AGENDA
Committee of the Whole
Monday, December 10, 2018 @ 6:30 p.m.- NOTE TIME
City Council Chambers, City Hall 10th Floor
UPDATE #2 – 12/7/2018 p.m.

Council Member Wood, Chairperson
Council Member Washington, Vice Chairperson

1. **Call to Order**

2. **Roll Call**

3. **Minutes**
   - November 26, 2018

4. **Public Comment on Agenda Items (Up to 3 Minutes)**

5. **Discussion/Action:**

   A.) RESOLUTION - Elected Officers Compensation Commission (EOCC) 2019; First Meeting 2019

   B.) RESOLUTION - ACT-8-2018; Public Art Easement Between the City of Lansing and Southwest Action Group (SWAG)

   C.) RESOLUTION - Amendment to the Resolution for Brownfield Plan #70 (735 Hazel)

   D.) RESOLUTION – Outside Legal Counsel; Fahie Schultz Burzych Rhodes PLC

6. **Other**

7. **Adjourn**

PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE OF THE WHOLE 6:30 p.m.

DATE Dec 10, 2018

Please print

NAME	ADDRESS	Purpose for Attending	Email Address	PHONE
KATHY MILES		RSL		
MATT DONELAN		LIME		
Loretta Hanaway	546 Armstrong	self	soswoz@aol.com	517 6485730
Elaine Womboldt	RSL	RSL		

MINUTES
Committee of the Whole
Monday, November 26, 2018 @ 5:30 p.m.
City Council Chambers, City Hall 10th Floor

CALL TO ORDER

Council President Wood called the meeting to order at 5:30 p.m.

PRESENT

Councilmember Kathie Dunbar
Councilmember Jeremy A. Garza
Councilmember Adam Hussain
Council Member Brian T. Jackson
Councilmember Peter Spadafore
Councilmember Patricia Spitzley- excused
Councilmember Jody Washington
Councilmember Carol Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Samantha Harkins, Mayors Executive Assistant- left at 6:35 back at 6:47 p.m.
Jim Smiertka, City Attorney- left at 6:40 p.m,
Angela Bennett, Finance Director
Loretta Stanaway
Claudia Rodgers
Tyler Dyke
Madysen Lawrence
Kathy Miles
Tashmica Torok
Elaine Womboldt
Liz Abdnour
Nathan Triplett, CATA Board

Minutes

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM NOVEMBER 19, 2018 AS PRESENTED. MOTION CARRIED 7-0.

Public Comment on Agenda Items

Ms. Miles spoke in opposition to the number of scooters permitted in the proposed ordinance, and was opposed to 24 hour operation. Ms. Miles then spoke against the reappointment of Ms. Tuner.

Ms. Torok asked the Committee to grant a onetime waiver for the sale of alcohol at the upcoming Firecracker Foundation event. She admitted that when they signed the agreement at SWOC and were sponsored by City TV, they were not aware it was note permitted. Council President Wood asked Ms. Torok to stay after the meeting to speak to the City Attorney.

Ms. Womboldt asked for questions to be asked of CATA for their role with scooters. She then referenced the recent September 2018 Medical Marihuana Commission meeting and comments made by the Commission to increase the number of dispensaries, speaking in opposition to their recommendations. Lastly she also spoke against the reappointment of Ms. Turner.

Ms. Stanaway spoke in opposition to the reappointment of Ms. Turner, opposition to any CATA changes and asked for details on where the City Market was in the General Fund report.

Ms. Abdnour asked for a waiver for the Firecracker Foundation event and then outlined what the Foundation does.

Mr. Dyke spoke in support of the annual fundraiser and asked for the waiver for the event.

Council President Wood referred the Committee to the City Council "Late Item" from Council Member Dunbar they had at their seats, which was a resolution to amend a previously adopted ordinance on the topic of alcohol sales at SWOC. She then asked Mr. Smiertka to comment on the opinion of law. Mr. Smiertka confirmed that there was an issue with a proposed resolution to allow the sale of alcohol at SWOC, because the ordinance amended in April 2018 prohibited it except for a specific May 8th event, so this method of a resolution cannot amend and ordinance. An ordinance amendment would need a public hearing. The only option he offered, per Charter, was if Council determined this was an emergency ordinance, which would require 2/3 of the members present. First though, he clarified, Council would have to find that there is a public emergency that would affect the public health of its residents. Council President Wood noted her concern that the management at SWOC is familiar with the new ordinance so they should have communicated this restriction to Firecracker Foundation.

