



MINUTES
Committee on Development and Planning
Tuesday, November 16, 2021@ 3:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Spitzley called the meeting to order at 3:30 p.m.

PRESENT via audio/video

Council Member Spitzley, Chair
Council Member Garza, Vice-Chair
Council Member Hussain, Member

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff
Lisa Hagen, OCA
John Shaski, Sparrow
Greg Venker, OCA
Andrew Fedewa, EDP
Dr. Alane Laws-Barker
Council Member Brandon Betz
Andy Kilpatrick, Dir of Public Service
Jennie Gies, Eastfield Neighborhood Association
Dawn Kettiger, Mi. Nurses Association
Jessie Vanderloan, Mi. Nurses Association
Stacie Bakkegard

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM OCTOBER 19, 2021 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No public comment at this time.

Discussion/Action

RESOLUTION – Appointment; Dr. Alane Laws-Barker; At Large Member; EDC/TIFA/Brownfield Authority; Term to Expire 2/28/2027

Council Member Spitzley asked the OCA if the applicant's residency in East Lansing was an issue. Mr. Venker stated there was no residency requirement and therefore no issue.

Dr. Laws-Barker briefly spoke on her 30 years in the Lansing area, her knowledge of economic development in Lansing, and volunteer experience. Dr. Laws-Barker added that what she has seen in her work experience has driven her to help those in need, and more intentionally because her belief is that someone's zip code should not determine the services they get. She added that she was also involved in areas as the founder of Black Business Alliance and Black Chamber of Commerce and with that role partnered with NAACP to help businesses to survive.

Council Member Garza spoke in support of the appointment.

Council Member Hussain spoke on concerns he had in the past with filling roles on this authority, but spoke in support of this appointment based on her resume and statements earlier. He asked her thoughts on how important she thought it was to focus on areas outside of downtown. Dr. Laws-Barker stated her concerns with the buildup in downtown for the people who work here but not live here, so she was interested in building up all of Lansing. There should be a huge role of this authority to help entice businesses in all areas. Council Member Hussain asked Dr. Laws-Barker to attend the monthly Ward meetings.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF DR. ALANE LAWS-BARKER TO THE EDC/TIFA/BROWNFIELD AUTHORITY; TERM TO EXPIRE FEBRUARY 28, 2027. MOTION CARRIED 3-0.

RESOLUTION – Re-passage of ACT-1-2020; Jerome St., N. Holmes St. Street Vacate

Ms. Gies on behalf of the Eastfield Neighborhood Association spoke on concerns the neighborhood has with noise pollution at the hospital. Ms. Gies asked the Committee to consider adding conditions to the ACT that would include:

Maintain the current buildings noise level at or below the City noise ordinance permitted decibels.

Provide the neighborhood with copies of their construction and specification permits.

Maintain the current Jerome Street divider to assist with speeding concerns.

Invest in green infrastructure

Ms. Vanderloan spoke on behalf of the nursing council in current contract negotiations and their concern that vacating the street would not allow them their rights to demonstrate on Jerome Street. Ms. Vanderloan asked Council to delay action until contract negotiations are resolved.

Council Member Spitzley referenced the resolution that had expired in February, the Planning Board minutes from 11/5/2021 that did not reflect a vote from the Planning Board, and asked the OCA how the Planning Board cannot vote on a new resolution, when the other one from 2020 had expired 9 months ago. It was noted by her that Council gets their recommendations from the Planning Board for their consideration.

Mr. Venker informed the Committee that the Planning Board does not have to vote again, and added that their opinion is that that Planning Board did not have to vote in first place per statute or ordinance, but that is how the City handles the applications. He went on to state that the policy of the City, whether they dispose or vacate a street, is to provide a review to have an opportunity for everyone to come together and review, including LBWL, Public Service, etc. Mr. Venker reiterated that the Planning Board does vote and make recommendation but they are not legally required to for the City to vacate a right of way according to the land act. Mr. Venker then elaborated on whether the Council has something to act on, and in OCA opinion, procedurally the request is still the same and the review that was done in 2020 along with the information of the application is identical to what the Committee has in front of them. Since

2020 he assured the Committee, nothing has changed with BWL or public service. Mr. Venker concluded by stating to the Committee that from the legal perspective there is no requirement for the Planning Board to do something simple, and as for Council action he assured them the document is the same as it was 16 months ago.

Council Member Hussain commented to the public and OCA that Council has to consider public interest and best practice. He struggled with a document that expired 9 months ago, and when the resolution was approved in August 2020, it clearly stated it would expire in 6 months if conditions were not met, so therefore 9 months after that expiration he expected an updated recommendation from the Planning Board. He concluded by stating he does not want to set precedence because and over the years of his time on Council when something expires applicants have to start over.

Council Member Garza stated to OCA that it appears per their statement that the Planning Board did not have to vote in 2020, but they did and therefore now that it has expired, they should review, vote and provide recommendation again.

MOTION BY COUNCIL MEMBER GARZA TO TABLE THE RESOLUTION FOR THE REPASSAGE OF ACT-1-2020; VACATE STREET; JEROME S., N. HOLMES ST. SEINDING IT TO THE PLANNING BOARD FOR THEIR REVIEW AND RECOMMENDATION.

Council Member Spitzley reiterated to all present that there is a procedure whether legally required or not but that is the process. In February the resolution expired and therefore in her understanding there is no resolution to re-pass. Therefore she concurs that the process should start over and supports taking back to the Planning Board. Council Member Spitzley added that the Planning Board could still act on this in 2021 and in time for Council to act. She concluded by stating that she supported it in 2020, but cannot support the process they are attempting to take and the possibility it would open up the door for all resolutions that have expired.

MOTION CARRIED 3-0.

Ms. Boak was asked to forward the time to the Planning Board by Council Member Spitzley, and she added once the Planning Board reviews it and provides their recommendation she has no issue with discharging out of this Committee to the Committee of the Whole.

The Committee Members and Mr. Shaski held a brief discussion on the City policies that make applications equitable and fair, and clarification on what if any urgency there is in passing this immediately. Mr. Shaski assured the Committee that he was not aware of an urgency that required it to be at Council on 11/8/2021 and was not even aware of that meeting. He did add that it does slow up progress and takes the timeline back. Council Member Spitzley again stated that all major re-zonings, special land uses, ACT, etc. go through the Planning Board and Council takes their recommendations into consideration when they make their decision. The timeline was noted again of it passing in 2020, expiring in February, 2021 and Council not seeing this request until November, 2021 and being asked for urgent action, which was an issue with the Council.

Ms. Kettinger clarified her attendance at this meeting was to them it was ironic that the expired resolution was being acted on during their negotiations and picketing, and therefore they did not want the street vacate action to affect them. Council Member Spitzley assured her this is a City policy procedure concern that needs to be address to maintain the integrity of the City policy

and procedure. Mr. Shaski assured Ms. Kettinger that this project and street vacation goes back to 2015 and has nothing to do with the informational strike.

Adjourn

Adjourned at 4:17 p.m.

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on December 7, 2021