



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
APRIL 26, 2021**

Via ZOOM Conferencing, Meeting ID 859 4003 6219

The City Council of the City of Lansing met in regular session and was called to order at 7:51 p.m. by President Spadafore

PRESENT: Council Members Betz (remotely from Lansing, MI), Dunbar (remotely from Lansing, MI), Garza (remotely from Lansing, MI), Hussain (remotely from Lansing, MI), Jackson (remotely from Lansing, MI), Spadafore (remotely from Lansing, MI), Spitzley (remotely from Lansing, MI), Wood (remotely from Lansing, MI)

ABSENT: None

A quorum was present.

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Hussain

To approve the printed Council Proceedings of April 12, 2021

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

SPECIAL CEREMONIES AND PRESENTATIONS

Brownfield Plan #75 Amendment #2; Capital City Market and 637 E Michigan Avenue

Pat Gillespie, Rachael Abood, Tricia Walthorn, and Jessica DeBone presented and answered questions given by the Council Members.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

President Spadafore apologized for any confusion surrounding the accidental change in agenda date for two hours on the new web page. He announced that the Agenda Center is being transferred to a new system, and that the Budget Public Hearing is going to take place over Zoom on May 8.

Council Member Garza thanked everyone involved with the I Love My City garbage clean-up initiative over the weekend.

Council Member Spitzley echoed Council Member Garza's thanks for everyone who volunteered this past weekend to help pick up garbage in public spaces. Spitzley also encouraged everyone to get vaccinated from COVID-19, and echoed Council Member Jackson's concerns about gun violence in Lansing.

Council Member Jackson asked anyone listening to sign up for his newsletter by emailing him, and expressed concern about the increase gun violence in Lansing.

Vice President Hussain expressed gratitude for the hard work that it took to run the I Love My City Initiative and all of the volunteers that were involved. He also announced that the South West Action Committee is not going to meet in the month of May, and the process in searching for a new Fire Chief.

Council Member Dunbar echoed Council Member Jackson's concerns about gun violence in the City.

City Clerk Swope reminded everyone that a special election for the Holt and Waverly School Districts is taking place next Tuesday.

COMMUNITY EVENT ANNOUNCEMENTS

Michael Lynn, Jr. announced a concealed pistol license training for people twenty-one years or old for next Saturday.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

MAYOR'S COMMENTS

Mayor Schor expressed excitement for all of the cleaning events throughout the City. Thanked everyone who has participated as well as DeLisa Fontaine. He announced that fire fighters will be helping with mobile vaccine delivery, and announced that the search for a new fire chief will be taking place in the coming weeks. He announced that all fire fighters and EMS workers were nominated to receive an award from the Exchange Club. The racial and equity alliance will be giving an update on their work later in the week. Finally, Mayor Schor announced that the neighborhood grants will be announced on Facebook Live at the end of the week. He also answered Council Member Hussain's concerns about the fire department.

SHOW CAUSE HEARINGS

In consideration of the Orders to Make Safe or Demolish; 314 Bingham

- Comment on Scheduled Show Cause Hearings:

Christian Nwobu explained that 314 Bingham should be completed in the next two month and pleaded that the Council not vote to allow it to be demolished.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

In consideration of Special Assessment, Glenburn Commons, Trash & Grass Abatement, Roll #GB-2021

In consideration of the Community Development Block Grant FY 2021-2022 Annual Action Plan

In consideration of an Ordinance to repeal Chapter 622, Section 622.01, a criminal misdemeanor prohibiting drug paraphernalia

In consideration of an Ordinance to repeal Chapter 630, Section 630.12, a criminal misdemeanor prohibiting loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

In consideration of an Ordinance to repeal Chapter 650, Section 650.05, a criminal misdemeanor regulating parental responsibility

In consideration of an Ordinance to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting or persons

In consideration of an Ordinance to amend Chapter 280, Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years

In consideration of an Ordinance to amend Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park

Council Members Dunbar, Spitzley, Jackson, and Hussain gave overviews of the show cause and public hearings.

Public Comment on Legislative Matters:

Ash spoke on various legislative matters

Loretta Stanaway spoke on various legislative matters

Nikki Finch spoke in support of repealing Chapter 622, Section 622.01

David Sell spoke in support of establishing social districts

Cathleen Edgerly spoke on various legislative matters

Julia Miller spoke in support of repealing Chapter 622, Section 622.01

John W spoke in support of repealing Chapter 622, Section 622.01

Ethan Schmitt spoke in support of repealing Chapter 622, Section 622.01

Leah Fitch spoke on various legislative matters

Julia Kramer spoke in support of repealing the four Ordinances

Rob Thomas spoke in support of repealing the four Ordinances

Scott Ellis spoke in support of establishing social districts

Michael Lynn, Jr. spoke on various legislative matters

LEGISLATIVE MATTERS

REFERRAL OF SHOW CAUSE HEARINGS

In consideration of the Orders to Make Safe or Demolish; 314 Bingham
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REFERRAL OF PUBLIC HEARINGS

In consideration of Special Assessment; Glenburn Commons, Trash & Grass Abatement, Roll #GB-2021
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

In consideration of the Community Development Block Grant FY 2021-2022 Annual Action Plan
REFERRED TO THE COMMITTEE OF THE WHOLE

In consideration of an Ordinance to repeal Chapter 622, Section 622.01, a criminal misdemeanor prohibiting drug paraphernalia
REFERRED TO THE COMMITTEE ON EQUITY DIVERSITY AND INCLUSION

In consideration of an Ordinance to repeal Chapter 630, Section 630.12, a criminal misdemeanor prohibiting loitering in places where controlled substances or drug paraphernalia is sold, used, etc.
REFERRED TO THE COMMITTEE ON EQUITY DIVERSITY AND INCLUSION

In consideration of an Ordinance to repeal Chapter 650, Section 650.05, a criminal misdemeanor regulating parental responsibility
REFERRED TO THE COMMITTEE ON EQUITY DIVERSITY AND INCLUSION

In consideration of an Ordinance to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting or persons
REFERRED TO THE COMMITTEE ON EQUITY DIVERSITY AND INCLUSION

In consideration of an Ordinance to amend Chapter 280, Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years.
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

In consideration of an Ordinance to amend Chapter 608, Section 608.04, to allow for consumption of alcoholic beverages within certain locations at Frances Park.
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.14, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where prostitution or solicitation for lewd conduct occurs.