Council Member Dunbar made the Committee aware that when she was contacted by Firecracker Foundation she did not provide them with the time frame that is needed for an ordinance change, but since they did not sign a contract because the site was donated, they did not read it or were not made aware of it. She admitted she understood it was not a "public emergency" but appealed that because of the members of society that the Foundation serves they are asking for consideration. Ms. Abdnour admitted that Mr. Cochran did make it clear that there might be issues with City Council but did not mentioned that it needed to be addressed here, and in their conversations Mr. Cochran never mentioned it was banned. Council Member Jackson stated that he supported an emergency ordinance based on the work the Foundation does and the survivors they serve which effect the public. Council Member Dunbar again appealed to the Committee stating that if they would have known, they would have proposed an ordinance amendment sooner. Council Member Washington acknowledged the work they do, however was concerned with the fact that City staff did not inform them, and people cannot expect Council to make exceptions all the time. Council President Wood asked Mr. Smiertka if the appeals for emergency fall under the Charter requirement. Mr. Smiertka read that that Charter offers guidance, and the Council has to declare a "public emergency" which is it would affect the life, health, property or public peace. It would need to be an amendment they would need to introduce and decide to add another date or strike the only date currently listed in the ordinance. It would require a 2/3 vote of the members present. Council Member Spadafore asked if a large loss of money or property would be sufficient for an emergency. Mr. Smiertka noted with this meeting, there would be testimony on the record, and it appears from what is said there is a risk of property or health, but there needs to be findings. Council can decide that if their findings are based on comments from the Foundation and their testimony provides enough for an emergency that affects the health and property and therefore an ordinance amendment. Council Member Washington stated she could make an argument, that the loss of funds could affect the health of the residents they assist and therefore the public health. Council Member Dunbar reminded the Committee of her earlier email today which provided the Foundation annual report. Council President Wood asked Mr. Smiertka that if the information provided that stated the Foundation could not continue its series of assistance to the children of abuse would be enough to declare an emergency ordinance. Mr. Smiertka acknowledge, and added they would just need to add November 29, 2019 to the current ordinance. Council Member Dunbar asked if Council did not take action, if the Mayor could issue an emergency action. Council Member Washington interceded and stated she would be more comfortable with Council making the amendment since it is not a Mayoral issue, she then agreed that they could add November 29, 2018 for the Firecracker Foundation event due to the public health emergency. Council President Wood spoke in opposition to the inquiry to if the Mayor can issue because of her concern it would then give him the authority from now on. The Media Center is under the administration of the Mayor's office, she continued, that when City TV is talking to the public and giving information they should state what can and cannot happen at that location

Ms. Harkins replied to the comments, stating that when they were initially booking it in May Mr. Cochran spoke to them that when an ordinance is passed there might be an issue, but that loop of communication after it was passed was not closed.

MOTION BY COUNCIL MEMBER DUNBAR TO APPROVE THE AMENDMENT TO ADD ONE DATE, NOVEMBER 29TH, 2018. MOTION CARRIED 7-0.

Presentation

Communication from CATA on Proposed Amendments to their Articles of Incorporation

Mr. Triplett spoke on the proposed Articles of Incorporation and provided a brief background. Included he stated, after discussions with all municipalities, they left intact the current membership on the Board of Directors and keeping individual representatives. Under terms of the amendments, the By-law can add a single voting seat, with the limitation that the independent could not serve as a position on the Board. The CATA Board has already adopted the Articles by a majority vote. The steps now being taken is the 45 day of consideration by municipalities, but there is not affirmative action required. That 45 days expires December 7, 2018. Council President Wood clarified for the public that the amendments did not have anything to dues or payments based on taxation portion. Mr. Triplett confirmed it has to do with membership participation based on numbers and population.

Council Member Jackson inquired into the lack of bussing in Ward 4 compared to MSU and East Lansing. Mr. Triplett stated it was based on the rider need, and the MSU campus is the highest rider count. He then stated he would welcome a conversation with Council Member Jackson on where ridership warrants increases.

Council Member Spadafore asked what the fee would be for the new non-contributing members. Mr. Triplett stated it would be a case by case basis based on the size of the jurisdiction. In Ingham County there is some overlapping but the bulk is already being represented. Council Member Spadafore asked if there has been any discussion on levying County wide. Mr. Triplett stated he does not recall ever having that discussion.

Council President Wood asked if they had any comments on bike sharing. They stated they are currently facilitating a study and hope to have answers in the spring. Regarding scooters they believe scooters are “first and last mile” solutions, and they are permitted on the bus, but limited.

DISCUSSION/ACTION

DISCUSSION – General Fund Status Report for FY2019; First Quarter

Council Member Garza stepped away from the meeting at 6:27 p.m.

Ms. Bennett outlined the 1st Quarter report for FY2019. She noted the revenue is on target with prior years, and the income taxes are strong. Regarding the expenditure side, they have anticipated spending patterns.

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

She added that all departments fell in with the benchmark except for the Clerk office and HRCS.

Council Member Jackson noted the fines and forfeitures are down and asked which ones. Ms. Bennett stated they were related to District Court revenues, penal cases and civil cases.

Council Member Spadafore inquired into the in State Revenue Sharing. Ms. Bennett acknowledged that the City does not receive any in the 1st quarter. Council Member Spadafore then asked if the bad driver fees in the report were affected by the recent repeal at the State. Ms. Bennett stated they are still analyzing the replacement of those funds.

