She said that what the Board is hearing is that there are a lot of people that need this medicine and want to be able to have access to it.

Mr. Hovey said that the ordinance appears to be designed to exclude rather than regulate medical marijuana facilities. He said that if the issue is that they look "seedy" than maybe we could require building façade improvements as part of the licensing process.

Ms. Stachowiak said that we do not require façade improvements for any other uses.

Mr. Dotson said that is a policy matter and if the City wanted to make façade improvements a requirement, it does not seem like that would be a problem.

Ms. Stachowiak said that she will see if the 3 members that are not here have any other comments relative to the proposed ordinance before she sends these comments to the City Attorney's Office.

2. Form-Based Code

Ms. Stachowiak stated that she made the following changes to the "General Provisions" chapter of the proposed Code that were discussed at the last meeting:

1. Added a clause stating that any animal, including ferrets, are permitted as long as they are kept in a cage, bowl or terrarium.

2. Included peacocks in the list of prohibited animals as requested by Ms. Henry.

3. Removed the language requiring that satellite dishes be black and made of mesh material.

4. Requiring that curbside trash containers may not be placed near the curb or in the public right-of-way before 5:00 p.m. the day before they are to be collected and must be removed from the curb not later than 10:00 p.m. the day of collection as requested by Mr. Cox.

Ms. Stachowiak said that the ordinance still does not have a limit on the number of cats as there is simply no way to enforce it. She said that she also did not change the ordinance to allow for intermittent parking of buses or other commercial vehicles in residential neighborhoods. Ms. Stachowiak said that this is something that the City would only respond to if it became a problem and if it does, we need to have an ordinance in place to deal with the complaints.

Ms. Stachowiak said that at the last meeting she asked the Board to consider whether it wanted to prohibit chain-link fences in all front yards except for industrially zoned properties.

The Planning Board decided to delay making its decision on the front yard chain-link fence issue until the next meeting.

Ms. Martinez asked that the time frame for curb side containers be changed to 4:00 the day prior to pick-up.

Ms. Stachowiak said that she would make that change.

Ms. Stachowiak stated that the sections regulating parking and non-conformities are still a work in progress and are currently being reviewed by the consultants. She said that the primary changes to the parking section involve allowing porous pavement, subject to approval by the City engineers, and reducing the amount of parking that is required for most uses.

Ms. Stachowiak said that these sections of the ordinance will be on the next Planning Board agenda for more discussion.

8. **REPORT FROM PLANNING MANAGER** – None

9. **COMMENTS FROM THE CHAIRPERSON** – None

10. **COMMENTS FROM BOARD MEMBERS**

11. **ADJOURNMENT** – Ms. Martinez adjourned the meeting at 7:50 p.m.

Regular Meeting
LANSING PLANNING BOARD
February 7, 2017
6:30 p.m., Conference Room
Neighborhood Empowerment Center
600 W. Maple Street

MINUTES

1. OPENING SESSION

Mr. Ruge called the meeting to order at 6:42 p.m.

a.	Present:	John Ruge, Josh Hovey, Lynne Martinez, Alisande Henry and Councilmember Judi Brown-Clarke
b.	Absent:	Tony Cox, Beth Graham & Marta Cerna
c.	Staff:	Susan Stachowiak, Doris Witherspoon & Don Kulhanek

Ms. Martinez made a motion, seconded by Ms. Henry to grant excused absences for Ms. Graham and Mr. Cox. On a voice vote (4-0), the motion carried.

2. APPROVAL OF AGENDA - Mr. Ruge approved the agenda by unanimous consent with the removal of the public hearing on the Form-Based Code.