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

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

ORDINANCE #1275

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 630, SECTION 630.14, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE LOITERING IN PLACES WHERE PROSTITUTION OR SOLICITATION FOR LEWD CONDUCT OCCURS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 630, Section 630.14, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate playing in the streets.

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

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

ORDINANCE #1276

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 650, SECTION 650.04, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PLAYING IN STREETS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 650, Section 650.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 656, Section 656.04, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate prohibition of bicycles on Riverfront Park during an organized event.

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

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

ORDINANCE #1277

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 656, SECTION 656.04, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PROHIBITION OF BICYCLES ON RIVERFRONT PARK DURING AN ORGANIZED EVENT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656, Section 656.04, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 658, Section 658.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall beg in any public place or go door-to-door requesting donations for personal gain.

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

Yeas: Council Members Betz, Dunbar, Garza, Jackson, Spadafore, Spitzley

Nays: Council Members Hussain, Wood

ORDINANCE #1278

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 658, SECTION 658.06, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL BEG IN ANY PUBLIC PLACE OR GO DOOR-TO-DOOR REQUESTING DONATIONS FOR PERSONAL GAIN.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 658, Section 658.06, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.03, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate using profane language in a building or on any property adjacent to any building in the City occupied as public, private, or parochial school.

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

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

ORDINANCE #1279

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 680, SECTION 680.03, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE USING PROFANE LANGUAGE IN A BUILDING OR ON ANY PROPERTY ADJACENT TO ANY BUILDING IN THE CITY OCCUPIED AS PUBLIC, PRIVATE OR PAROCHIAL SCHOOL.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 680, Section 680.03, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate borrowing money or a thing of value from a student at any school.

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

Yeas: Council Members Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: Council Member Betz

ORDINANCE #1280

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 680, SECTION 680.06, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE BORROWING MONEY OR A THING OF VALUE FROM A STUDENT AT ANY SCHOOL.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 680, Section 680.06, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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

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

ORDINANCE FAILED

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 696, Section 696.02, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall carry any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place.

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

Yeas: Council Members Dunbar, Jackson, Spitzley

Nays: Council Members Betz, Garza, Hussain, Spadafore, Wood

CONSENT AGENDA

Council Member Spitzley asked that item 19 be removed from the Consent Agenda.

By Vice President Hussain

To approve items 20-24 on the Consent Agenda.

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, , Spitzley. Wood

Nays: None

RESOLUTION #2021-081

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

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, and affected state and local governments have also declared states of emergency;

WHEREAS, on March 16, 2020 under Resolution 2020-053, City Council approved Mayor Schor's Declaration of Emergency (Executive Order 2020-02) through April 10, 2020; and

WHEREAS, on the following dates and under the following resolutions, City Council approved extensions of Mayor Schor's Declaration of Emergency:

- April 9, 2020 under Resolution 2020-053 through April 30, 2020;
- April 27th, 2020 under Resolution 2020-069 through May 15, 2020;
- May 11, 2020 under Resolution 2020-077 through June 8, 2020;
- June 8, 2020 under Resolution 2020-084 through June 30, 2020;
- June 22, 2020 under Resolution 2020-089 through July 14th, 2020;
- July 27, 2020 under Resolution 2020-113 through August 25, 2020; and
- August 24, 2020 under Resolution 2020-150 through September 22, 2020; and
- September 21, 2020 under Resolution 2020-181 through October 27, 2020; and
- October 26, 2020 under Resolution 2020-185 through November 30, 2020; and
- November 30, 2020 under Resolution 2020-226 through January 11, 2021; and
- January 11, 2021 under Resolution 2021-04 through February 8, 2021; and
- February 22, 2021 under Resolution 2021-044 through March 22, 2021; and
- March 22, 2021 under Resolution 2021-056 through April 28, 2021

WHEREAS, the Resolutions emphasized the fact that the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds that the circumstances warrant an extension of the Mayor's emergency declaration and continuation of the emergency response plan to ensure that public health is protected; and

BE IT FINALLY RESOLVED that the City Council approves an extension of the declaration of emergency, through and including July 12, 2021, and authorizes such powers and duties as provided by Chapter 234.05, the Lansing Emergency Management Ordinance, together with those powers provided by statute, including those set forth in MCL § 30.401 et seq.

Adopted as part of the Consent Agenda

RESOLUTION #2021-082

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

WHEREAS, the Mayor has made the appointment of Danielle Lenz as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30/2023; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole met on April 26, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Danielle Lenz as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2023.

Adopted as part of the Consent Agenda

RESOLUTION #2021-083

BY COUNCILMEMBER JACKSON
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the term for Keith Kris, Fourth Ward representative on the Board of Ethics, expired June 30, 2020; and

WHEREAS, the Fourth Ward Councilmember Brian T. Jackson has recommended the reappointment of Keith Kris; and

WHEREAS, the recommendation has been vetted, and meets all Charter Requirements.