Council President Wood asked for the detail location of the funds from the sale of the park property. Ms. Bennett stated those funds are not dedicated revenue and goes to “other revenue. Council President Wood asked Ms. Harkins about the $2 million from the sale of Waverly Park, and Ms. Harkins stated they have not closed yet and she would check on that closing date. Ms. Bennett added that those funds will be into the dedicated account.

Council President Wood then referenced the public service dollars and noted that the Internal Auditor had found discrepancies with them. Ms. Bennett confirmed there has been a revision to address the OM staff, who work for multiple department’s in one day. They are currently revising the system and methodology to book it and with this quarter they are behind on that. Council President Wood noted that if it is not corrected by the next quarterly report it should be footnoted.

The Committee reviewed the recently distributed vacancy report. Council President Wood inquired into the notes “offset by contract” and stated she wanted what the cost of the contract was and what the cost of the position was. And if those are being filled, then that information is not needed in the future. She then asked Ms. Bennett to work with Mr. Brewer on the methodology that is used for the “dates of vacancy”.

RESOLUTION – Reappointment of Anita Turner; 3rd Ward; Medical Marihuana Commission; Term to expire November 27, 2021

No action taken at this time.

RESOLUTION – Federal Public Charge Rule Changes

No action taken at this time.

OTHER:

City Clerk Swope Notification of National Election Security Pilot Project Membership

Mr. Swope informed the Committee that he was asked by the State to participate in a PILOT program on post-election audit. This would use a scientific method and statistical data to look at Election Day ballots. The City of Lansing was one of three (3) cities to participate, and for Lansing they will focus on the 54A District court election. The goal of the program would be to have audits done before an election is certified. Council Member Spadafore asked if this was part of what is expected under the recently passed proposal. Mr. Swope confirmed it does tie into that, but this this would be specific to audit results. Council Member Jackson asked about the expense for participating. Mr. Swope acknowledged there are staff time costs, and payment to election workers to assist in the steps of the process. Council President Wood asked if it was a random sampling. Mr. Swope assured the Committee that once ballot is in the tabulator or removed from the envelope for absentee, the numbered stub is removed so there is no way to tie it back to a specific voter. And this audit is based on the ballot manifest.

Discussion/Ordinance- Amendment to Chapter 872; Licensing and Regulations for Dockless Electric Scooter Companies

Council Member Spadafore presented the proposed ordinance amendment that will be before them at the Council meeting to set a hearing. The hearing would be set for December 10th, 2018 on this licensing ordinance. He then went through the ordinance line by line to focus on the amendments including the definition, it would not govern the use of a personal owned scooter, addresses uses in the right –of-way, speed, identification, enforcement, use policy for riders, an outreach program, licensing fees and noted that in the second year Council will set fees per resolution. Council Member Jackson asked what other communities they looked at, and Council Member Spadafore stated Detroit, Oakland, and Seattle. Council Member Jackson then asked why this was different for personal ownership vs. rented. Council Member Spadafore assured them it was because the State laws already apply to personal ownership under the Motor Vehicle Code. Council Member Jackson then asked about the process for reporting issues. Council Member Spadafore stated currently they can report via the posted phone number or use the app. Council President Wood asked about the timeline for usage on the streets, allowing 12 months. Council Member Spadafore acknowledged this was also discussed in Committee, and since no one is ever sure when "winter" will start it was open. Council President Wood suggested the ordinance be specific to a cut off period from November 15th to March.

{Closed Session}

MOTION BY COUNCIL MEMBER WASHINGTON TO GO INTO CLOSED SESSON AT 7:01 p.m. FOR:

- Ratification of Amendments to the 2016-2019 CBA with Local 421

ROLL CALL VOTE, MOTION CARRIED 6-1.

{Reconvene}

Committee reconvened the regular meeting at 7:19 p.m.

RESOLUTION – Ratification of Amendments to the 2016-2019 CBA with Local 421

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE RATIFICATION OF AMENDMENTS TO THE 2016-2019 CBA WITH LOCAL 421. CHANGES INCLUDED SHIFT CHANGE WITH NO FINANCIAL IMPACT, AND ELIMIANTE ASSISTANT CHIEF TO MAKE MEDICAL SERVICES CHIEF. MOTION CARRIED 7-0.

Council President Wood canceled the December 3, 2018 Committee of the Whole meeting.

ADJOURN

The meeting was adjourned at 7:20 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by the Committee on

LANSING MICHIGAN

Chris Swope
Lansing City Clerk

November 20, 2018

President and Members of Lansing City Council
124 W. Michigan Ave., 10th Floor
Lansing, MI 48933

Dear President and Council Members:

Chapter 280, Section 280.03 of the Code of Ordinances requires that the City Council designate by resolution the date, time, and location for first meeting of the Elected Officers Compensation Commission (EOCC) in each odd-numbered year. The section further requires the City Clerk to notify the members of the EOCC of that meeting at least seven days in advance.