3. COMMUNICATIONS - None

4. HEARINGS

a. CDBG Resources - FY 2017 (7/1/17-6/30/18) Proposed Funding Allocations

Ms. Witherspoon said that the intent of this public hearing is to provide citizens the opportunity to examine and comment on proposed objectives, goals and projected use of community development fund resources, including the Community Development Block Grant, HOME and Emergency Solutions grant programs, to be included in the City's Annual Action Plan submission for Fiscal Year 2017 (7/1/2017 – 6/30/2018). Ms. Witherspoon said that entitlement grant awards for FY 2017 have not been announced by HUD as of the date of this publication. Amounts proposed herein for FY 2017 CDBG,HOME and ESG activities are based on prior entitlement awards (approximately 2.6 million dollars). If the grant amounts HUD actually awards to the City of Lansing for CDBG, HOME and ESG are different from the amounts shown above, pro-rata adjustments will be made to the budget amounts proposed for each activity.

Ms. Witherspoon said that the primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods. She asked that anyone wishing to speak, state their name and address for the record and the organization, if any, that they are representing.

Tammy Lemmer, Tri-County Office on Aging, 5303 S. Cedar Street, stated that she supports the goals and objectives as written. She expressed concerns about the small amount of funds being designated for homeless assistance and prevention. Ms. Lemmer said that there are a lot of people having to reside in nursing homes because they have nowhere else to go. She said that they are not considered homeless unless designated as such within 90 days prior to entering the nursing home. Ms. Lemmer said that there needs to be additional funding to provide housing for low-moderate income individuals.

Seeing no one else wishing to speak, Mr. Ruge closed the public hearing.

b. Z-1-2017, 4215 N. Grand River Avenue, Rezoning from "D-1" Professional Office to "F" Commercial District

Ms. Stachowiak said that this is a request by First Class, Inc. to rezone the property at 4215 N. Grand River Avenue from "D-1" Professional Office District to "F" Commercial District. The purpose of the rezoning is to permit commercial use of the subject property. She said that staff is recommending approval of the request. Ms. Stachowiak said that the adjacent property to the east is already zoned "F" Commercial and therefore, the proposed rezoning will not result in a "spot zone". She stated that from a planning perspective, commercial uses should primarily be concentrated along principal arterials as they are designed to carry the highest volumes of traffic. Office uses, by contrast, which typically do not generate nearly as much traffic as commercial uses, should primarily be concentrated along minor arterials. The proposed rezoning from "D-1" Professional Office to "F" Commercial is therefore, consistent with proper land use planning principles. In addition, Ms. Stachowiak said that the "F" Commercial district is the most appropriate zoning designation to facilitate the "Suburban Commercial" land use development strategy being advanced in Design Lansing Master Plan.

Mr. Ruge opened the public hearing. Seeing no one wishing to speak, Mr. Ruge closed the public hearing.

Mr. Ruge asked if the rezoning would trigger any landscape requirements. He said that there are residential land uses to the west and south of the subject property. He also asked about storm-water requirements if additional impervious surface is added to the site.

Ms. Stachowiak said that the rezoning, by itself, will not trigger any additional landscaping. She said that if the applicant does anything to the property that requires administrative site plan review, the site must be completely brought into compliance with all landscape, screening, buffering and storm water requirements. Ms. Stachowiak started that since there is no room for landscaping along the west property line, a screen fence would be required.

5. COMMENTS FROM THE AUDIENCE

Yvonne LeFave, 537 Beech Street, stated that she owns Go Green Trikes and she is beginning to outgrow her existing space. She said that there is a small parcel of land on East Street that is available and would be ideal for her operations, except that it is zoned residential. Ms. LeFave said that she would like to get this property rezoned so that she could build a garage on it for her business.

Ms. Martinez said that Ms. LeFave is a friend of hers but she does have some concerns about putting a business in the middle of a residential block.

Mr. Ruge asked Ms. Stachowiak to check this out, speak with Ms. LeFave, and report back to the Board.

Brand Johnson, 2875 N Glenn, stated that the State of Michigan allows for 5 different medical marijuana enterprises (dispensaries, cultivation, processing, testing and transport). He asked that the distance requirements that are intended to prevent concentrations of dispensaries not be imposed on the other 4 enterprises.

6. **RECESS** – None.