NOW, THEREFORE BE IT RESOLVED the Lansing City Council, hereby, reappoints Keith Kris to the Board of Ethics, Fourth Ward position, term to expire June 30, 2024.

Adopted as part of the Consent Agenda

RESOLUTION #2021-084

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

WHEREAS, the Mayor has made the appointment of Trevor Benoit as a Resident member of the Downtown Lansing Inc. Board for a term to expire June 30, 2022; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on April 20, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Trevor Benoit as a Resident member of the Downtown Lansing Inc. Board for a term to expire June 30, 2022.

Adopted as part of the Consent Agenda

RESOLUTION #2021-085

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

WHEREAS, the Mayor has made the appointment of Jennifer Estill as a Business Owner member of the Downtown Lansing Inc. Board for a term to expire June 30, 2025; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning met on April 20, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jennifer Estill as a Business Owner of the Downtown Lansing Inc. Board for a term to expire June 30, 2025.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2021-086

RESOLUTION BY COUNCILMEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORÉ, SPITZLEY AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, National Youth HIV & AIDS Awareness Day is a nationwide observance that calls on people to take action to invest in the health, education, and leadership of young people; and

WHEREAS, more than 30 years into the epidemic, the Centers for Disease Control and Prevention (CDC) estimates that in the United States more than 1,200,000 people are living with HIV, and every year approximately 40,000 people acquire HIV; and

WHEREAS, in the United States, almost 40 percent of new HIV infections are young people ages 13 to 20; and

WHEREAS, 44 percent of young people living with HIV (YPLWHIV) ages 13 to 24 are unaware of their HIV status; and

WHEREAS, African-American youth are most impacted by the epidemic, representing 57 percent of new transmissions in young people ages 13 to 24; and

WHEREAS, African-American young men who have sex with men (YMSM) ages 13 to 24 comprise 51 percent of new transmissions among all YMSM; and

WHEREAS, the Division of Adolescent and School Health (DASH) is the only Federal program supporting HIV prevention for adolescents in schools; and

WHEREAS, the Nation's largest Federal program dedicated to providing care and treatment for people living with HIV was named after Ryan White, a teenager from Indiana who helped educate a Nation about HIV and AIDS in the 1980's; and

WHEREAS, the Ryan White Part D Program is one of the national efforts to link YPLWHIV to medical care and support services; and

WHEREAS, the Patient Protection and Affordable Care Act (PPACA) provides youth, including those living with or impacted by HIV and AIDS, better access to health care coverage, more health insurance options, additional funding for sex education, a prohibition against denying people living with HIV access to health care, and expanded access to Medicaid which will support more YPLWHIV receiving care; and

WHEREAS, April 10 of each year is now recognized as National Youth HIV and AIDS Awareness Day

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council ----

- (1) Supports the goals and ideals of National Youth HIV & AIDS Awareness Day;
- (2) Encourages State and Local governments, including their public health agencies, education agencies, schools, and media organizations to recognize and support such a day;
- (3) Supports young people's right to education, prevention, treatment, and care, and to live without criminalization, discrimination, oppression, and stigma;
- (4) Promotes up-to-date, inclusive, culturally responsible, and medically accurate information about HIV, such as pre-exposure prophylaxis, in sex education curricula to ensure that all young people are educated about HIV, as called for in the National HIV/AIDS Strategy;
- (5) Supports removal of HIV laws that are scientifically inaccurate and unfairly criminalize young people living with HIV for behaviors that are consensual or have no risk of transmission;
- (6) Urges youth-friendly and accessible health care services, especially access to medications such as pre-exposure prophylaxis, post-exposure prophylaxis, and antiretroviral therapy without parental consent, to better provide for the early identification of HIV through voluntary routine testing, and to connect those in need to clinically and culturally appropriate care and treatment as early as possible;
- (7) Supports the increase of funding for programs that support people impacted by and living with HIV, including CDC DASH, the Ryan White HIV/AIDS Program, the Medicaid program, AIDS Drug Assistance Program (ADAPs), and programs that support medical mentorship, peer navigation, educating communities on testing and treatment options, and people accessing PrEP, and ensure a smoother transition to adult HIV care;
- (8) Recommends a comprehensive prevention and treatment strategy that empowers young people, parents, public health workers, educators, faith leaders, and other stakeholders to fully engage with their communities and families to help decrease violence, discrimination, and stigma towards individuals who disclose their sexual orientation or HIV status; and
- (9) Calls for a generation free of HIV stigma in a manner that prioritizes youth leadership and development in order to ensure youth involvement in decisions which impact their health and well-being as well as advance a pipeline for the next generation of HIV and AIDS doctors, advocates, educators, researchers, and other professionals.

By Council Member Spitzley

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-087

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

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

**RESOLUTION APPROVING FINANCING UNDER ACT 99, PUBLIC ACTS OF MICHIGAN, 1933 CAPITAL IMPROVEMENTS PURSUANT TO
STADIUM LEASE AND AMENDMENT AND RESTATEMENT OF PRIOR OBLIGATION**

A RESOLUTION TO AUTHORIZE:

- Up to \$11,500,000 of installment purchase financing for new capital improvements for the Jackson Field Stadium, the amendment and restatement or refinancing of an existing installment purchase financing that was entered into for prior stadium capital improvements, and associated costs of issuance.
- Mayor, City Clerk, and Finance Director of the City to negotiate financing.