The EOCC's initial meeting must be prior to March 1, 2019. The commission can meet on not more than 15 session days; a session day is defined as a calendar day on which the EOCC meets and a quorum is present. The EOCC is required to make its determination within 45 days of the initial meeting.

Attached is a draft resolution calling the first meeting of the EOCC for 2019.

Sincerely,

Chris Swope

Chris Swope
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • TDD 517-483-4479 • 517-377-0068 FAX
www.lansingmi.gov/clerk • clerk@lansingmi.gov

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

WHEREAS, pursuant to the Lansing City Charter and Chapter 280 of the Lansing Code of Ordinances, the Council shall designate in advance the first meeting of the Elected Officers Compensation Commission in odd-numbered years; and

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the first meeting of the Elected Officers Compensation Commission to be prior to March 1, 2019 and that the commission meet on no more than 15 session days;

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the Elected Officers Compensation Commission to make its determination within forty-five days after its first meeting;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby calls upon the Elected Officers Compensation Commission to meet and conduct its business in 2019 and designates __________, February _____, 2019 at _____ p.m. in the City Council Conference Room on the 10th floor of City Hall as the first meeting of the Commission.

BE IT FURTHER RESOLVED the City Council Office Manager shall serve as the recording secretary to the Commission unless the Commission determines otherwise.

BE IT FINALLY RESOLVED the City Clerk shall notify the members of the Commission in writing concerning the designated date, time, and place of the first meeting at least seven calendar days in advance thereof.

STAFF REPORT

APPLICANT and OWNER:	Southwest Action Group (SWAG) 2203 W. Holmes Rd. Lansing, MI 48911
PROPOSAL:	The applicant, the City, LEAP, and the Arts Council of Greater Lansing have been working together on the placement of public art in the business district at Holmes and Pleasant Grove. SWAG and the City propose a public open space, with landscaping and a sculpture, on a SWAG-owned parcel split from the NE corner of 3418 Pleasant Grove.
REQUESTED ACTION:	SWAG wishes to convey an easement to the City over the entire property for the placement of public art. The City will own and maintain the sculpture. SWAG would own, maintain, and insure the property.
ATTACHMENTS:	Image for parcel 33-01-01-31-226-083, aerial photo and easement description, pictures of proposed art and plaza.
EXISTING LAND USE & ZONING:	Asphalt parking lot, zoned "F" Commercial.
PROPERTY SIZE & SHAPE:	80' X 63.5' (5080 SF) Rectangular.
SURROUNDING LAND USE:	North: Commercial, Multi-family residential South: Commercial, Single-family Residential East: Commercial West: Commercial
SURROUNDING ZONING:	North – "F" and "F-1" Commercial South - "F" Commercial. "A" Residential East - "F" Commercial, "E-2" Local Shopping District West- "F" Commercial.
COMPREHENSIVE PLAN DESIGNATION:	Neighborhood Mixed-Use Center

AGENCY RESPONSES:

Board of Water and Light: No response received.

Public Service Infrastructure and Engineering: No comments.

ACT 33 REVIEW

An Act 33 Review is a planning level review of the location, character and extent of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

Location: The easement will be located on the west side of Pleasant Grove, on a parcel split from the Pleasant Grove Plaza parking lot.

Character: The easement will facilitate the placement of public art and green space in what is currently excess asphalt parking.

Extent: The easement is over the entire parcel to be occupied by the plaza and sculpture.

STAFF RECOMMENDATION

Based on a review of the location, character, and extent of the proposal, staff recommends the easement as proposed.

Image/Sketch for Parcel: 33-01-01-31-226-083

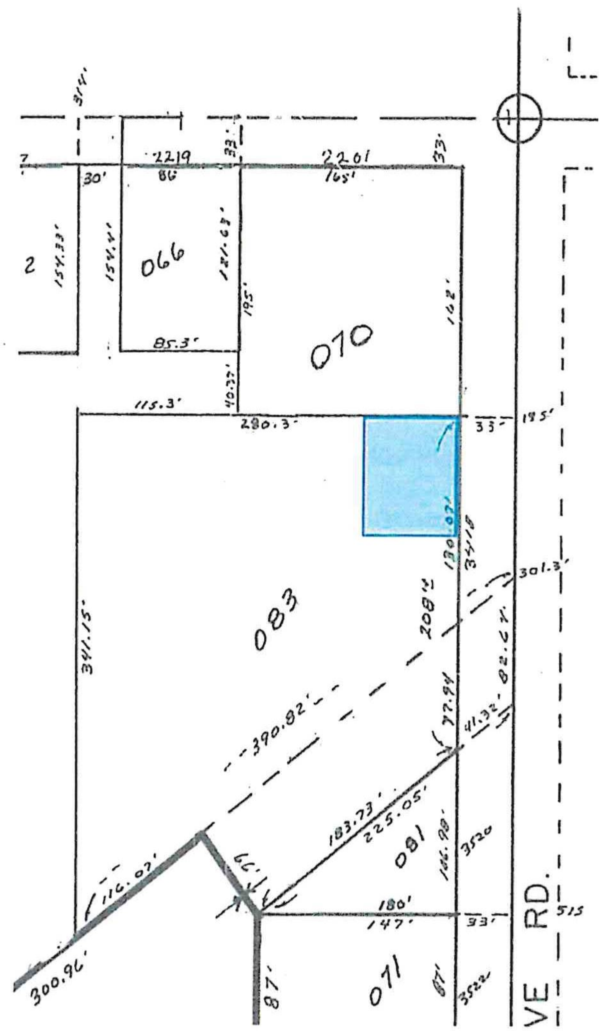
Parcel #:33-01-01-31-226-083
3418 Pleasant Grove Road, Lansing, MI 48910