7. **BUSINESS**

A. **Consent Items**

1. **Minutes for approval: January 3, 2017** – Approved with the following correction to item 11 on page 6:

Change "Ms. Martinez" to "Mr. Ruge"

2. **Z-1-2017, 4215 N. Grand River Avenue, Rezoning from "D-1" Professional Office to "F" Commercial District -** Approved as requested

3. **CDBG Resources - FY 2017 (7/1/17-6/30/18) Proposed Funding Allocations –** Approved as recommended with the understanding that pro-rata adjustments will be made to the budge amount proposed for each activity once the actual grant amounts from HUD have been awarded.

B. **Old Business**

1. **Medical Marihuana Ordinance**

City Attorney, Jim Smiertka, stated that the City Council's Committee on Public Safety has been working on an ordinance to regulate medical marijuana facilities for a few years now. They have listened to many hours of public comment, held many meetings and came up with the current draft 6.a. Once approved, this ordinance would replace Chapter 20 in the Zoning Ordinance that currently regulates medical marijuana facilities in the City. Mr. Smiertka said that at the beginning of October, he issued a letter requesting an additional 60 days to ensure that the ordinance would be consistent with the State law. In the meantime, Ms. Stachowiak provided him with a list of the Planning Board's concerns about the ordinance and the 3 pages contained in the Board's packet are intended to address those concerns. Mr. Smiertka said that they have looked at how other cities are handling medical marijuana and have come up with a new draft. The Planning Board is being provided with that section of the new draft that deals with the zoning aspects as that is the aspect of the ordinance that the Planning Board is charged with reviewing. The Planning Board's recommendation will be forwarded to the Public Safety Committee and eventually, the Council will hold a public hearing before taking action on the final draft

Mr. Smiertka said that the State Act itself allow dispensing medical marijuana via caregiver operations. These are allowed in the City as a home occupation. He said that there are 5 types of medical marijuana establishments. These include dispensaries, cultivation, testing, processing and transport. Mr. Smiertka said that the State law has been in effect since December 20, 2016 but no licenses will be issued by the State until December of this year. This will give the Committee that has been appointed at the State level a chance to promulgate the rules governing the licensing of these facilities. Mr. Smiertka said that a license cannot be issued by the City without the State issuing a license. He stated excise taxes will come back to the City as well as other taxing entities from these facilities.

Mr. Smiertka said that several changes have been based on the Planning Boards' concerns about the exclusionary aspect of the ordinance. The new draft does not include an distance or separation requirements for any medical marijuana establishment, except dispensaries. The State law requires that grow facilities are limited to properties that are zoned industrial or agricultural. These types of facilities will be permitted in the City in the "H" & "I" Industrial and 'G-2" Wholesale districts. Mr. Smiertka said that in addition, the distance requirements for dispensaries have been reduced from 1,000 to 500 feet for church, child care centers, schools, etc. and to 300 feet from City parks. These distance requirements will be measured in the same manner as liquor licenses rather than "as the crow flies" which reduces the separation areas.

Sam Quon, City of Lansing Information Technology Department, said that dispensaries are permitted in all commercial districts, except the "G-1" district. Mr. Quon presented 3 maps. The first map depicts the restricted areas under the original draft 6.a. The draft allowed for 619 parcels completely outside of the restricted areas and 346 parcels that were partially outside of the restricted areas. The second map shows the restricted areas under the new draft. This allows for 1,288 parcels completely outside and 645 parcels partially outside the restricted areas. The changes, thus, have significantly increased the number of parcels that would allow a dispensary. The third map shows the differences between the 2 maps.

Ms. Martinez asked Ms. Stachowiak to email the Board members the new maps that Mr. Quon just presented.

Ms. Henry asked if the different enterprises cannot co-locate on the same parcel of land.,

Mark Dotson, Deputy City Attorney, stated that they may be able to operate in the same facility as long as both enterprises comply with all aspects of the ordinance.

Ms. Brown-Clarke asked if a medical marijuana facility will become nonconforming if a church moves in after it is already established.

Mr. Smiertka said that if the facility is there first, the church has no effect on it.