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

WHEREAS, the Comprehensive Development Agreement relating to the Stadium by, between and among the City, the Lansing Brownfield Redevelopment Authority, Outfield Partners, LLC and Take Me Out to the Ballgame Limited Liability Company ("TMO") (the "Comprehensive Development Agreement") requires that the City shall cause certain renovations, reconstruction, improvement and development work to be performed at the Stadium; and

WHEREAS, the City is party to a Stadium License, Lease and Service Agreement dated July 15, 2014, by and between Take Me Out to the Ballgame, Limited Liability Company, as amended by a First Amendment to the Stadium License, Lease and Service Agreement (together, the "2014 Lease"); and

WHEREAS, pursuant to the terms of the Lease, including as amended by a Second Amendment to the Stadium License, Lease and Service Agreement (the "Second Amendment") and pursuant to the Comprehensive Development Agreement, the City shall cause certain renovations, reconstruction, improvement and development work to be performed in an amount not to exceed \$1,250,000 at the Stadium pursuant to an Act 99 financing; and

WHEREAS, to finance certain stadium capital improvements pursuant to the 2014 Lease, the City completed an Act 99 financing on February 13, 2015, and that obligation remains outstanding (the "2015 Obligation"); and

WHEREAS, the Second Amendment provides that the City will facilitate the refinancing of the original principal balance of approximately Three Million and 00/100 Dollars (\$3,000,000) on the 2015 Obligation; and

WHEREAS, Robert W. Baird & Co. Incorporated, the City's Municipal Advisor (the "Municipal Advisor") recommends the refinancing of the entire 2015 Obligation to achieve a debt service savings on behalf of both the City and TMO (the "2015 Refinancing"); and

WHEREAS, the City of Lansing (the "City") determines it to be necessary to purchase the real and personal property comprised of renovations, reconstruction, improvement and development of the Stadium pursuant to the 2014 Lease, Second Amendment and Comprehensive Development Agreement (the "Property") and to undertake the 2015 Refinancing pursuant to Act 99, at a total estimated cost of not-to-exceed \$11,500,000, including associated costs of issuance; and

WHEREAS, the outstanding balance of all purchases authorized under Act 99, exclusive of interest, shall not exceed 1.25% of the taxable value of the real and personal property in the City at the date of the contract or agreement; and

WHEREAS, the City Council wishes to authorize the Mayor, City Clerk, and Finance Director of the City (each an "Authorized Officer") to negotiate the installment purchase financing of the Property and the 2015 Refinancing without the necessity of the City Council taking further action.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Each Authorized Officer is hereby authorized to negotiate one or more installment purchase agreements or contracts with the sellers of the Property and a bank or other financial institution, in substantially the form as he or she shall, in consultation with counsel, determine to be appropriate. Principal payable pursuant to the installment purchase agreements or contracts shall be payable over a period to be determined by an Authorized Officer but in any event not to exceed 15 years or the useful life of the Property, whichever is less, as set forth in Section 2 of this Resolution. The net interest cost payable under the installment purchase agreements or contracts shall not exceed 5.00% per annum, and the aggregate principal amount to be paid by the City under the installment purchase agreements or contracts, including associated costs of issuance (including any fees payable with respect to the 2015 Refinancing), shall not exceed \$11,500,000.

2. The useful life of the Property is hereby determined to be not less than 15 years. The acquisition of the Property, and the property financed by the 2015 Obligation and the approval of the installment purchase agreements or contracts hereby are found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents of the City.

3. The City hereby agrees to include in its budget for each year a sum which will be sufficient to pay the principal of and the interest coming due under the installment purchase agreements or contracts before each following fiscal year. In addition, the City hereby pledges to levy, if

necessary, ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the installment purchase agreements or contracts, subject to applicable constitutional, statutory and charter tax rate limitations.

4. Each Authorized Officer is hereby directed and authorized to execute and deliver the installment purchase agreements or contracts in final form, and to execute and deliver such additional documentation as shall be necessary to effectuate the closing contemplated by the installment purchase agreements or contracts, the assignment thereof, including requisition certificates (if provided by the form of installment purchase agreement or contract) providing payment to the sellers of the Property upon delivery of any portion of the Property, to assign, cancel or amend and restate the 2015 Obligation or for reimbursement of previously appropriated or advanced costs.

5. Each Authorized Officer is hereby authorized to make all administrative transfers necessary to implement this Resolution, including current fiscal year debt service account, and to establish appropriate construction and financing accounts.

6. It is anticipated that payments due under the installment purchase contracts shall not be excluded from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"). The City covenants that, if applicable, to the extent permitted by law, the City shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the installment purchase agreements or contracts from adjusted gross income for general federal income tax purposes under the Internal Revenue Code including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.

7. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code:

(a) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for the expenditures made to pay certain costs associated with the Property which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City.

(b) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$11,500,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(c) A reimbursement allocation of the expenditures described in paragraph (a) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Property is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Property to reimburse the City for a capital expenditure made pursuant to this Resolution.

(d) The expenditures for the Property are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(e) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (c) above.

8. The City hereby requests that Dykema Gossett, PLLC continue to serve the City as bond counsel for this financing, notwithstanding the potential concurrent representation of any other participant in the financing in matters not related to this financing. The City recognizes that Dykema Gossett, PLLC has represented, from time to time, and currently represents, various banks, financial institutions, underwriters, contractors, vendors, and other potential participants in this financing for matters not related to this financing. The City hereby requests that Robert W. Baird & Co. Incorporated continue to serve the City as Municipal Advisor for this financing.