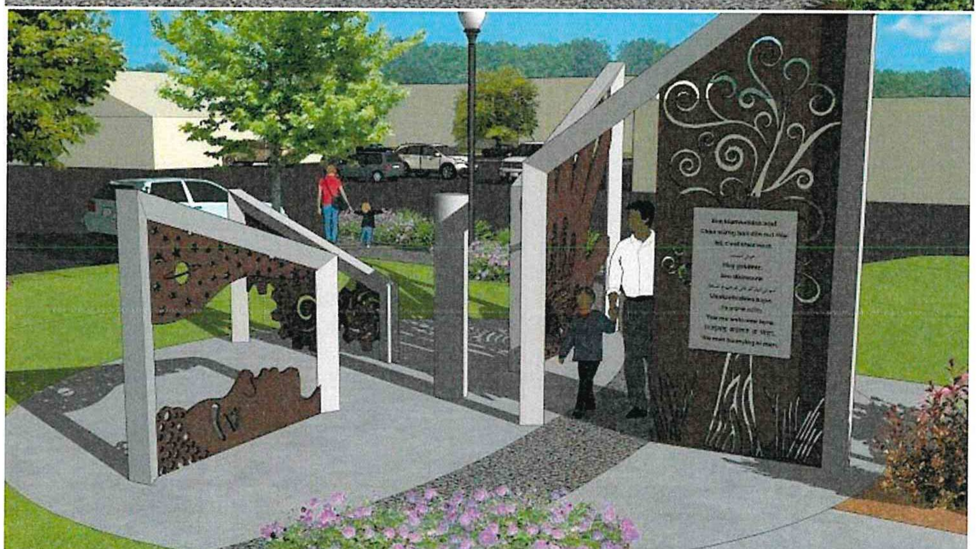
Parcel Description

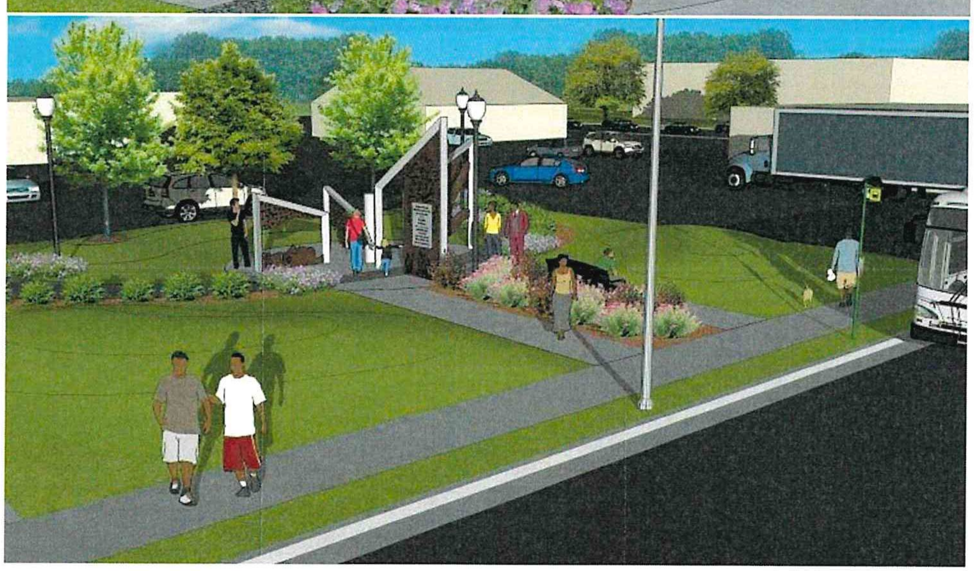
COM 314 FT W & 194.33 FT S OF NE COR SEC 31, TH E 313.3 FT TO E LINE SAID SEC, S 188.74 FT TO INTN S LINE FORMER NYCRR R/W, S 53DEG W 225.05 FT TO E LINE LOT 6 PLACER SUB NO 1, N 37DEG W 66 FT TO MOST N'LY COR SAID SUB, S 53DEG W ON N'LY LINE SAID SUB 116.07 FT, N'LY 341 FT TO BEG; SEC 31 T4N R2W

Easement Area

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31, thence South 80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet to the Point of Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W







EASEMENT AGREEMENT
BETWEEN
THE CITY OF LANSING, MICHIGAN
AND
SOUTHWEST ACTION GROUP - SWAG

THIS PERMANENT EASEMENT AGREEMENT is given on this day of September ____ 2018, between **SOUTHWEST ACTION GROUP - SWAG**, a Michigan corporation, whose address is 2203 West Holmes Road, Lansing, MI 48911 (herein "Grantor"), and the **CITY OF LANSING, MICHIGAN,** a municipal corporation, whose address is 124 W. Michigan Ave., Lansing, MI 48933 (herein "City").