Ms. Henry asked if there is a list of existing facilities.

Mr. Quon replied no.

Mr. Hovey thanked the City Attorney' Office for listening to the Planning Board's concerns and making the changes to address those concerns. He asked if the 3 pages that the Board is reviewing will just be a part of draft 6.a.

Mr. Smiertka said that there will be an entirely new draft that contains the 3 pages the Board is currently reviewing. He said that this is the only part of the ordinance that the Planning Board is being asked to review and make a recommendation on. Mr. Smiertka said that the remaining changes will involve enhancing the definitions and making sure that the ordinance is consistent with the State law.

Mr. Ruge asked about the purpose of buffering medical marijuana facilities from churches, school, parks, etc. when we have no such requirements for pharmacies and liquor establishments.

Mr. Smiertka said that it is a matter of public policy. He said that it is similar to the State of Michigan determining that it is good public policy to require that liquor establishments are located at least 500 feet from churches. Mr. Smiertka said that the Public Safety Committee has determined that it is good public policy to require a separate between medical marijuana facilities and certain uses, including churches. He said that there are drug free zones and other state and federal laws dealing with marijuana. Mr. Smierka stated that the City will make it clear to all licensees that by issuing a license, the City is only saying that the facilities complies with City ordinances. The license will include a statement that, by signing the license/application, the licensee acknowledges that the facility/activity may not comply with all federal and state laws and by issuing the license, the City is not sanctioning or protecting them from prosecution for a violation of state or federal law. It is the risk that the licensee will have to accept.

Ms. Martinez said that the ordinance addresses licensing but the licensing will be through the State.

Mr. Smiertka said that the State will license the operator, whereas, the City will license the premises.

Ms. Martinez said that the ordinance deals with security, sanitation, financial requirements, including cash in the bank, etc. She said that she would like to see the entire ordinance.

Ms. Stachowiak said that the only part of the ordinance that is within the Planning Board's purview is the zoning and that is why only that portion of the ordinance has been provided to the Board. She said that the Planning Board is being asked to act on this ordinance at this meeting so that the City can move forward with finalizing the ordinance.

Ms. Henry said that she is concerned about the “first come, first serve” method of issuing licenses with respect to the separation requirements from one facility to another

Mr. Dotson said that the separation requirement between facilities only applies to dispensaries.

Mr. Hovey said that if the product is medicinal, then why is it being regulated as though it were recreational. He said that what is being presented is much better than the previous draft of the ordinance.

Ms. Martinez said that if the entire ordinance is not going to be provided to the Board, she will abstain from voting.

Mr. Ruge said that a Board member can only abstain if there is a conflict of interest. He also said that the remainder of the ordinance deals with regulation on the operations of medical marijuana facilities rather than the land use aspect which is what the Planning Board is charged with reviewing.

Mr. Hovey made a motion, seconded by Ms. Henry to delete “...another medical marijuana provisioning center;...” from the first paragraph on page 26 and to delete the entire second paragraph on page 26. On a voice vote (4-0), the motion carried unanimously.

Mr. Ruge said that the City does not require a separation between pharmacies or liquor license establishments. He questioned why medical marijuana facilities have to be separated from each other.

Ms. Henry agreed with Mr. Ruge. She said that medical marijuana has been legalized in Michigan and the facilities that dispense it need to be considered legitimate, allowable uses. Ms. Henry said that there should be no shame in operating or patronizing these facilities. She stated that they should not be looked upon as a seedy type of business and we should not just assume that they are going to be a problem when there is no evidence that they are a problem.

Mr. Dotson suggested that some of the Planning Board members come to the Council committee meetings at which the ordinance is being discussed to express their concerns.

Ms. Martinez asked Ms. Stachowiak to forward the committee agendas.

Mr. Hovey said that there are hundreds of medical marijuana dispensaries in Denver Colorado and they are not even noticeable as being different from any other business.

Ms. Martinez asked that the Council consider a sign ordinance amendment to address signs associated with medical marijuana facilities. She said that some of the signs in the City give a negative impression of these businesses.