9. In the event that an Authorized Officer is not available to undertake responsibilities delegated under this Resolution, then the Chief Operating Officer or other officer of the City designated by an Authorized Officer or Chief Operating Officer is authorized to take such actions. Each Authorized Officer or Chief Operating Officer are hereby severally authorized to execute and deliver the installment purchase agreements or contracts in final form. The officers, administrators, agents and attorneys of the City are authorized and directed to execute and deliver all other agreements, documents and certificates, to use monies legally available to the City to pay any costs necessary to accomplish negotiation and execution of the installment purchase agreements or contracts, and to take all other actions necessary to complete the financing transaction contemplated by this Resolution.

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

By Council Member Hussain

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley

Nays: Council Member Wood

RESOLUTION #2021-088

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

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

**RESOLUTION APPROVING FINANCING UNDER
ACT 99, PUBLIC ACTS OF MICHIGAN, 1933
CAPITAL IMPROVEMENTS PURSUANT TO A PERFORMANCE CONTRACT WITH JOHNSON CONTROLS, INC.**

A RESOLUTION TO AUTHORIZE:

- Up to \$12,500,000 of installment purchase financing for new capital improvements pursuant to a Performance Contract with Johnson Controls, Inc., and associated costs of issuance.
- Mayor, City Clerk, and Finance Director of the City to negotiate financing.

WHEREAS, the City of Lansing, Michigan (the "City") previously engaged Johnson Controls, Inc. ("JCI") to perform an audit and analysis of the City's buildings and infrastructure and to identify and report capital improvements, maintenance, repairs and other work that would enhance the value of the City's buildings and infrastructure or provide a cost savings to the City over time; and

WHEREAS, JCI completed that work and made various recommendations to the City, and the City has identified certain of those recommendations it wishes to have completed; and

WHEREAS, therefore, the City has entered into a Performance Contract effective February 2, 2021 (the "Agreement"), with JCI, pursuant to which JCI has been engaged to perform or cause to be performed the work set forth in Schedule 1 to the Agreement, as such Schedule may be amended from time to time; and

WHEREAS, under the provisions of Act 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the City is authorized to enter into any contracts or agreements for the purchase of real or personal property for public purposes, to be paid for in installments over a period not to exceed 15 years and not to exceed the useful life of the property acquired, as determined by resolution of the City's City Council;

WHEREAS, the City determines it to be necessary to purchase the real and personal property comprised of renovations, reconstruction, improvement and development of the City's buildings and infrastructure as provided in the Agreement (the "Property") pursuant to Act 99, at a total estimated cost of not-to-exceed \$12,500,000, including associated costs of issuance; and

WHEREAS, the outstanding balance of all purchases authorized under Act 99, exclusive of interest, shall not exceed 1.25% of the taxable value of the real and personal property in the City at the date of the contract or agreement; and

WHEREAS, the City Council wishes to authorize the Mayor, City Clerk, and Finance Director of the City (each an "Authorized Officer") to negotiate the installment purchase financing of the Property without the necessity of the City Council taking further action.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Each Authorized Officer is hereby authorized to negotiate one or more installment purchase agreements or contracts with the sellers of the Property and a bank or other financial institution, in substantially the form as he or she shall, in consultation with counsel, determine to be appropriate. Principal payable pursuant to the installment purchase agreements or contracts shall be payable over a period to be determined by an Authorized Officer but in any event not to exceed 15 years or the useful life of the Property, whichever is less, as set forth in Section 2 of this Resolution. The net interest cost payable under the installment purchase agreements or contracts shall not exceed 5.00% per annum, and the aggregate principal amount to be paid by the City under the installment purchase agreements or contracts, including associated costs of issuance, shall not exceed \$12,500,000.

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

3. The City hereby agrees to include in its budget for each year a sum which will be sufficient to pay the principal of and the interest coming due under the installment purchase agreements or contracts before each following fiscal year. In addition, the City hereby pledges to levy, if necessary, ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the installment purchase agreements or contracts, subject to applicable constitutional, statutory and charter tax rate limitations.

4. Each Authorized Officer is hereby directed and authorized to execute and deliver the installment purchase agreements or contracts in final form, and to execute and deliver such additional documentation as shall be necessary to effectuate the closing contemplated by the installment purchase agreements or contracts, the assignment thereof, including requisition certificates (if provided by the form of installment purchase agreement or contract) providing payment to the sellers of the Property upon delivery of any portion of the Property or for reimbursement of previously appropriated or advanced costs.

5. Each Authorized Officer is hereby authorized to make all administrative transfers necessary to implement this Resolution, including current fiscal year debt service account, and to establish appropriate construction and financing accounts.

6. The City covenants that, if applicable, to the extent permitted by law, the City shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the installment purchase agreements or contracts from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code") including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.

7. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code:

(a) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for the expenditures made to pay certain costs associated with the Property which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City.

(b) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$12,500,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(c) A reimbursement allocation of the expenditures described in paragraph (a) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Property is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Property to reimburse the City for a capital expenditure made pursuant to this Resolution.

(d) The expenditures for the Property are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(e) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (c) above.

8. The City hereby requests that Dykema Gossett, PLLC continue to serve the City as bond counsel for this financing, notwithstanding the potential concurrent representation of any other participant in the financing in matters not related to this financing. The City recognizes that Dykema Gossett, PLLC has represented, from time to time, and currently represents, various banks, financial institutions, underwriters, contractors, vendors, and other potential participants in this financing for matters not related to this financing. The City hereby requests that Robert W. Baird & Co. Incorporated continue to serve the City as Municipal Advisor for this financing.