NOW, THEREFORE, for and in consideration of the sum of less than One Hundred and 00/100 Dollars ($100.00) paid to the Grantor by the City, receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Property affected.** Grantor is the owner of a parcel of commercial real property ("Parcel"), which is described on the attached **Exhibit A**.

2. **Easements granted.** For consideration stated, Grantor hereby grants, warrants, and conveys to City, its successors and assigns, a perpetual and irrevocable easement that includes the right to improve, construct, maintain, repair, renew, create a Town Square and install appropriate landscaping for its function and feature a focal sculpture, upon, across, in, and through, portions of tax parcel number 33-01-01-31-226-083, legally described in the attached **Exhibit A**.

3. **Interest in real property.** The easement shall be deemed to be appurtenant to and run with the land and shall be perpetual and irrevocable.

4. **Maintenance.** The City will be responsible for basic maintenance including mowing and snow removal of Parcel and to maintain the Parcel in a reasonable state of repair.

5. **Term.** The easement is perpetual and irrevocable. The terms, conditions, reservations, and easement rights herein contained shall be covenants running with the land and shall bind and inure to the benefit of the parties, their respective heirs, successors, transferees and assigns.

6. **Assignment.** This easement and rights herein granted may be assigned by the City, its successors and assigns provided any successor in interest is a public body or similar entity.

7. **Taxes.** The Grantor, its successors, heirs, and assigns shall be responsible for all property taxes associated with the easement parcel.

8. **Jurisdiction and venue.** Any disputes under this conveyance shall be subject to the laws of the state of Michigan and venue for any disputes shall lie in Ingham County, Michigan.

9. **Severability.** If any term, covenant, or condition of this Agreement or the application of which to any party or circumstance shall be to any extent invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant, or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall be effective, and each term, covenant, or condition of this Agreement shall be valid and enforced to the fullest extent permitted by law.

10. **Notice.** Except as otherwise provided, all notices required under this Agreement shall be effective only if in writing or in a form of electronic or facsimile transmission that provides evidence of receipt and shall be either personally served, electronically transmitted, or sent with postage prepaid to the appropriate party at its address as set forth in the introductory paragraph of this Agreement. Either party may change its address by giving notice of the change or a new facsimile transmission number to the other as provided in this section.

11. **Entire agreement.** This Agreement and all exhibits constitute the entire agreement between the parties regarding the subject matter of this Agreement, and all prior negotiations and agreements regarding the Easements between the parties, whether written or oral, shall be of no further force and effect. This Agreement may not be modified except by a written document signed by both parties.

12. **Time is of the essence.** Time shall be of the essence in the performance and actions undertaken under this Agreement.

13. **Exhibits.** The exhibit is attached to and is a part of this Agreement. It is Exhibit A, the Drawing, Picture and Legal Description of the Parcel and Easement Area.

14. **Complete Agreement.** This instrument contains all the terms and conditions of this easement as agreed upon between the parties hereto, except as the parties may hereafter agree to in writing.

This instrument is exempt from real estate transfer taxes pursuant to Section 5(a) of 1966 PA 134; MCL 207.505(a) and Section 6(a) of 1993 PA 330; MCL 207.526(a), because the consideration is less than One Hundred and 00/100 Dollars ($100.00).

IN WITNESS WHEREOF, the Grantor has executed this easement agreement in the day and year first above written.

GRANTOR(S):

SOUTHWEST ACTION GROUP - SWAG

By: _______________________________

Its: _______________________________

STATE OF MICHIGAN)
)ss.
COUNTY OF INGHAM)

On this _____ day of _____________, 2018, before me personally appeared ___________________________ of Southwest Action Group - SWAG, a Michigan corporation, who acknowledged the foregoing instrument on behalf of said company.

____

Notary public, State of Michigan, County of ____________
Acting in ________________ County
My commission expires ___________________.

