



MINUTES
Committee on General Services Special Meeting
Monday, September 30, 2019 @ 5:00 p.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER

The meeting called to order at 5:00 p.m.

ROLL CALL

Council Member Jody Washington, Chair
Council Member Brian T. Jackson, Vice Chair
Council Member Carol Wood, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen, Assistant City Attorney/Council Research Assistant
Jim Smiertka, City Attorney
Andy Kilpatrick, Public Service Director
Christopher Stralkowski, Red Cedar
Jason Hockestale, Red Cedar
Michael Brown, Attorney for Red Cedar
Heather Sumner, Deputy City Attorney
Council Member Spadafore - arrived at 5:10 p.m.

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM SEPTEMBER 23, 2019 AS PRESENTED. MOTION CARRIED 3-0.

Public Comment on Agenda Items

No comments at this time.

Discussion/Action:

RESOLUTION – Objection to Issuance of the SDM License for Rite Aid of Michigan, 1004 E. Michigan Avenue, Lansing MI 48912

Mr. Brown with Carl, Edwards and Brown, representing as the Rite Aid Counsel, stated his opinion that the Council had a misunderstanding of what was “agreed” to in previous years, and believes they store has the right to request the license for the Special

Designated Merchant (SDM). To his knowledge, Mr. Brown stated Rite Aid does not have any written document that stated they would never apply for a SDM License. The belief is that when this location moved from Washington Square they did apply, but because of the opposition at the time they withdrew and only applied for the Special Designation Distributor (SDD) and in 1999 withdrew the application because of the concerns raised by the churches and the proximity to the schools. Council Member Washington noted for Mr. Brown that even though Eastern is no longer active there still other churches and day cares in the area. Council Member Wood acknowledged Mr. Brown for his recollection, and noted that she was present when the first license was applied for and to her recollection it was a verbal agreement because there were churches, schools, and neighborhoods that were all concerned at that location. At this time, it was brought to Council Members attention that there has been no discussion with those surrounding uses and they are still concerned with another alcohol establishment in that area of the City. In particular, Council Member Wood referenced an email from the East Side Neighborhood Association, and Council Member Washington added she has also heard from the Green Oaks Neighborhood verbally who were opposed. Council Member Jackson asked Mr. Brown if this was changing the status of the business or if they were just asking for what they did not pursue when Eastern was there. Mr. Brown clarified that they never did ask for the SDM License that request was withdrawn, but they do not have a SDD License either. Council Member Wood added to the conversation that the agreement at the time was a gentlemen's agreement to not have "any alcohol" at the time. Council Member Jackson then asked if there was going to be any neighborhood input. Council Member Washington clarified this does not required a public hearing, but a draft resolution to the State was in the packet for adoption. Mr. Brown was asked when the hearing at the State was set for, and stated that currently there is no date; the State was waiting on a response from the City based on the letter Council Member Washington sent in opposition. Council Member Wood recommended that Mr. Brown and Rite Aid hold a meeting with the community to see if they voice their same objections, before Council acts on this resolution. Mr. Brown agreed and Council Member Washington stated she would provide his contact information for Nancy Mahlow for a neighborhood meeting within the next couple weeks. Council Member Jackson suggested that Rite Aid representatives attend the meeting as well to provide an opinion of support for the license. Council Member Washington assured Mr. Brown that after the neighborhood meeting, if she needs to write a second letter to the State she will.

RESOLUTION -Noise Waiver-Red Cedar Development

Mr. Stralkowski and Mr. Hockestale had updates or additional information for the Committee.

Council Member Washington informed the Committee and public that after discussions with the developers and based on the last meeting, she was proposing the recent "substitute" resolution with the following changes:

WHEREAS, the developer is requesting a waiver of the noise ordinance to work 7 am to 7 pm Monday through Saturday and 8 am to 5 pm on Sunday, from

October 1 through the end of November 30, 2019 to perform the earthwork needed to prepare the building pads; and

WHEREAS, the developer is also requesting a waiver of the noise ordinance to allow work on weekdays, including holidays from 7 am to 7 pm and on Saturdays from 8 am to 5 pm beginning December 1, 2019 for the duration of the project to permit timely completion of the overall project; and

WHEREAS, based on the public comment Continental/Ferguson Lansing, LLC modified their request with the understanding if need is demonstrated in the future they can request to City Council additional waivers; and

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE SUBSTITUTE
RESOLUTION FOR THE NOISE WAIVER FOR THE RED CEDAR DEVELOPMENT.
MOTION CARRIED 3-0.

Adjourned

Adjourned at 5:17 p.m.

Submitted by Sherrie Boak,

Office Manager,

Lansing City Council

Approved by the Committee on October 14, 2019