9. In the event that an Authorized Officer is not available to undertake responsibilities delegated under this Resolution, then the Chief Operating Officer or other officer of the City designated by an Authorized Officer or Chief Operating Officer is authorized to take such actions. Each Authorized Officer or Chief Operating Officer are hereby severally authorized to execute and deliver the installment purchase agreements or contracts in final form. The officers, administrators, agents and attorneys of the City are authorized and directed to execute and deliver all other agreements, documents and certificates, to use monies legally available to the City to pay any costs necessary to accomplish negotiation and execution of the installment purchase agreements or contracts, and to take all other actions necessary to complete the financing transaction contemplated by this Resolution.

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

By Council Member Hussain

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-089

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

WHEREAS, the City of Lansing (City) and the Charter Township of DeWitt (Township) are considering entry into an agreement for the conditional transfer of property pursuant to 1984 PA 425 (Act 425 Agreement) from the Township to the City; and

WHEREAS, the Act 425 Agreement is being considered the purpose of the transferred area development by Emergent BioSolutions for a new expansion complex project; and

BE IT RESOLVED that a public hearing be held on May 10, 2021 and notice provided as required by Public Act 425 of 1984.

By Council Member Hussain

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-090

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

RESOLUTION TO SET A PUBLIC HEARING FOR

BROWNFIELD PLAN #75 AMENDMENT #2 – CAPITAL CITY MARKET AND 637 E. MICHIGAN AVE. BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as Capital City Market, and 637 East Michigan Avenue, located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard; and

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48910, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be held Monday, May 10, 2021, at 7:00 p.m. for the purpose of receiving public comment on Brownfield Plan #75 Amendment #2 – Capital City Market and 637 East Michigan Avenue Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, and recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3, and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the south line of the North 8 feet of said Lot 2, Block 242; S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said parcel subject to all easements and restrictions, if any; and

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

Parcel 637 E. Michigan Avenue: Part of Lot 39, Assessor's Plot No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

And that the City Clerk cause notice of such hearing to be published once in a publication of general circulation, no less than 10 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project and the scheduled public hearing. The meeting will be conducted remotely via Zoom Conferencing at <https://us02web.zoom.us/j/85940036219> or by dialing 312-626-6799 using meeting ID: 859 4003 6219.

By Council Member Spitzley

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-091

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service and the Lansing Board of Water & Light are partnering to construct the utility and infrastructure improvements associated with the Combined Sewer Overflow 016/017 Trunk Sewer Project along the N. Grand River Avenue corridor during the 2021 construction season; and

WHEREAS, this project includes a significant amount of work on the State of Michigan business trunkline road, Business Loop (BL) I-96 / N. Grand River Ave./North St., and on City major and local streets within the project area; and

WHEREAS; this work must be completed in a single construction season prior to a Michigan Department of Transportation road resurfacing project on this State trunkline, BL I-96 / N. Grand River Ave./North St., in early 2022; and

WHEREAS; the utility work in the BL I-96 / N. Grand River Ave./North St. intersection is atypically deep (i.e., approximately 25 feet deep) resulting in full closure to all vehicular traffic of this major street intersection; and

WHEREAS, the construction contractor, Hoffman Bros., Inc., is required to complete all work within the BL I-96 / N. Grand River Ave./North St. intersection and reopen this State business trunkline to through traffic within sixty (60) calendar days; and

WHEREAS, for the period May 22, 2021, through October 30, 2021, Hoffman Bros., Inc., has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, May 10, 2021, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan Ave., in consideration of the request for granting a waiver of the noise ordinance for construction noise at (BL) I-96/N. Grand River/North St. on Saturdays from 8:00 AM to 5:00 PM for the period May 22, 2021, through October 30, 2021.

BE IT FINALLY RESOLVED that the City Clerk shall provide notice of the May 10, 2021 public hearing to all residents living within 500 feet of the real property line of the noise emitter.

By Council Member Dunbar

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-092

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

Act-16-2019, Private use of N M L King Jr. Blvd., Sewer and RiverTrail Easements

WHEREAS, 2122 N MLK Holdings, LLC, owner of 2122 N M L King Jr. Blvd, requests a narrow license along the east side of N. Martin Luther King, Jr. Blvd Right-of-Way (ROW) for the purpose of providing driveway access and parking for the business at 2122 N. M L King Jr. Blvd.; and

WHEREAS, the Lansing Public Service Department seeks to formalize an easement for a 15" sanitary sewer built on the property in 1948, and reserved in principle by Council resolution dated January 18, 1960; and

WHEREAS, the Lansing Parks and Recreation Department seeks an easement along the south side of the subject property at 2122 N, M L King Blvd.; and

WHEREAS, on January 7, 2020, the Planning Board reviewed the location, character, and extent of these proposals in accordance with its Act 33 Review procedures, and found that:

- on January 18, 1960, by Council resolution, the City swapped some property to obtain additional right-of-way for Martin Luther King Blvd. (then Logan Street),
- the swapped property became part of the bowling alley property, and City Council resolution reserved a public utility easement over this property which reserves for the City the right of ingress and egress for a sanitary sewer constructed by the Landel Metropolitan District,
- the current encroachment dates back to when the former bowling alley was constructed in the early 1960s and has historically been used as paved parking, and the open and obvious encroachment of the parking was likely permitted by the City,
- the existing area that is paved for parking has no current effect on the actual street since they are of different elevations and separated by a guard-rail and a row of trees,
- the use of the ROW for parking does not interfere with current operations of Public Service in regards to the bridge and to the sewers,

- the Public Service Department recommends a license agreement rather than an easement to correct the encroachment, along with more specific easements for the sewer and the RiverTrail; and

WHEREAS, on January 7, 2020, the Planning Board voted unanimously (5-0) to recommend approval of Act-16-2019 (all three requests), with conditions; 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, that the Lansing City Council, hereby approves Act-16-2019 with the following conditions

- the City of Lansing reserves the right to use and develop all land within the M L King Jr. Blvd. ROW for street maintenance, bridge construction, sewer construction, other utility construction and maintenance, and access to the Grand River, as necessary,
- the City of Lansing reserves the right of access to all land within the M L King Jr. Blvd. ROW, including paved surface of the parking lot, as necessary,
- the Applicant's use of the ROW is confined to the existing area of parking and that such use does not interfere with current or future operations of the City of Lansing Public Service Department in regards to the bridge and to the sewers;

BE IT FURTHER RESOLVED, that the City shall enter into a license agreement with the owner of 2122 N M L King, Jr., Blvd over a variable width piece of land to cover encroachments on the west side of the parcel at 2122 N M L King, Jr. Blvd, which permits the use of the encroachment area for parking and access, legally described as:

BEGINNING AT A POINT ON THE EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD. SAID POINT BEING 55.00 FEET S00° 46' 53"W OF THE INTERSECTION OF THE SOUTH LINE OF LOGAN ACCESS ROAD AND SAID EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD; THENCE S00° 46' 53"W, 710.00 FEET ALONG SAID EAST LINE OF NORTH MARTIN LUTHER KING JUNIOR BOULEVARD TO A POINT ON A TRAVERSE LINE ON THE NORTH BANK OF THE GRAND RIVER; THENCE N57° 07' 25"W, 60.00 FEET; THENCE N02° 57' 46"E, 678.61 FEET; THENCE S89° 13' 07"E, 25.00 FEET TO THE POINT OF BEGINNING, .

BE IT FURTHER RESOLVED that the City shall accept a 35-foot wide easement centered on the 15" sanitary sewer, legally described as:

A 35.00 FEET WIDE EASEMENT FOR EXISTING SANITARY SEWER. BEING 17.50 FEET EACH SIDE OF SANITARY SEWER PIPE AS CONSTRUCTED. RUNNING IN AN EASTERLY AND WESTERLY DIRECTION LOCATED IN THE SOUTH PORTION OF THE ABOVE PARCEL. SAID EASEMENT BEING CENTERED ON SEWER PIPE AND COMMENCING AT A POINT S00° 46' 53"W 734.63 FEET OF THE INTERSECTION OF THE EAST LINE OF MARTIN LUTHER KING JUNIOR BOULEVARD, ALSO BEING THE WEST LINE OF ABOVE DESCRIBED PARCEL AND THE SOUTH LINE OF LOCAN ACCESS ROAD, ALSO BEING THE NORTH LINE OF ABOVE DESCRIBED PARCEL; THENCE S66° 40' 05"E 87.89 FEET ALONG THE CENTER LINE OF CONSTRUCTED PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE S67° 22' 48"E 329.69 FEET ALONG THE CENTER LINE OF SAID PIPE TO THE CENTER OF EXISTING SANITARY MANHOLE; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE CENTER LINE OF SAID SEWER PIPE 182 FEET MORE OR LESS TO A POINT ON THE EAST PROPERTY LINE OF THE ABOVE REFERENCED PARCEL.

provided that said easement shall include a right of access over the paved surface of the property to service, maintain, and replace the sewer.

BE IT FURTHER RESOLVED, that the City shall accept a RiverTrail easement agreement for the use of the Applicant's property along the north side of the Grand River, legally described as:

A 30.00 FEET WIDE EASEMENT FOR RIVER WALK PATHWAY, SAID EASEMENT BEING 30.00 FEET NORTH OF AND PERPENDICULAR TO THE TOP OF BANK ON THE NORTH SIDE OF GRAND RIVER, BEING FURTHER DESCRIBED AS BEGINNING AT A POINT THAT IS ON THE EAST LINE OF LOT 24 OF TOWNSEND'S SUBDIVISION WHICH IS S00° 55' 19"W 1369.70 FEET FROM THE INTERSECTION OF SAID EAST LINE OF LOT 24 AND THE SOUTH LINE OF GRAND RIVER AVENUE AND TO THE POINT OF BEGINNING, THENCE S58° 27' 37"E 64.12 FEET ALONG A LINE WHICH IS 30.00 FEET NORTHEAST OF AND PARALLEL TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE CONTINUING ALONG SAID 30.00 FEET PARALLEL LINE S69° 51' 24"E, 281.65 FEET TO THE EAST LINE OF ABOVE DESCRIBED PARCEL, ALSO BEING THE EAST LINE OF LOT 21 OF SAID TOWNSEND'S SUBDIVISION, THENCE S00° 40' 08"W, 31.82 FEET TO THE TOP OF BANK ON THE NORTHEAST SIDE OF THE GRAND RIVER; THENCE N69° 51' 24"W, 295.25 FEET ALONG SAID TOP OF BANK; THENCE CONTINUING ALONG SAID TOP BANK N58° 27' 37"W, 68.45 FEET TO THE WEST LINE OF SAID LOT 21, ALSO BEING THE EAST LINE OF SAID LOT 24; THENCE N00° 55' 19"E, 36.95 FEET ALONG SAID LOT LINE TO THE POINT OF BEGINNING

provided that said easement shall include a right of access over the paved surface of the property to service, and maintain, the RiverTrail and necessary shoreline protection.