Ms. Brown-Clarke said that the signs referred to on page 25 relate only to processing and transporting facilities.

Mr. Hovey made a motion, seconded by Ms. Henry to recommend approval of pages 25, 26 and 27 of the proposed medical marijuana ordinance dated January 31, 2017 with the deletion of "...another medical marijuana provisioning center;..." from the first paragraph on page 26 and the deletion of the entire second paragraph on page 26. On a voice vote (4-0), the motion carried unanimously.

C. New Business

1. Design Lansing Plan – 5-year Review

Ms. Stachowiak said that the Design Lansing Comprehensive Plan, adopted in April, 2012, will soon reach the 5-year mark. She said that Section 45(2) of the Michigan Planning Enabling Act (P.A. 33 of 2008) states that: "At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission."

Ms. Stachowiak said that The Design Lansing Comprehensive Plan has functioned well, and implementation is now in process. She said that Mr. Rieske is recommending that the City begin the Comprehensive Plan update after the completion and enactment of the Form–Based Code and "Shaping the Avenue" provisions and a suitable "breaking in" period (e.g. six months). The update should address the City of Lansing's P.A. 425 areas in Alaiedon, Delta, DeWitt, and Meridian Townships, any recommendations to fine-tune the Form-Based Code, and other issues as identified during the course of the update.

Ms. Stachowiak said that it could take till the end of the year to finalize the Form-Based Code because we are going to have to go over it in detail with the City Council. She said that then we will need a chance to work with it for a while so that we know what is working and what needs to be adjusted. Ms. Stachowiak suggested extending the Plan for 2 years.

Ms. Martinez made a motion, seconded by Ms. Henry to extend the Design Lansing Comprehensive Plan and to begin the process of updating the Plan in January of 2019. On a voice vote (4-0), the motion carried unanimously.

8. REPORT FROM PLANNING MANAGER – None

9. COMMENTS FROM THE CHAIRPERSON

Mr. Ruge said that he attended a forum on placemaking summit in October and one thing that was very evident is that a community has to do it with something that it already has. He said that there was an article in the City Pulse about mid-century modern buildings, which the City has many of, and there is a large exhibit right now at the Michigan History Museum.

10. COMMENTS FROM BOARD MEMBERS

Mr. Hovey thanked Ms. Brown-Clarke for attending the Planning Board meetings. He said that in the entire time that he has been on the Board, she is the first Councilmember that has come to the meetings.

Ms. Brown-Clarke said that the Planning & Neighborhood Development Committee, which she is now the chair of, really takes into account the Planning Board recommendations. -8

Mr. Hovey asked Ms. Stachowiak to look into a possible violation at the Verlinden & N. Genesee intersection.

11. ADJOURNMENT – Mr. Ruge adjourned the meeting at 8:33 p.m.

PROPOSED FUNDING ALLOCATIONS
PROGRAM ACTIVITIES AND USE OF FUNDS
ANNUAL ACTION PLAN 2017 (7/1/17 – 6/30/18)
CITY OF LANSING COMMUNITY DEVELOPMENT OBJECTIVES

The primary objective of Lansing's Housing and Community Development Program is the development of a viable community which will provide standard housing in a suitable living environment, principally to benefit low and moderate income persons, preserve and expand existing businesses and industries, and create an atmosphere conducive to stability in neighborhoods.

a. Provide standard housing in a suitable living environment through rehabilitation, new construction and improvement of the housing stock primarily in CDBG eligible neighborhoods and in specifically designated housing target areas.

b. Provide housing counseling and assistance that will benefit low and moderate-income households.

c. Promote home ownership for low and moderate-income households and promote deconcentration of poverty.

d. Maintain at current levels the number of public and assisted housing units available to low and moderate-income households.

e. Provide homeless prevention assistance, emergency shelter, street outreach and supportive human services for people with special needs, people who are homeless and those at risk of becoming homeless.

f. Provide assistance for permanent supportive housing and human services for low and moderate income households with a history of chronic homelessness, including those with special needs.