This instrument prepared by and when recorded, return to:
F. Joseph Abood
Chief Deputy City Attorney
124 W. Michigan Ave.
5th Floor, City Hall
Lansing, MI 48933
(517) 483-4320

Exhibit A

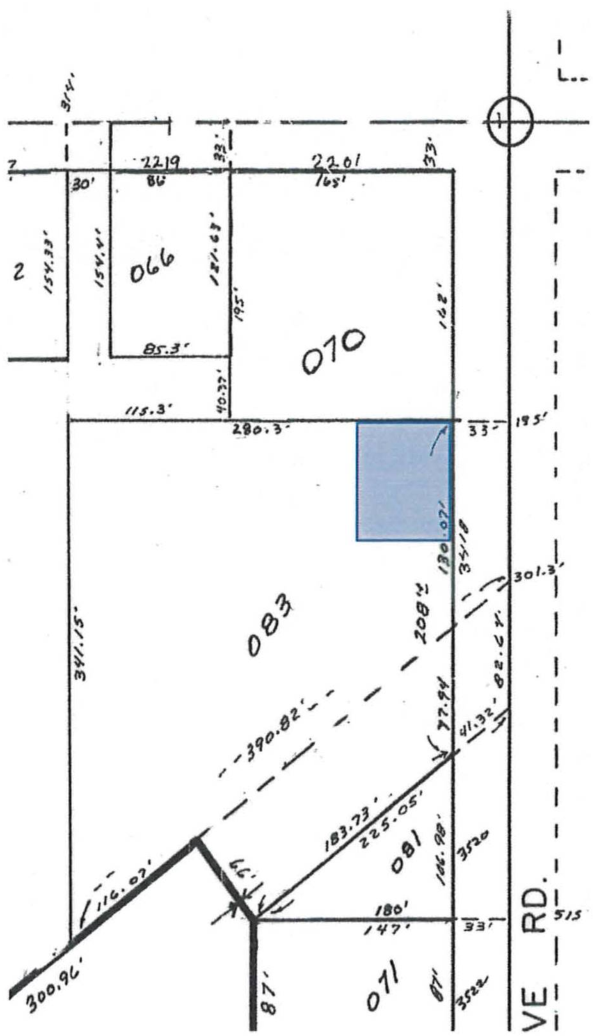
Parcel #:33-01-01-31-226-083
3418 Pleasant Grove Road, Lansing, MI 48910

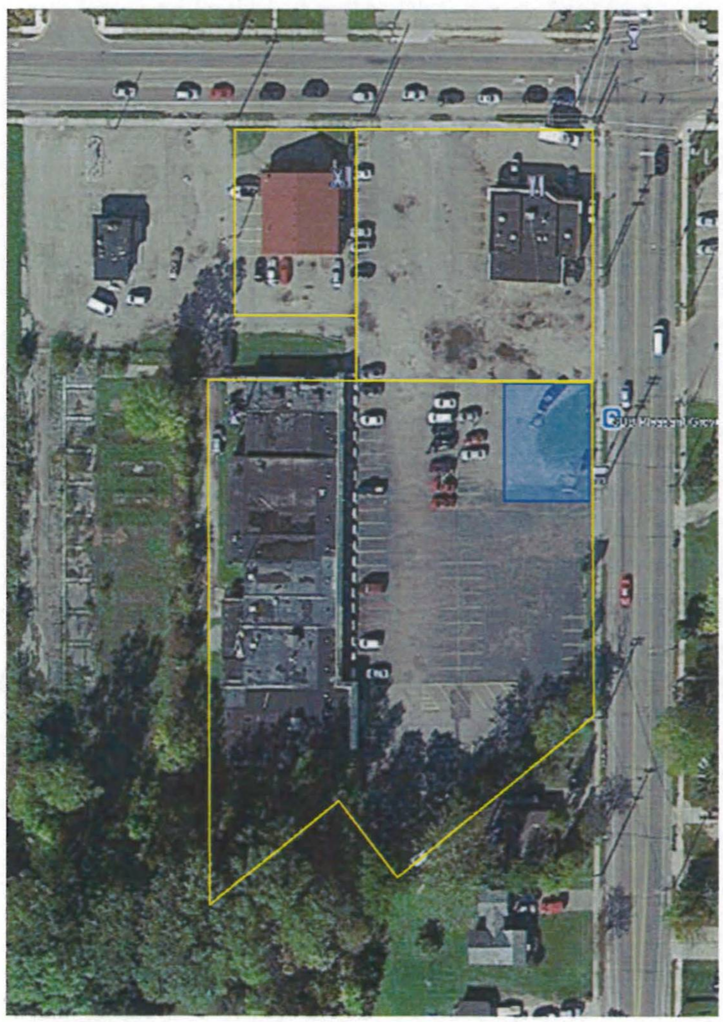
Parcel Description

COM 314 FT W & 194.33 FT S OF NE COR SEC 31, TH E 313.3 FT TO E LINE SAID SEC, S 188.74 FT TO INTN S LINE FORMER NYCRR R/W, S 53DEG W 225.05 FT TO E LINE LOT 6 PLACER SUB NO 1, N 37DEG W 66 FT TO MOST N'LY COR SAID SUB, S 53DEG W ON N'LY LINE SAID SUB 116.07 FT, N'LY 341 FT TO BEG; SEC 31 T4N R2W

Easement Area

Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31, thence South 80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet to the Point of Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W





BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-8-2018, 3418 Pleasant Grove (NE Corner), Easement for SWAG Public Art

WHEREAS, the Southwest Action Group (SWAG), the City, LEAP, and the Arts Council of Greater Lansing have been working together on the placement of public art in the business district at Holmes and Pleasant Grove; and

WHEREAS, SWAG and the City propose a public open space, with landscaping and a sculpture, on a SWAG-owned parcel split from the NE corner of 3418 Pleasant Grove (PPN 33-01-01-31-226-083); and

WHEREAS, the Southwest Action Group (SWAG) wishes to convey an easement to the City over the entire property for the placement of public art; and

WHEREAS, the City would own and maintain the sculpture, and SWAG would own, maintain, and insure the property; and

WHEREAS, on December 4, 2018, the Planning Board reviewed the proposal in accordance with its Act 33 Review procedures, and found that the easement will facilitate the placement of public art and green space in what is currently excess asphalt parking; and

WHEREAS, the Planning Board voted unanimously (6-0) to recommend approval of the proposal for the City to acquire an easement to accommodate the public art proposal; and

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

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-8-2018, and approves the acquisition of the proposed easement, legally described as:

> Commencing 195 Feet South and 33 Feet West of the NE corner of Section 31, thence South
> 80.0 Feet, thence West 63.5 Feet, thence North 80.0 Feet, thence East 63.5 Feet to the Point of
> Beginning, containing 5080.0 Square Feet, Section 31, T4N R2W.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents to complete this transaction, subject to prior approval as to content and form by the City Attorney.

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

WHEREAS, on October 22, 2018, Council adopted Resolution 2018-260 approving Brownfield Plan #70, the 735 Hazel Street Redevelopment Project, pursuant to the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended; and

WHEREAS, Resolution 2018-260 also contained a commitment by the City for repayment of Michigan Department of Environmental Quality funds loaned to the LEDC and Developer pursuant to Section 196 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended; and

WHEREAS, after receiving the adopted resolution, the Department of Environmental Quality took exception to language used in the commitment for repayment, to wit: "consistent with and conditioned upon the Developer honoring its obligations in the Secure Loan Agreement,";

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby moves to amend the Resolution 2018-260 as follows:

> In the paragraph beginning "BE IT FURTHER RESOLVED" the language "consistent with and conditioned upon Developer honoring its obligations under the Secure Loan Agreement," is removed and replaced with "in consideration of Developer's obligations in the Secure Loan Agreement,".

BE IT FINALLY RESOLVED, that in all other respects the Resolution shall remain in full force and effect.

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

WHEREAS, the City Attorney has requested and recommended the appointment of Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC as outside legal counsel to represent the City; and

WHEREAS, the City Attorney recommends and requests City Council approve Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC to assist the Office of the City Attorney as outside legal counsel.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Charter Sec. 4-304.6, the City Council hereby approves the addition of Stacy L. Hissong of Fahey Schultz Burzych Rhodes PLC and the law firm of Fahey Schultz Burzych Rhodes PLC to the City Attorney's list of approved law firms.

Lime

December 10, 2018

Neutron Holdings, LLC, dba Lime
1 Sansome St, Suite 2100
San Francisco, CA 94104

City of Lansing
Attn: City Council
124 W Michigan Ave # 10
Lansing, MI 48933

Members of the City Council:

I am pleased to submit these written comments with regard to the draft ordinance to create licensing and regulation of dockless scooter companies. The first draft is comprehensive and one that Lime can support in large part. Below are a few points of clarification that I feel compelled to raise.

- Page 4, lines 3-10: all Lime scooters have a unique ID number and QR code mounted in multiple places. The proposed requirement for unique identifier to be in minimum 2" font will be difficult to comply with due to lack of available surface area. It is worth noting that we've tried to comply with similar requirements in other cities – for example Austin, Texas – and the requirement was scrapped after a short pilot period. I'm happy to work with you to determine what the desired result is and how we may be able to get to the outcome you want in a different way

- Page 5, lines 16-23: with regard to fees, Lime supports the calculation of fees on a per trip basis, not a per vehicle basis. It's incredibly difficult to scale our business with per vehicle fees since they have the opposite effect of reducing our margins and providing a disincentive to growth. Per vehicle fees are also difficult to audit since vehicles come into and out of service on a daily basis and while the gross number of vehicles in service on any given day is usually larger than the net number deployed at any given time.

Submitted 12/10/18

- Inre the $5,000 licensing fee, we find this prohibitive and support something much lower.

- It's crucial to think about our fleet in a larger, regional context since our scooters cross municipal lines regularly. Any fee structure that Lansing implements will likely be copied by neighboring communities which makes the entry costs prohibitively high.

At Lime, our goal is to bring sustainable, active, low-impact transportation to the region and we do that at no cost to the cities in which we operate. Thanks for your consideration on the above points. I am happy to meet in person or by phone to discuss further.

My Best,

Scott Mullen
Director of Expansion, Northeast