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

By Council Member Spitzley

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2021-093

BY THE COMMITTEE ON CITY OPERATIONS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the novel coronavirus (COVID-19), a respiratory disease that causes serious illness and death, and mitigation efforts implemented to contain the COVID-19 outbreak caused significant hardship to the restaurant and dining industry; and

WHEREAS, adjustments to the restaurant and dining experience are necessary mitigate further spikes of COVID-19 outbreaks in the community; and

WHEREAS, the State of Michigan has amended Section 551 of 1998 Public Act 58, to allow for local units of government to designate certain outdoor areas as social districts wherein a commons area may be established; and

WHEREAS, the Lansing City Council desires to establish social districts and commons areas pursuant to the amended Section 551 1998 PA 58; and

WHEREAS, the City of Lansing Social Districts would be created by the City and managed by its Downtown Development Authority, Downtown Lansing, Inc.; and

THEREFORE, BE IT RESOLVED that for purposes of section 551 of 1998 PA 58, the Lansing City Council designates the following areas (within the limits shown on the attached Lansing Social Districts Package) as social districts and commons areas:

- Downtown Social District and Commons Area
- Old Town Social District and Commons Area
- REO Town Social District and Commons Area

BE IT FURTHER RESOLVED that all commons areas will contain signage that defines and clearly marks the boundaries of the space. In addition, the commons areas will be maintained in a manner that protects the health and safety of the community.

BE IT FURTHER RESOLVED the City's operational/management plan is included within the Lansing Social Districts Package.

BE IT FURTHER RESOLVED that the Lansing Social Districts Package identifies all qualified entities that may apply for a permit within a commons areas. The Lansing City Council finds that all qualified licensees identified in the City of Lansing Social District Package are recommended for approval for a commons area permit.

BE IT FURTHER RESOLVED that if a special event permit that includes an alcohol permit is issued for a space within a commons area, then the space containing the special event is specifically excluded from the commons area, during the time of such event only.

BE IT FURTHER RESOLVED that these social districts shall remain in effect until December 31, 2022 (unless extended by Council), or until the designation of the social district/commons area is revoked via resolution of the Lansing City Council after a public hearing, whichever is earlier;

BE IT FINALLY RESOLVED that the attached Lansing Social Districts Package shall be forwarded with this resolution to the MLCC for approval of the City of Lansing's social districts and commons areas.

By Council Member Dunbar to adopt the resolution

By President Spadafore to amend the 6th resolved clause by striking "December 31, 2021" and inserting "December 31, 2022".

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

The question being the resolution as amended; Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

REPORTS FROM COUNCIL COMMITTEES**ORDINANCES FOR INTRODUCTION****INTRODUCTION OF ORDINANCE**

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 656, Section 656.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction,

The Ordinance is referred to the Committee Equity Diversity and Inclusion

RESOLUTION #2021-094

RESOLUTION SETTING PUBLIC HEARING

BY CITY COUNCIL

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for May 10, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 656, Section 656.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number and Meeting ID provided on the May 10, 2021 meeting agenda.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 664, Section 664.01, by repealing subsection b, prohibiting loud and boisterous conduct.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-095
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for May 10, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 664, Section 664.01, by repealing subsection b, prohibiting loud and boisterous conduct.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at <https://us02web.zoom.us/j/85940036219>; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 688, Section 688.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-096
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for May 10, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 688, Section 688.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at <https://us02web.zoom.us/j/85940036219>; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

INTRODUCTION OF ORDINANCE

Council Member Jackson introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 688, Section 688.07, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

The Ordinance is read a first time by its title and referred to the Committee on Equity Diversity & Inclusion

RESOLUTION #2021-097
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for May 10, 2021 at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose to amend Chapter 688, Section 688.07, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

BE IT FURTHER RESOLVED, due to COVID-19, the public hearing may be held electronically in accordance with the amended Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into the ZOOM Webinar at <https://us02web.zoom.us/j/85940036219> ; ID 859 4003 6219 or calling in (312) 626 6799.

By Council Member Jackson

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public needed to electronically "raise their hand" in order to speak during public comment period.

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

By Vice President Hussain that all items be considered as being read in full and that President Spadafore make the appropriate referrals

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

- Reports from City Officers, Boards and Commissions:

Letter(s) from the City Clerk re:

Resolution to approve Fireworks Display License for 505 E. Michigan Ave.
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Resolution to waive cabaret fees for 2021
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

Minutes of Boards and Commissions placed on file in the Clerk's Office
PLACED ON FILE

Letter(s) from the Mayor re:

Wet Weather Control Program Siphon 12 and Trunk Sewer Replacement Project
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Status Report – Boards and Commissions Expirations & Vacancies
PLACED ON FILE

- Communications and Petitions, and Other City Related Matters:

Claim Appeal; Claim #1828 for trash fee at 2009 South Pennsylvania by Muhammad Rais
REFERRED TO THE COMMITTEE ON CITY OPERATIONS

Communication from Linda Appling regarding carrying weapons in public places Ordinance
PLACED ON FILE

REMARKS BY COUNCIL MEMBERS

President Spadafore announced that the Agenda Center is being transferred to a new system.

Council Member Dunbar asked for an update on the Joan Jackson Johnson investigation and the last three years of disciplinary write-ups from the Fire Department.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

David Odom spoke about racial issues in the City.

Loretta Stanaway spoke about Brandon Betz.

Michael Lynn, Jr. spoke about racial issues in the City.

Ash spoke on various City matters.

Claretta Duckett-Freeman spoke about various City matters.

Tammi spoke about a legal matter.

Rob Thomas spoke about various City matters.

Erica Lynn spoke about various City matters.

ADJOURNED TIME 11:06 P.M.

CHRIS SWOPE, CITY CLERK