g. Promote economic opportunity for low and moderate-income individuals by facilitating economic development, providing employment opportunity, sponsoring job training, supporting business development, micro-enterprise lending and business or financial educational programs and initiatives.

h. Promote economic development to provide jobs, business services and shopping opportunities for residents located in CDBG eligible areas.

i. Provide community and neighborhood services, recreational opportunities and public facilities and promote neighborhood social cohesion to improve the quality of life in CDBG eligible neighborhoods.

j. Increase security and safety in neighborhoods by supporting public safety and crime prevention initiatives, public educational programs and citizens' awareness in CDBG eligible areas.

k. Improve the city's transportation, public facilities and infrastructure systems in CDBG eligible areas.

l. Protect and improve the city's physical environment, including preventing or eliminating blight, removing lead or other safety hazards, preserving historic resources, mitigating flood hazards, promoting healthy housing and improving energy fitness in housing occupied by low and moderate-income households.

m. Promote fair housing objectives.

n. Provide affordable housing and economic development that benefits low and moderate income people in the context of mixed use development along transit corridors.

COMMUNITY DEVELOPMENT BLOCK GRANT

CDBG Single-family, Owner-Occupied Rehab Program/Public Improvements

Includes loans and grants for rehabilitation of owner-occupied housing units through city sponsored programs, and in conjunction with affordable housing efforts sponsored by nonprofit housing corporations and other state and federal agencies. Includes funds to meet lead hazard reduction regulations in rehabilitated structures, funds to assist in emergency housing rehabilitation, market analysis activities and technical assistance to nonprofit housing corporations, contractors, and low- and moderate-income households. Includes loans and grants for owner-occupied single-family units through city sponsored programs, loans to rehabilitate historic homes in conjunction with rehabilitation of the unit, and loans or grants for ramps, hazard remediation or weatherization. Includes staff, office space, technical assistance, training and other direct project costs associated with delivery of Community Development Block Grant, HOME, Emergency Solutions Grant and other State and Federal Programs

General street, sidewalk, water/sewer improvements, including assistance to income eligible owner-occupants or those in CDBG-eligible areas for special assessments related to new improvements. Includes improvements to neighborhood parks, recreational facilities; public neighborhood, medical and community facilities in CDBG priority areas.

Proposed funding amount: $1,373,715

CDBG Rental Rehab Program/Weatherization

Includes loans and grants for rehabilitation of rental housing units through city sponsored programs. Includes funds to meet healthy housing standards and/or lead hazard reduction regulations in rehabilitated structures.

Proposed funding amount: $ 50,000

Acquisition

Includes acquisition, maintenance and security of properties acquired through programs, and activities related to acquisition, disposition, relocation and clearance of dilapidated structures. Funds may also be used to acquire properties in the flood plain. Includes staff time associated with this activity.

Proposed funding amount: $1,000

Public Services (limited to 15%)

Includes services for low- and moderate-income individuals such as: homeownership counseling, education, neighborhood counseling, youth and senior programs, neighborhood clean-ups, community gardens, home repair classes. Services are for low- and moderate-income individuals and/or those in CDBG-eligible areas located within the Lansing city limits.

Proposed funding amount: $ 258,510

Economic Development
Loans, technical assistance and training to low- and moderate-income owners of and persons developing micro-enterprises within or planning to locate within the Lansing city limits. Technical assistance to individuals and for-profit businesses including workshops, technology assistance, and façade improvement loans/grants. Creation of jobs to benefit low and moderate-income city of Lansing residents.

Technical assistance to individuals and for-profit businesses including workshops, technology assistance, façade improvement loans/grants, market analysis, business promotion, referrals for the attraction of new business and expansion of existing business within CDBG-eligible areas of Lansing.

Proposed funding amount: $129,060

CDBG General Administration (limited to 20%)
Includes staff and other costs associated with preparation of required Consolidated Planning documents, environmental clearances, fair housing activities and citizen participation activities associated with the delivery of CDBG, HOME and other state and federal programs.
Includes planning and general administration costs associated with delivery of CDBG and other state and federal programs. Includes indirect administrative costs and building rent paid to the city.

Proposed funding amount: $ 453,071

TOTAL CDBG AND NSP3 TRANSFER ($1,852,395 + $412,961=) $2,265,356

HOME

Down Payment Assistance
Funds provided to homebuyers for down payment and closing costs for purchase of a single-family home located within the Lansing city limits. Up to $15,000 will be available as a 0% interest second mortgage for homebuyers with income at or below 80% of median income. Assistance not limited to first-time homebuyers. May include staff time and/or homeownership counseling fees associated with this activity.

Proposed funding amount:$ 101,616

New Construction/HOME Rehab/Development Program
Includes funds for loans and grants for housing construction and rehabilitation with non-profit and for-profit developers, including CHDOs.

HOME funds allocated for housing developed in partnership with the city, including Supportive Housing Program (SHP) and Acquisition, Development and Resale (ADR) activities. Projects may include new construction and rehabilitation activities with non-profit and for-profit developers, including CHDOs. Funds may be used for staff time associated with these activities

Proposed funding amount: $ 336,812

CHDO Set-aside (15% minimum required)
Reserved for housing developed, sponsored or owned by CHDOs in partnership with the City.

Proposed funding amount: $ 86,234

Community Housing Development Organization (CHDO) Operating (limited to 5%)
Funds reserved at option of the City to provide operating funds to CHDO's utilizing the City's HOME funds to produce affordable housing in the community.

Proposed funding amount: $28,745

HOME General Administration (limited to 10%)
Includes staff and general administration costs to deliver the HOME program.

Proposed funding amount: $ 61,490

TOTAL HOME $ 614,897

EMERGENCY SOLUTIONS GRANT (ESG)

Street Outreach

Street Outreach activities.

Proposed funding amount: $ 10,000

Homeless Prevention

Homeless Prevention activities.

Proposed funding amount: $50,000

Administrative Activities (limited to 7.5%)

Funds provided to offset the cost of administering emergency solutions program.

Proposed funding amount: $ 12,588

Shelter Operation

Funds provided to shelter providers to cover cost of maintenance, operations, insurance, utilities and furnishings in shelter facilities.

Proposed funding amount: $ 95,253

TOTAL ESG: $167,841

SUMMARY
Forty -Third Year Community Development Resources

Program	Annual Action Plan
CDBG Entitlement Grant:	$1,852,395
CDBG NSP3 Transfer	$412,961
HOME Program Funds	$ 574,897
HOME Program Income (est.)	$40,000
ESG Program Funds:	$167,841
TOTAL	$3,048,094

Administrative, management and operation costs for the above programs include the administration, management and operations of the eligible activities, **as well as other federal and state community development programs in which the city is now or may be participating.**

Entitlement Grant Awards for FY 2017 (July 1, 2017-June 30, 2018) have not been announced by HUD as of the date of this publication. Amounts proposed herein for FY 2017 CDBG, HOME and ESG activities are based on prior entitlement awards. If the grant amounts HUD actually awards to the City of Lansing for CDBG, HOME and ESG are different from the amounts shown above, pro-rata adjustments will be made to the budget amounts proposed for each activity.

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 10, 2017 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2017-18.

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

WHEREAS, pursuant to Rule 41 of the Lansing City Council Rules, a proposed rule revision shall be placed on the Council Agenda for Council receipt and review, but “shall not be considered for adoption sooner than the next council meeting”.

THEREFORE BE IT RESOLVED, that the City Council hereby moves to amend the City Council Rule 27 as fully set forth below.

LANSING CITY COUNCIL RULE
(Rule amendment introduced March 13, 2017 and to be considered for adoption March 27, 2017)

Rule 27. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate and moving to vote immediately AND FURTHER EXCEPT THAT WHEN THE COMMITTEE OF THE WHOLE MEETS AT A SCHEDULED TIME, PUBLIC COMMENT SHALL BE GOVERNED BY RULE 17. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole.