

AGENDA

Committee of the Whole AGENDA FOR OCTOBER 10, 2022 AT 5:30 PM



Lansing City Hall, Tony Benavides Lansing City Council Chambers
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.

Council Member Hussain, Chairperson
Council Member Wood, Vice Chairperson

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. September 26, 2022
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
 - B. RESOLUTION - Introduction and Set a Public Hearing; Amending Chapter 1300, Marihuana Operations
 - C. RESOLUTION - Setting a Public Hearing ; Consideration of Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan
6. **Other**
7. **Adjourn**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

DRAFT



MINUTES

Committee of the Whole

Monday, September 26, 2022 @ 5:30 p.m.

Tony Benavides Lansing City Council Chambers

CALL TO ORDER

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

PRESENT

Councilmember Adam Hussain
Councilmember Carol Wood
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Jeremy Garza
Councilmember Brian T. Jackson.
Councilmember Jeffrey Brown
Councilmember Brian Daniels- excused

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Jim Smiertka, OCA
Lisa Hagen-Lawrence, OCA
Mark Lawrence, Mayors Office
Jane Bias- DiSessa, Deputy Mayor
Loretta Stanaway

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM SEPTEMBER 12, 2022, AS PRESENTED. MOTION CARRIED 7-0.

Public Comment

Ms. Stanaway spoke on the Closed Session list, specifically the Lansing Township and her opposition to the ongoing case.

Discussion

RESOLUTION – Approval of the Addition of Salvatore Prescott Porter & Porter, PLLC to Outside Legal Counsel

Council President Hussain explained this was also being referred tonight, however the City Attorney asked for immediate action because when Council approved a resolution earlier in July, 2022 under Resolution 2022-197 encouraging the administration to review the amicus brief and if appropriate, sign demonstrating the support an attorney was not listed in the resolution. There is now a retention agreement that needs to be signed, and counsel needed to be added to a resolution for that agreement to be signed.

DRAFT

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR SALVATORE PRESCOTT PORTER & PORTER, PLLC FOR OUTSIDE LEGAL COUNSEL.

Mr. Smiertka stated that the Charter requires OCA to come to the Council for any litigation, and they are filing a legal brief in a case, and they want the City of Lansing to join, and therefore they will be the City Attorney. The City is now signing onto the brief and not filing a separate case. This client is lead counsel and the City is signing, and this action is only for the brief.

MOTION CARRIED 7-0.

DISCUSSION – Fiscal Year 2023/2024 Budget Priorities

Council President Hussain outlined the process and asked that the Administration per the Rule report back if these priorities are not included in the upcoming budget.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE BUDGET PRIORITIES INCLUDING REMOVING THE BOLD MEETING INFORMATION FOR COMMITTEE ON WAYS AND MEANS, AD HOC ON HOUSING AND RESIDENT SAFETY ON PAGE 3 AND THE BOLD MEETING INFORMATION UNDER THE BE IT FURTHER RESOLVED FOR AD HOC ON HOUSING OF MEETING INFORMATION ON PAGE 4.

MOTION BY COUNCIL MEMBER BROWN TO AMEND ITEM 10 ON PAGE 2 FROM \$200,000 TO \$300,000.

Council President Hussain went through the positions currently in the Economic Development and his reason for the creation of adding this item. This increase would add Marketing and Communications Director, Small Business Development Specialist and Director of Equitable Economic Development. This would add additional \$300,000 to the current already budgeted \$300,000 bringing EDC to \$600,000.

Council Member Wood asked for additional information in the future on how they are dealing with those additional funds.

Council Member Spitzley voiced her concerns with how they will sustain those additional positions in further budgets.

Council Member Brown noted in conversations with the Administration that there was a Council Member on their board to make there was an open bridge of communication and would encourage that going forward.

Council Member Jackson spoke briefly on the history of LEAP which was taken in house, and expected funds to come in, then now adding more positions and more funds. It would be interesting to find out what tasks EDC will have compared to LEAP. There is a concern when talking about positions when it was out of house now in house.

MOTION BY COUNCIL MEMBER SPITZLEY TO REMOVE ITEM 10.

It was clarified there is a motion on the table to increase the amount in item 10, the motion by Council Member Spitzley was withdrawn.

Council President Hussain spoke about the LEAP and EDC, and discussions that since they are 100% in the City, Mr. Dorshimer outlined the task they will do. Council President Hussain spoke in support of Economic Development in the City.

DRAFT

Council Member Wood noted this is a wish list, not creating but what the Council priorities are for the Mayor to look at to see if it can be funded. Historically when EDC was in the City before it went to LEAP, there were a lot more staff, and in order to accomplish some of these things, they need more staff. Council Member Wood reiterated her request in the future what funds, fees, contracts and where the returns are with LEAP.

Council Member Spitzley noted there also used to be a Business Ombudsman in the past, so in the future would consider during the budget and why they need more money and more employees since at this point they are still too new so cannot support until they report back.

MOTION PASSED 5-2.

MOTION BY COUNCIL MEMBER SPITZLEY TO AMEND ITEM 10 TO COME AND DISCUSS HOW THEY ARE GOING TO ADDRESS THE INCREASE IN THEIR BUDGET FROM \$300,000- \$500,000. ITEM 10 WILL BE AMENDED TO ADD LANSING EDC WILL PROVIDE DOCUMENTATION ON HOW THEY WILL PAY FOR THE POSITIONS IN THE 2023/2024.

MOTION CARRIED 6-1.

Mr. Smiertka asked if the intent is to be done to the satisfaction of Council.

Council Member Jackson spoke on Item 9 on page 2 on transparency, and encouraged viewing in the courts currently being held as a hybrid, and was in support of streaming or allowing the public to make comments.

Council Member Jackson then spoke in support of Item 8 on page 2 and sustainability in the City.

MOTION BY COUNCIL MEMBER BROWN TO STRIKE ITEM 7 PAGE 2. MOTION CARRIED 6-1.

Council President Hussain spoke on Item 9 on page 2 and after a discussion with Council Member Daniels in his absence he relayed to him that he felt that bringing his earlier resolution tonight would be redundant and please call Council Member Daniels.

Council Member Jackson spoke briefly on an earlier resolution brough by Council Member Daniels in August and supported that. He noted he would reach out to Council Member Daniels to bring that Resolution back to Council.

MOTION CARRIED 7-0.

Other **CLOSED SESSION**

MOTION BY COUNCIL MEMBER WOOD TO RECESS INTO CLOSED SESSION AT 6:05 P.M.

Pursuant to MCL 15.268(e), I hereby move that we recess into closed session to consult with the City Attorney in connection with the following specific pending litigation. An open meeting will have a detrimental financial effect on the litigating or settlement position of the City of Lansing concerning these cases. In addition there was a request and granted for Mark Lawrence and Jane DeSessa to attend the closed session.

DRAFT

Ms. Boak read the following cases into the record:

Atkinson, et al. v. City of Lansing, et al.
Burwell v. City of Lansing, et al.
Career Quest Learning Centers, Inc. & Little Rainbows, LLC v. Lansing City Treasurer, et al.
Charter Township of Lansing v. Barb Byrum, Ingham County Clerk, and City of Lansing
Chen v. City of Lansing, et al.
City of Lansing v. Fady, Inc., et al.
City of Lansing v. OCOF Nonprofit Housing Corp
City of Lansing, et al. v. Purdue Pharma, et al. - Opioid Litigation
Fire Farm, LLC v. City of Lansing
Freeman v. City of Lansing
Funches v. City of Lansing, et al.
Hardy v. City of Lansing, et al.
Hulon v. City of Lansing, et al.
Lynn v. City of Lansing
OPV Partners, LLC and RESSCO, LLC v. City of Lansing
Phillips v. City of Lansing, et al.
Stafford v. Klein and City of Lansing
United States of America v. City of Lansing
ROLL VOTE. MOTION CARRIED 7-1.

RECONVENE

Council President reconvened the meeting at 6:35 p.m.

Adjourn

The meeting adjourned at: 6:35 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee

**Department of Economic
Development and Planning**
Brian McGrain, Director



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Lansing, Michigan 48933
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MEMO

FROM: Sue Stachowiak, Zoning Administrator
DATE: August 19, 2022
RE: Amendments to the Marijuana Ordinance

At a special meeting held on August 8, 2022, the Planning Board voted unanimously to recommend approval of amendments to the Marijuana Ordinance (Chapter 1300) summarized as follows:

1300.02: add definitions for Marihuana Educational Research License (new license type) and expand definition of Marihuana Microbusiness to include Class A (new license type).

1300.04: amend definition of applicant to reflect current state practice.

-Amend insurance requirements to expand access to coverage.

1300.09: add drive thru as a permissible accessory use for marijuana sales with zoning approval.

1300.11: assigns Educational Research Facilities to same zoning as Safety Compliance, Processors, and Secure Transporters (Industrial, Mixed Use, and Urban Flex).

1300.17: codifies Mayor's 2020-01 Executive Order and adds licensing fee.

No comments were received at the public hearing held by the Planning Board.

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 24, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving or opposing:

An Ordinance to amend Chapter 1300 of the City of Lansing codified ordinances, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the Ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, October 24, 2022 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider an ordinance to amend Chapter 1300 of the City of Lansing codified ordinances, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the Ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearings or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, October 24, 2022 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1300, Sections 1300.02, 1300.04, 1300.09, and 1300.11 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended and Section 1300.17 is added to read as follows:

1300.02. Definitions, interpretation and conflicts.

For the purposes of this chapter:

(a) Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. (MMFLA), as amended, the Marihuana Tracking Act ("MTA"), MCL 333.27901 et seq., the Michigan Regulation and Taxation of Marihuana Act (MRTMA"), MCL 333.27951 et seq., shall have the definition given in those acts; if the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA, MMFLA or MTA, or if a term is not defined but is defined in the MMMA, MMFLA MTA, or MRTMA then the definition in the MMMA, MMFLA, MTA, or MRTMA shall apply.

(b) Any term defined by 21 USC 860(e) referenced in this chapter shall have the definition given by 21 USC 860(e).

(c) This chapter shall not limit an individual or entity's rights under the MMMA, MMFLA, MTA, or MRTMA and these acts supersede this chapter where there is a conflict between them and the immunities and protections established in the MMMA and MRTMA unless superseded or preempted by the MMFLA and/or MRTMA.

(d) All activities related to medical marihuana, including those related to a Medical Marihuana Provisioning Center, a Medical Marihuana Grower Facility, a Medical Marihuana Secure Transporter, a Medical Marihuana Processor or a Medical Marihuana Safety Compliance Facility shall be in compliance with the rules of the Marihuana Regulatory Agency, the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City, the MMMA, MMFLA and the MTA.

(e) All activities related to non-medical marihuana shall be in compliance with the rules of the Michigan Department of Licensing and Regulatory Affairs, or any successor agency, the rules and regulations of the City and MRTMA.

(f) Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, or the distribution of marihuana, or the testing of marihuana either prior to or after enactment of this chapter without obtaining the required licensing set forth in this chapter shall be deemed to be an illegally established use and therefore not entitled to legal nonconforming status under the provisions of this chapter, and/or State law. Any license granted pursuant to this chapter shall be exclusive to the licensee, and is a revocable privilege. Granting a license does not create or vest any right, title, franchise, or other property right.

(g) The following terms shall have the definitions given:

Application/License Application means an application for a license pursuant to the terms and conditions set forth in Sections 1300.04 and 1300.05.

Application for a License Renewal means an application for a license renewal pursuant to the terms and conditions of Section 1300.07.

Buffered Use means a use subject to the buffering and dispersion requirements of Sections 1300.10 and 1300.11.

Building means an independent, enclosed structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by dividing walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure, regardless of whether the portions of such structure share common pipes, ducts, boilers, tanks, furnaces, or other such systems. This definition refers only to permanent structures, and does not include tents, sheds, greenhouses and private garages on residential property, stables, or other accessory structures not in compliance with MMMA or MRTMA. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers or similar structures.

Chapter means this Chapter 1300.

Church means an entire space set apart primarily for purposes of public worship, and which is tax exempt under the laws of this state, and in which religious services are held, and the entire building structure of which is kept for that use and not put to any other use inconsistent with that use.

City means the City of Lansing, Michigan.

Clerk shall mean the City Clerk of Lansing, Michigan.

65 *Council or City Council* means the City Council of Lansing, Michigan.

66 *Employee* means any individual who is employed by an employer in return for the payment of
67 direct or indirect monetary wages or profit, under contract, and any individual who volunteers his or her
68 services to an employer for no monetary compensation, or any individual who performs work or renders
69 services, for any period of time, at the direction of an owner, lessee, of other person in charge of a
70 place.

71 *License* means a license issued for the operation of a medical marihuana facility or marihuana
72 establishment pursuant to the terms and conditions of this chapter and includes a license which has
73 been renewed pursuant to Section 1300.07.

74 *Licensee* means a person issued a license for a medical marihuana facility or marihuana
75 establishment pursuant to this chapter.

76 *Limit* means a competitive application process by which the municipality selects applicants who
77 are best suited to operate in compliance with the Michigan Regulation and Taxation of Marihuana Act
78 and this chapter and prevents the Department of Licensing and Regulatory Affairs from issuing a State
79 license within the municipality's jurisdiction if the applicant is not selected, in compliance with MCL §
80 333.27956(1) and MCL § 333.27959(4).

81 ***Marihuana Educational Research License*** means any person or entity licensed by the United
82 States Drug Enforcement Administration (DEA) and in affiliation with a degree or certificate program
83 offered by an institution of higher learning accredited by the Higher Learning Commission and subject
84 to the requirements outlined under State of Michigan Rule 420.27a, as may be updated or amended
85 from time to time.

Marihuana Establishment means any marihuana operation that is required to be licensed under this chapter and possesses a license or approval to operate under the MRTMA, including a Marihuana Microbusiness, a Marihuana Retailer, a Marihuana Grower, a Marihuana Processor, a Marihuana Secure Transporter, a Marihuana Safety Compliance Facility, and a Designated Consumption Establishment.

Marihuana Grower means a licensee that is a commercial or business entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to terms and conditions of this chapter that cultivates, dries, trims or cures and packages marihuana in accordance with State law.

Marihuana Microbusiness means a person or entity licensed as a **marihuana microbusiness or class A microbusiness, as defined by State of Michigan Rules 420.105 and 420.105a which may be updated or amended from time to time, to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a Marihuana Safety Compliance Facility, but not to other marihuana establishments,** located in the City that is licensed or approved to operate by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter.

Marihuana Operation/Operator means all types of medical and non-medical marihuana establishments and facilities operating in the City of Lansing that are required to be licensed under this chapter and possess a license or approval to operate under State law.

Marihuana Processor or Medical Marihuana Processor Facility means a commercial entity located in the City that is licensed or approved to operate by the State pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of this chapter, that extracts resin from the marihuana or creates a marihuana-infused product, processes and packages marihuana,

108 and sells or otherwise transfers marihuana to marihuana operations, to the extent permitted by State
109 law and rules.

110 *Marijuana Regulatory Agency or MRA* means the agency within the State of Michigan
111 Department of Licensing and Regulatory Affairs created pursuant to Executive Order 2019-07 to regulate
112 medical and recreational marihuana.

113 *Marihuana Retailer* means a licensee located in the City that is licensed or approved to operate
114 by the State pursuant to the MRTMA and is licensed by the City pursuant to the terms and conditions of
115 this chapter to obtain marihuana from marihuana establishments and to sell or otherwise transfer
116 marihuana to a marihuana establishment and to individuals who are 21 years of age or older.

117 *Marihuana Safety Compliance Facility or Medical Marihuana Safety Compliance Facility* means a
118 commercial or business entity located in the City that is licensed or approved to operate by the State
119 pursuant to the MMFLA or MRTMA and is licensed by the City pursuant to the terms and conditions of
120 this chapter, that tests marihuana, including certification for potency, the presence of contaminants,
121 and tetrahydrocannabinol and other cannabinoids.

122 *Medical Marihuana Facility* means any facility or center that is required to be licensed under this
123 chapter and possesses a license or approval to operate from the State under the MMFLA, including: A
124 Medical Marihuana Provisioning Center, a Medical Marihuana Processor, a Medical Marihuana Grower
125 Facility, a Marihuana Secure Transporter, and a Medical Marihuana Safety Compliance Facility.

126 *Medical Marihuana Provisioning Center* means a commercial or business entity located in the
127 City that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed by the
128 City pursuant to the terms and conditions of this chapter, that sells, supplies, or provides marihuana to
129 registered qualifying patients only as permitted by State law. Medical Marihuana Provisioning Center, as

defined in the MMMA, MMFLA and MTA, includes any commercial property or business where marihuana is sold in conformance with State law and regulation. A noncommercial or nonbusiness location used by a primary caregiver to assist a qualifying patient, as defined in the MMMA, MMFLA or MTA connected to the caregiver through the State's marihuana registration process in accordance with the MMMA, MMFLA or MTA is not a Medical Marihuana Provisioning Center for purposes of this chapter.

MMFLA means the Medical Marihuana Facilities Licensing Act, MCL 333.2701 et seq. as amended from time to time.

MMMA means the Michigan Medical Marihuana Act, MCL 333.26421 et seq. as amended from time to time.

MRTMA means the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq., as amended from time to time.

MTA means the Marihuana Tracking Act, MCL 333.27901 et seq., as amended from time to time.

Ordinance means the ordinance adopting this Chapter 1300.

Park means an area of land designated by the City as a park on its master plan or on a Council-approved list of City parks.

Person means an individual, partnership, firm, company, corporation, association, sole proprietorship, limited liability company, joint venture, estate, trust, or other legal entity.

School means and includes buildings used for school purposes to provide instruction to children and youth in grades pre-kindergarten through 12, and headstart when that instruction is provided by a public, private, denominational, or parochial school.

151 *Secure Transporter or Medical Marihuana Secure Transporter* means a commercial or business
152 entity that is licensed or approved to operate by the State pursuant to the MMFLA and is licensed to
153 operate by the City pursuant to the terms and conditions of this chapter, that stores marihuana and
154 transports marihuana between medical marihuana facilities or marihuana establishments for a fee and
155 in accordance with State law.

156 *Stakeholder* means, with respect to a trust, the trustee and beneficiaries; with respect to a
157 limited liability company, the managers and members; with respect to a corporation, whether profit or
158 non-profit, the officers, directors, or shareholders; and with respect to a partnership or limited liability
159 partnership, the partners, both general and limited.

160 *State* means the State of Michigan.

161 *Ward* means the four wards of the City of Lansing as outlined in 2-203 of the Lansing City
162 Charter.

163 (h) Any term defined by the MMMA, the MMFLA, MTA, or MRTMA and not defined in this
164 chapter shall have the definition given in the MMMA, MMFLA, MTA, or MRTMA as applicable.

165 1300.04. License application submission.

166 (a) Each marihuana operation must be licensed by the City. Applications for a license shall be made
167 in writing to the City Clerk.

168 All applications submitted to the City Clerk in accordance with the provisions of this chapter shall be
169 considered for the issuance of a license. An applicant may apply for multiple licenses under this chapter
170 of the same or different natures simultaneously, as permitted by law.

(b) A complete application for a license or licenses required by this chapter shall be made under oath on forms provided by the City Clerk, and shall contain all of the following:

(1) If the applicant is an individual, the applicant's name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information, and a copy of a government-issued photo identification card of the applicant.

(2) If the applicant is not an individual, the names, dates of birth, physical addresses, email addresses, and one or more phone numbers of each stakeholder of the applicant including designation of a stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation or organization, internal revenue service SS-4 EIN confirmation letter, and the operating agreement or bylaws of the applicant, if a limited liability company.

(3) Any applicant who meets any of the follow criteria must provide the necessary disclosure information outlined in 1300.04(b)(1) and (2):

(A) For an individual or sole proprietorship: the proprietor and spouse.

(B) For a partnership and limited liability partnership: all partners and their spouses.

(C) For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the partnership, and their spouses.

(D) For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less who does not exercise control over or participate in the management of the company, and their spouses.

(E) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(F) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.

(G) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.

(H) For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

(I) For a trust: trustees, any individual or body able to control and direct the affairs of the trust, and any beneficiary who receives or has the right to receive more than 10% of the gross or net profit of the trust during any full or partial calendar or fiscal year and their spouses.

(3) The name, date of birth, physical address, copy of photo identification, and email address for any operator or employee if other than the applicant.

(4) The name and address of the proposed marihuana operation and any additional contact information deemed necessary by the City Clerk.

(5) Applicant or licensee shall keep records of the results of the criminal history background checks performed pursuant to MMFLA and/or MRTMA requirements and shall provide copies for every applicant, licensee, stakeholder, and employee to the City Clerk within five business days of receipt.

- 213 (6) An affirmation under oath as to whether the applicant or operator has had a business license
214 revoked or suspended, and if revoked or suspended, then the reason for such revocation or
215 suspension.
- 216 (7) A copy of the proposed business plan for the marihuana operation, including, but not limited to,
217 the following:
- 218 i. The proposed ownership structure of the marihuana operation, including percentage
219 ownership of each person; and
- 220 ii. A current organization chart that includes position descriptions and the names of each
221 person holding each position.
- 222 (8) One of the following: (a) proof of ownership of the entire premises wherein the marihuana
223 operation is to be operated; or (b) written consent from the property owner for use of the
224 premises in a manner requiring licensure under this chapter along with a copy of any lease for the
225 premises.
- 226 (9) Verify compliance with State-mandated security measures as outlined in Emergency Rule 35 of the
227 Department of Licensing and Regulatory Affairs: Adult-Use Marihuana Establishments Emergency
228 Rules of July 3, 2019, as may be updated or amended from time to time.
- 229 (10) A floor plan of the marihuana operation, as well as a scale diagram illustrating the property
230 including all available parking spaces, all available handicapped accessible parking, and noting
231 storage spaces for any flammable or combustible substances.
- 232 (11) Verify compliance with State-mandated marketing and advertising restrictions as outlined in
233 Emergency Rule 52 of the Department of Licensing and Regulatory Affairs: Adult-Use Marihuana
234 Establishments Emergency Rules of July 3, 2019, as may be updated or amended from time to time.

- (12) A location area map, as measured pursuant to Section 1300.10, of the marihuana operation and surrounding area that identifies the relative locations and the distances, as measured pursuant to Section 1300.10(d), to the buffered uses set forth in Section 1300.10(a), and noting any residentially-zoned property within one-quarter mile of the marihuana operation.
- (13) An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligation to the City.
- (14) A signed acknowledgment that the applicant is aware and understands that all matters related to marihuana, growing, cultivation, possession, dispensing, testing, safety compliance, transporting, distribution, and use are currently subject to State and Federal laws, rules, and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules and regulations or exposure to any penalties associated therewith; and further the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the City, its elected and appointed officials and its employees and agents for any claims, damages, liabilities, causes of action, damages, and attorney fees the applicant may occur as a result of the violation by applicant, its officials, members, partners, shareholders, employees and agent of those laws, rules, and regulations and hereby waives, and assumes the risk of, any such claims and damages, and lack of recourse against the City, its elected and appointed officials, employees, attorneys, and agents.
- (15) Proof of an insurance policy covering each license and naming the City, its elected and appointed officials, employees, and agents, as additional insured parties, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors, in the amount of (a) at least \$1,000,000.00 for property damage; (b) at least

\$1,000,000.00 for injury to one person; and (c) at least \$2,000,000.00 for injury to two or more persons resulting from the same occurrence. The insurance policy underwriter must have a minimum A.M. Best Company insurance ranking of B+, ~~DemoTech consistent with State law, or~~ **similar rating from another credit rating agency for the insurance industry.** The policy shall provide that the City shall be notified by the insurance carrier 30 days in advance of any cancellation. The insurer must be licensed in the State of Michigan.

(16) i. Proof of a surety bond in the amount of \$50,000.00 with the City listed as the obligee to guarantee performance by applicant of the terms, conditions and obligations of this chapter in a manner and surety approved by the City Attorney; or, in the alternative,

ii. Creation of an escrow account as follows:

a. The account must be provided by a State or federally regulated financial institution or other financial institution; and

b. The account must be for the benefit of the City to guarantee performance by licensee in compliance with this chapter and applicable law; and

c. The account must be in the amount of \$20,000.00 and in a form prescribed by the City Attorney.

(17) Projected or actual annual budget and revenue based upon generally accepted accounting principles (GAAP standards) demonstrating sufficient financial resources to fund and execute the submitted business plans and building plans.

(18) An estimate of the number and type of full-time equivalent jobs that the marihuana operation expects to create and the amount and type of compensation for each position, including but not limited to healthcare, retirement, and paid time off.

- 280 (19) Submission of an odor plan to address any potential odors stemming from the use, storage,
281 growing, or processing of marihuana.
- 282 (20) Execution of the Financial Resources Litigation History form made available by the City Clerk.
- 283 (21) Execution of the Morals, Good Order and General Welfare Litigation History form made available
284 by the City Clerk.
- 285 (22) Any other information requested by the City Clerk to assist in the review of the application. Failure
286 to provide required or requested information may result in an incomplete application
287 determination and may result in denial or revocation of licensure.
- 288 (23) There is an ongoing obligation to provide updated information to the City Clerk. Should there be a
289 change to any portion of an application, the applicant must advise the City Clerk within seven days
290 from date of change and provide any documentation to support the change in application. Failure
291 to provide documentation shall result in an incomplete application determination and is subject to
292 denial of licensure.
- 293 (c) Each application shall be accompanied by a license application fee in an amount of \$5,000.00.
- 294 (d) Upon receipt of a completed application meeting the requirements of this section and the
295 appropriate license application fee, the City Clerk shall refer a copy of the application to each of the
296 following for their approval: the City Attorney, the Building Safety Office, the Police Department,
297 the Zoning Administrator, and the City Treasurer.
- 298 (e) No application shall be approved unless:

299 (1) The Building Safety Office has inspected the proposed location or approved proposed
300 site plans for compliance with all laws for which they are charged with enforcement and for compliance
301 with the requirements of this chapter.

302 (2) The Zoning Administrator has confirmed that the proposed location complies with the
303 Zoning Code and this chapter.

304 (3) The City Treasurer has confirmed that the applicant and each stakeholder of the
305 applicant are not in default to the City, including but not limited to, non-payment of property taxes.

306 (4) The Police Department has reviewed the criminal history background checks for each
307 applicant, stakeholder, and employees provided by the applicant.

308 (5) The City Attorney's office has reviewed and approved as to form the insurance and
309 either the surety bond or escrow account documentation for compliance with State and local laws.

310 1300.07. License renewal application.

311 (a) Application for a license renewal required by this chapter shall be made in writing to the City Clerk
312 at least 28 days prior to the expiration of an existing license.

313 (b) An application for a license renewal required by this chapter shall be made under oath on forms
314 provided by the City, and shall contain all of the information required by Section 1300.04(b).

315 (c) An application for a license renewal shall be accompanied by a renewal fee in an amount of
316 \$5,000.00. The renewal fee is established to defray the costs of the administration and
317 enforcement of this chapter expended by the City Clerk's Office, Police Department, City Attorney's
318 Office, Treasury, Building Safety office, Zoning Administrator, and other relevant City departments.

(d) Upon receipt of a completed application for a license renewal meeting the requirements of this chapter and the license renewal fee, the City Clerk shall refer a copy of the renewal application to each of the following for their approval: The City Attorney's Office, the Building Safety Office, the Police Department, the Zoning Administrator, and the City Treasurer.

(e) No application for a license renewal shall be approved unless:

(1) The Building Safety Office has inspected the proposed location and/or approved proposed site plans for compliance with all laws for which they are charged with enforcement within the past calendar year.

(2) The Zoning Administrator has confirmed that the location complies with the Zoning Code and this chapter.

(3) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant and the location of the marihuana operation are not currently in default to the City, including but not limited to property taxes.

(4) The Police Department has reviewed the criminal history background checks for each applicant, stakeholder, and employee, as provided by the applicant.

(5) The City Attorney's Office has reviewed and approved as to form the insurance and either the surety bond or escrow account documentation for compliance with State and local laws.

(6) The applicant possesses the necessary State licenses or approvals.

(7) The applicant has operated the marihuana operation in accordance with the conditions and requirements of this chapter as well as Federal and State laws and regulations.

(8) The marihuana operation has not been declared a public nuisance.

(f) If written approval is given by each individual, department, or entity identified in subsection (e), the City Clerk confirms compliance with subsection (b) and receipt of the renewal fee, the City Clerk shall issue a license renewal to the applicant. The renewal shall be deemed approved if the City has not issued formal notice of denial within 60 days of the filing date of the application, unless the applicant is advised of non-compliance under Section 1300.07(e) during such period.

(g) If an applicant receives conditional approval to receive a license but fails to obtain that license within 24 months from the date of conditional approval, the City Clerk may revoke the conditional approval and deny licensure. conditional approval is not a license and in no way permits growing, processing, testing, transport, or sale of marihuana or marihuana product.

1300.09. Minimum operational standards of a marihuana operation.

Except as may be preempted by State law or regulation:

(a) Every Medical Marihuana Provisioning Center, Marihuana Retailer, and Designated Consumption Establishment must be located in a building, as defined under Section 1300.02.

(b) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or Designated Consumption Establishment shall be open between the hours of 10:00 p.m. and 9:00 a.m.

(c) Consumption of marihuana shall be prohibited on the premises of a marihuana operation except as permitted by City Charter Section 8-501, State law, and a designated consumption establishment license has been obtained.

(d) No marihuana operation shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the marihuana operation is operated; or any other nuisance that hinders the public health, safety and welfare of the residents of the City.

- 363 (e) The license required by this chapter shall be prominently displayed on the premises of a marihuana
364 operation.
- 365 (f) The premises shall be open for inspection during the stated hours of operation and as such other
366 times as anyone is present on the premises. Refusal to permit inspection may result in revocation
367 or suspension of licensure.
- 368 (g) It shall be prohibited to display any signs that are inconsistent with local laws or regulations or
369 State law.
- 370 (h) No other accessory uses are permitted within the same establishment or facility unless expressly
371 permitted by State or local law.
- 372 (i) All processing activity shall be performed indoors in a building.
- 373 (j) All persons working in direct contact with marihuana shall conform to hygienic practices while on
374 duty, including but not limited to:
- 375 (1) Maintaining adequate personal cleanliness;
- 376 (2) Washing hands thoroughly in adequate hand-washing areas before starting work and at
377 any other time when the hands may have become soiled or contaminated;
- 378 (3) Refraining from having direct contact with medical marihuana if the person has or may
379 have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal
380 source of microbial contamination, until the condition is corrected.
- 381 (k) Marihuana operations must be kept clean and in good repair, including proper disposal of all waste
382 and litter.
- 383 (l) No Medical Marihuana Provisioning Center, Marihuana Retailer, Marihuana Microbusiness, or
384 Designated Consumption Establishment shall permit the sale, consumption, or serving of alcohol.

(m) Any marihuana licensee engaged in the sale of marijuana must apply for and receive approval from the Zoning Administrator prior to operating a drive-through (drive-thru).

1300.11. Location of Marihuana Growers, Marihuana Safety Compliance Facilities, Marihuana Processors, Marihuana Secure Transporters, Marihuana Microbusinesses, and Designated Consumption Establishment.

(a) All Marihuana Growers and Marihuana Microbusinesses shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial) and Ind-3 (urban industrial) zoning districts as identified in this Code.

(b) All Marihuana Safety Compliance Facilities, Marihuana Processors, **Educational Research Facilities**, and Marihuana Secure Transporters shall be limited to Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(c) All Designated Consumption Establishments shall be limited to S-C (suburban corridor), MX-C (mixed use urban corridor), MX-2 (mixed use community center), MX-3 (mixed use district center), Ind-1 (suburban industrial), Ind-2 (general industrial), Ind-3 (urban industrial), and DT-2 (urban flex) zoning districts as identified in this Code.

(d) No marihuana operation shall be located in an unzoned area or in an area subject to an agreement entered into pursuant to Public Act 425 of 1984.

1300.17. Temporary Marihuana Events

(a) Any temporary marihuana event occurring in the City of Lansing shall submit the following to the Office of the Mayor for municipal approval or denial:

(1) A full and complete copy of the application submitted to the State of Michigan;

(2) Proof of Marihuana Event Organizer License from the State of Michigan;

- 407 **(3) A complete Special Event Permit Application if the event is to occur on City-owned**
408 **property;**
- 409 **(4) Submission of a \$5,000 license application fee;**
- 410 **(b) Upon receipt of a completed application meeting the requirements of this section and payment**
411 **of the appropriate license application fee, the application shall be referred to the following**
412 **departments for their approval: the City Attorney, the Police Department, the Fire Department,**
413 **and the Department of Parks & Recreation if hosted on City-owned property.**
- 414 **(c) The Mayor is the final authority in the decision whether to approve, deny, or modify the**
415 **application.**
- 416 Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these
417 provisions are repealed.
- 418 Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the
419 same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so
420 declared to be invalid.
- 421 Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and
422 pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2031.

**Department of Economic
Development and Planning**
Brian McGrain, Director



Development Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4040 – FAX: 517.483.6036
www.lansingmi.gov/development

MEMORANDUM

TO: Chris Swope
FROM: Barb Kimmel
DATE: 9.21.22
SUBJECT: Date Change Request-Affects Public Notice and Resolution to Adopt Substantial Amendment

Due to the HUD required 15-day length of public comment period, the Development Office requests that Council approve the resolution to set the public hearing on October 10th, and then hold the public hearing on November 14th (because October 24th does not accommodate the 15 day public comment period that is required).

Council will vote to approve the substantial amendment on November 28th.

We would like to have the revised Public Notice published in the Lansing City Pulse on October 26th. The notice will need to be provided to the City Pulse on October 20th for publication on the 26th.

I have also updated the attached Resolution to adopt the Substantial Amendment to reflect the date changes to reflect the new Publish date for the Notice, (now October 26th) and for the Public Hearing Date (Now Nov. 14th)

The Resolution to set the public hearing does not require a change.

HOME-ARP Allocation Plan – Consultation Meetings

Virtual Teams/Zoom Meeting

September 15 and 16, 2022



Summary:

Public Meeting

The City of Lansing is in the process of developing a HOME-ARP Allocation Plan to assess homeless needs, affordable housing, and other supportive service priorities to promote data-driven and place-based funding decisions.

On September 15, 2022 the city attended the Continuum of Care regular meeting, which was held virtually through the Zoom platform.

On September 16, 2022, the city held a public meeting with stakeholders and service providers, which was held virtually through the Microsoft Teams Platform.

In an effort to provide an environment that would allow for all attendees to participate, a short, informative presentation was given and an open discussion was conducted. Citizens were asked to publicly discuss issues and concerns. In total, there were nearly 100 participants on the call for both meetings, some of which were city staff, the consultant presenters, and service providers.

Open Discussion

During the open discussion citizens were asked to speak their mind on unmet supportive service and housing needs for qualifying populations affecting the City of Lansing as a whole. A number of issues were brought to the project Team's attention. Listed below are issues that were discussed during the open discussion:

Priority Needs for HOME-ARP Allocation Plan

- Case Management
- Rental/Utility Assistance
- Employment Assistance/Job Training
- Affordable housing, especially for large families
- Permanent, supportive housing, especially for seniors and families
- Shared training among providers

For questions regarding the HOME-ARP Allocation Plan, please contact Doris Witherspoon at (517) 483-4063 or doris.witherspoon@lansingmi.gov

City of Lansing
Department of Economic Development and Planning
Doris Witherspoon, Senior Planner
316 N Capitol Avenue, Suite D-1
Lansing, MI 48933

More information can be seen at: <https://www.lansingmi.gov/187/Economic-Development-Planning>

All Comments Received

- Rental housing and rental assistance for high priority cases for those at-risk of homelessness which may leverage existing ESG funds for more rapid rehousing funds.
- Crisis situation of families in cars – more housing. trailer park, tiny housing, hotel money is running out – developing smaller places and developing SHIP program, as well as NCS to keep families secure as possible for as long as possible.
- Idea of having some level of non-congregate shelter as a permanent facility in the community is attractive.
- We have families and individuals that are not suited for CS that are best served in a NCS setting.
- People that are very low income that are living in subsidized housing or housing that does not have case management attached to it (HCV) that sometimes need short term case management to NOT become homeless.
- It would be nice for low-income housing units that some have utilities included – because see lots of people sitting in their homes but with no utilities (utility assistance)
- Seeing a lot of homeless families, never seen so many – need housing and fast
- Employment search supportive services (need this for long term success) – especially part of case management approach
 - Childcare, food access, basic toiletries (but these are short term assistances at best)
- Trend among landlords where utilities are no longer included in rent, which is another difficulty for low-income populations and those at risk of homelessness – need to equip people at minimum to be able to pay their utilities
 - How do we increase income? For long term support.
- Workforce development overall as part of the supportive services
- Family homelessness is increasing across the nation following the ending of many covid and other programs
 - Experiencing complexity of family dynamics, especially large families. Many of them have 0 or very low income
- Organizational capacity – shared training around case management, fair housing, a unified approach for many agencies
- A population that is high risk and in need is justice impacts – especially those on probation and parole and even more so those that have CSC history – Katy PIP
- Lack of childcare, which makes it difficult for people to go to work (AFFORDABLE childcare)
- Trying to serve transgender people – some people are uncomfortable, but trying to find space for those populations BUT cannot discriminate, so what are the solutions? Often housing the person where they wanted to be housed as long as they feel safe
- Continue to see homeless older adults in the community and many older adults who are in housing that they cannot afford. With older adults on social security and often unable to work to get additional income, please don't lose sight of this special population and their housing needs
- Come up with strategies to increase housing supply – how to incentivize having safe, affordable housing among the housing that we have (could also be a new housing development)

- How do we incentivize to give some of the EXISTING units available?
- MSHDA/CRM Looking for some flexibility with the city of Lansing, related to zoning and variances to allow for other options. Some of these issues could have been partially resolved if the city had approved – needs to be a collective effort
 - With city support, SROs, etc. could all be increased
- Federal incentives for local developers like Pat Gillespie or the Eydes is the only leverage to get them to build housing that is not for profit
- Holy Cross New Hope Community Center has ample space that can be developed for increased shelter, family shelter, and/or SROs. We are also located in the downtown area with access to many resources and transportation lines.
- One incentive with CV dollars was to give landlords a bonus for taking a risk on people with barriers.
 - Other incentives should be looked into as best practices across the country
 - Upgraded housing, and ensuring permanent solutions for homeless populations
- Need more landlords and property managers to take more section 8 and vouchers have lots of people that have vouchers, but landlords won't accept them so the vouchers expire and these people have nowhere to go – so providing incentives to landlords to accept these people would be beneficial
- City rescue mission needs additional funds – day shelters are needed
- Street outreach program, seen a 200% increase in the number of people on the street – many are families. SROs are extremely helpful for single adults on the street – more options for those people.
- Definitely an immediate need – case management funding would be very helpful & then options for housing for those homeless people
- Landlords are raising rent, which is difficult for rehousing people – communicate with/incentivize landlords (rental assistance too)
- Millage for housing issues (like city of portage, Kalamazoo/Kalamazoo County)
- Case management is the number one need, based on the options available
- Coordinate with the county to get immediate assistance – immediate assistance is more dire than long term solutions
- Habitat as a construction entity?

ATTENDEES

	Lansing Department of Economic Development and Planning	MSU Safe Place
Advent House Ministries		Lansing Community College
The Davies Project	Ingham Health Plan Corp	Power and Passion Stepping Stones
Offender Success	Blue Cross Complete Medicaid	Housing Services Mid Michigan
Haven House		
CAHP	City of Lansing	Salvation Army
CACS Head start	ICHD	Central MI 211
Lansing Housing Commission	Tri-County Office on Aging	PATH
Legal Services of South- Central MI	MSHDA	LSSCM
Loaves and Fishes Ministries	S&D Consultants	Holy Cross Services
	City of Lansing HRCS	CRM
	EVE, Inc.	Housing Ombudsman
Disability Appeals Advocates		
HSMM SOM		
TCOA		

NOTES

Themes: affordable housing, utility assistance, employment resources

- About 55 attendees

For administration and planning: given the requirement for reporting, will there be a need for HMIS participation?

Rental housing and rental assistance for high priority cases for those at-risk of homelessness which may leverage existing ESG funds for more rapid rehousing funds.

Crisis situation of families in cars – more housing. trailer park, tiny housing, hotel money is running out – developing smaller places and developing SHIP program, as well as NCS to keep families secure as possible for as long as possible.

Idea of having some level of non-congregate shelter as a permanent facility in the community is attractive.

We have families and individuals that are not suited for CS that are best served in a NCS setting.

People that are very low income that are living in subsidized housing or housing that does not have case management attached to it (HCV) that sometimes need short term case management to NOT become homeless.

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How do we increase income? For long term support.

Workforce development overall as part of the supportive services

Family homelessness is increasing across the nation following the ending of many covid and other programs

Experiencing complexity of family dynamics, especially large families. Many of them have 0 or very low income

Organizational capacity – shared training around case management, fair housing, a unified approach for many agencies

A population that is high risk and in need is justice impacts – especially those on probation and parole and even more so those that have CSC history – Katy PIP

Lack of childcare, which makes it difficult for people to go to work (AFFORDABLE childcare)

Trying to serve transgender people – some people are uncomfortable, but trying to find space for those populations BUT cannot discriminate, so what are the solutions? Often housing the person where they wanted to be housed as long as they feel safe

Continue to see homeless older adults in the community and many older adults who are in housing that they cannot afford. With older adults on social security and often unable to work to get additional income, please don't lose sight of this special population and their housing needs

Come up with strategies to increase housing supply – how to incentivize having safe, affordable housing among the housing that we have (could also be a new housing development)

How do we incentivize to give some of the EXISTING units available

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Upgraded housing, and ensuring permanent solutions for homeless populations

Need more landlords and property managers to take more section 8 and vouchers have lots of people that have vouchers, but landlords won't accept them so the vouchers expire and these people have no where to go – so providing incentives to landlords to accept these people would be beneficial

ATTENDEES

	Habitat Capital Region
DHHS	Advancement Corporation
CAMW	St. Vincent De Paul
Fair Housing Center	Advent House Ministries
EVE	Capital Area Housing Partnership
Blue Cross Complete of Michigan	Lifeboat
CMHA – CEI	

NOTES

Themes: case management, rental assistance, immediate housing for homeless

- About 33 participants

City rescue mission needs additional funds – day shelters are needed

Street outreach program, seen a 200% increase in the number of people on the street – many are families. SROs are extremely helpful for single adults on the street – more options for those people.

Definitely an immediate need – case management funding would be very helpful & then options for housing for those homeless people

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Millage for housing issues (like city of portage, Kalamazoo/Kalamazoo county)

Case management is the number one need, based on the options available

Coordinate with the county to get immediate assistance – immediate assistance is more dire than long term solutions

Habitat as a construction entity?

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

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a substantial amendment to its FY 2021 Annual Action Plan in order to receive HOME ARP (American Rescue Plan) funds of \$2,784,822 through the submission of a HOME ARP Allocation Plan; and

WHEREAS, this award will give the City of Lansing a significant resource to address the needs of Qualifying Populations by creating affordable housing or non-congregate shelter units, providing tenant based rental assistance (TBRA), or supportive services; and

WHEREAS, these funds will be used to help the following Qualifying Populations: homeless, at-risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking, other populations where providing assistance would prevent the family from becoming homeless or would serve those with the greatest risk of housing stability, Veterans and families that include a veteran family member that meet one of the preceding criteria; and

WHEREAS, the City of Lansing must follow, as with other planning documents, its consultation and public participation process to develop a HOME ARP Allocation Plan that meets the requirements as established in HUD Notice CPD-21-10; and

WHEREAS, pursuant to program requirements, the city has conducted a consultation and citizen participation and open review process which has included meetings a public hearing and provided the 15-day comment period; and

WHEREAS, the City has further promoted participation, input and review in the process by conducting two (2) separate virtual consultation meetings on September 15, 2022 before the Continuum of Care and September 16, 2022 before other community stakeholders serving the Qualifying Populations on the proposed use of the HOME ARP funds; and

WHEREAS, the City did also initiate and carry out the required fifteen (15) day public comment period on the proposed HOME ARP Allocation Plan by publishing a notice in the Lansing City Pulse on October 26, 2022; and

WHEREAS, a public hearing was held before the Lansing City Council on November 14th, 2022 to again receive citizen comments and recommendations and to give final review to HOME ARP Allocation Plan; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the HOME ARP Allocation Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the substantial amendment to the City of Lansing's FY2021 Annual Action Plan for the submission of the HOME ARP Allocation Plan, as proposed by the Committee of the Whole; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, or his designee is hereby authorized to sign any required documents, including all understandings, assurances and certifications contained therein, and to submit the substantial amendment to the Department of Housing and Urban Development; and

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

NOTICE OF PUBLIC HEARING
HOME ARP (American Rescue Plan) Allocation Plan

Notice is hereby given that the City of Lansing City Council will hold a public hearing to solicit public input on the proposed HOME ARP Allocation Plan for the City of Lansing. The HOME ARP Allocation Plan will be included as a substantial amendment to the FY2021 Annual Action Plan. As required by the U.S. Department of Housing and Urban Development (HUD), the City of Lansing must amend its FY2021 Annual Action Plan to allow the city to receive the HOME ARP funds. The City of Lansing has been awarded \$2,784,822 to the needs of Qualifying Populations by creating affordable housing or non-congregate shelter units, providing tenant based rental assistance (TBRA) or supportive services to qualifying (homeless, at-risk of homelessness, those fleeing domestic violence, etc.) populations. For additional information regarding the HOME ARP Program and Qualifying Populations, please visit <https://www.hudexchange.info/programs/home-arp/>

The city encourages participation at the public hearing to allow citizens an opportunity to provide input on the proposed HOME ARP Allocation Plan and the projected use of the funds. Comments received during the Public Comment Period of October 27th through November 14^h will be considered prior to final submission of the HOME ARP Allocation Plan to the Department of Housing and Urban Development (HUD).

The public hearing will be held before City Council on Monday, November 14, 2022, 7:00 p.m. in the Tony Benavides Lansing City Council Chambers located at 124 W. Michigan Avenue, 10th floor., City Hall, Lansing, MI 48933.

If you cannot participate in the hearing and wish to submit comments, or if you have questions about the public hearing, please contact Doris Witherspoon, Senior Planner of the City of Lansing Department of Economic Development and Planning Office, 316 North Capitol Avenue, Lansing, MI, doris.witherspoon@lansingmi.gov, (517) 483-4063.

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

Resolution To Set Public Hearing To Adopt Substantial Amendment to
FY 2021 Annual Action Plan to include
HOME-ARP Allocation Plan

Resolved by the City Council of the City of Lansing that a public hearing be set for November 14, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed HOME-ARP Allocation Plan submission to HUD for FY 2021.

REPORT ON MY EXPERIENCE AT HOLY CROSS

By Margery Wakefield, MSW

I went to work in early August for Holy Cross Services at 430 N. Larch Street in Lansing, Michigan, with the best of intentions.

I had been sent to Holy Cross by an employment agency, who told me that I would be working to find housing for homeless persons. I was interested.

I went there on a Monday and was shown to the office of Nancy Oliver, the Director. The interview went fine, although I remember feeling a bit uncomfortable. Then two things happened. Nancy told me that I would be working on the second shift, which was a custodial job. I was confused. I thought this was a social work job, which would have been consistent with my resume.

The second thing that happened was even more confusing. Nancy told me that she had been staring at me because I was the spitting image of her mother. She said that I looked like her mother and that my mannerisms were like her mother. She came over to me and showed me a picture of her mother on her cellphone.

I didn't really see a resemblance but I didn't say anything. But again, I felt uncomfortable. I realized later that by saying this, my relationship with her changed from a professional relationship to one that was personal and even a family relationship. It altered the dynamic between us, and it opened the way for transference from her to me.

I went home that night and couldn't sleep. I decided to go in the next day and confront Nancy and ask if there was a social work job available.

But when I went in on the Tuesday, Nancy was not there, so I went to Michael, who was the next in charge. I told him I thought my skills would better be utilized during the day shift. I told him that I had quite a bit of experience running groups and doing case management.

Michael immediately agreed with me and told me that he would discuss this with Nancy, and that he would recommend that I work during the day shift. I felt relieved.

I then began training under Lucy, the case manager at Holy Cross, who began teaching me everything she knew. But when I returned the following Monday, I learned that Lucy had been hospitalized over the weekend with a serious seizure. During my time at Holy Cross, she never returned, and I had no one to train me.

I realized that I was going to need to learn things on my own.

I did complete the HMIS training, and started to make phone calls to community agencies to try to put together some knowledge about what was available to homeless persons through their agencies.

At the same time, I was very curious to start meeting the participants of Holy Cross to see what their situations were – how they had become homeless, and what their goals were for housing. I started to have one-on-one meetings with them to fill out housing plans and to start working with them on their plans for permanent housing.

Since there was a lack of government funding, I began to look for ways for the participants to move toward housing in other ways – by looking for jobs, or by looking for other subsidized options like HUD and other low-income housing.

I also looked for ways to work with people in getting their needed identification, and by identifying other areas of their lives where they needed help, ie: substance abuse and counseling issues.

On my first day at Holy Cross, I was shown the New Hope dayroom area and I was shocked to see that the participants had no materials in the dayrooms – other than a TV mounted on the wall. Many of them spent the day sitting with their heads in their hands, depressed. Or they watched the one TV in the room all day.

I wanted to make a change to this. I wanted the participants to be able to use their minds.

I started a campaign with my neighbors in my senior independent living apartment complex to collect unused art supplies, books, puzzles, games, etc. My friends were generous, and I began finding boxes and bags of such items outside my door in the morning. I brought them to work, and pretty soon the dayroom had books, a really nice chess set, a scrabble game and Monopoly game, a

collection of puzzles, activity books, crayons, markers, colored pencils and adult coloring books, etc.

The other thing I did was to start running groups three days of the week. On Mondays at 9am, we had a housing group. On Wednesdays at the same time, we had a mental health group where we discussed feelings and other mental health issues. On Fridays, we would have a creativity and contest day, in which participants could earn bus passes and tokens for things like art, poetry, writing, and competitive games like chess and dominoes.

These groups were a success. There were approximately twelve or thirteen attendees in each group, which was a majority of the people in the dayroom at that time of day. I tried to make the groups both interesting and fun.

I began to build a rapport with both the participants and the staff, who seemed to be encouraged by the things that were going on with the participants and the dayroom.

From my second day at Holy Cross, I began to realize that the staff at Holy Cross was both hard working and dedicated. I liked everyone I was working with, and I think they liked me. I even made friends with the kitchen staff.

The one exception to this was the Director. I tried several times to go to her office just to wish her a good day, but I didn't feel comfortable with her. She seemed to not like me – at least, that was the feeling I got from her.

One day, I went to her office and she told me that I seemed to be “floundering” at my job. I was surprised. Floundering to me means drowning. I didn't feel I was drowning at all. I felt that with my lack of organized training, I was managing to survive quite well.

Her lack of supportive language made me feel just that - not supported. I began to avoid going into her office. This director stayed in her office at all times. I never saw her once greet any of the participants.

In spite of these misgivings about the director, I felt happy working at Holy Cross, and felt that I was working with a supportive team. I felt dedicated to the participants and just wanted to help them move from homelessness to permanent housing and a better life.

One thing that did happen during my last day at Holy Cross was that when I looked at participants' records on HMIS, I had the looming feeling that something was not right. I now suspect, and am now the process of confirming with executives in other homeless agencies, that it is possible that Holy Cross is collecting federal money for services they are actually not delivering.

For example, on my last day of employment at Holy Cross, I was doing an interview and a housing plan with a female participant. One thing I did know was that each new participant at Holy Cross is required to have an online interview called a SPDAT after they had been housed at the shelter for fourteen days. This paperwork would be forwarded to the office next door – Diane Singleton – and would be the start of the participant's journey to getting a Section 8 voucher and subsequent housing.

When I looked through her record, I saw that a SPDAT had never been done on her, even though she had been living at the shelter for five or six months. There were no case notes for her – not even one. Her record showed that she had no income, no SSI. She had not been sent to DHHS to apply for SSI.

She also had no ID. No birth certificate, Michigan ID or Social Security card. I was stunned.

I asked her if anyone had ever met with her to do a housing plan or talk about her housing goals, and she said No, No one. So, she had been living at the shelter for six months with no services, even though I knew that Holy Cross had been paid for services for her.

After she left my office, I started looking through other records, a lot of other records. And what I found shocked me. The neglect that I had found with this female participant was not an exception, it was more often the norm.

Before I left for the day, I went to my boss, Michael, who had not left yet. I reported to him what I had found. He looked away, then said to me, "Someone is bleeding us dry." Then I understood. I understood why I was the only case manager there – the only one trying to help the participants.

I understood why the food was substandard, why there were no supplies in the dayroom, why I had encountered resistance when I wanted to start the groups,

and why there was no washer and dryer for the 40 or so residents on the first floor of the shelter.

I understood why no housing services were being given to the residents at Holy Cross. Michael told me there should be enough money to provide these things. Instead, the residents were only being given bare bones care. There was only one possible conclusion.

As my boss had hinted – someone was stealing all the money! And who was suffering? The participants.

This was federal crime if it was true. Stealing from the participants was a federal crime, crime against HUD and other agencies. I was astounded. Who would steal from homeless people – the poorest of the poor?

What happened next pulled the rug out from under me and left me in a state of shock.

At 4:30pm on 9/15, Nancy came unexpectedly into my office, which she had never done before. I was preparing to leave for the day. She looked around and asked if there was anyone else in my area, to which I said no.

At first the conversation seemed friendly and we chatted about little things. She asked how I was doing, and I told her truthfully that I was doing fine. Then the conversation changed.

She said that she was very concerned about my safety. She didn't like me working in the offices, even though during the day there is quite a bit of traffic in these offices. I told her that I had never felt unsafe at any time at Holy Cross. Actually, the only times I had felt uneasy at Holy Cross were when I was with her. I thought that, but did not say it.

She continued to talk about my safety. I knew there was an empty office upstairs, so I suggested she move me up there. However, she continued to insist that I was not safe.

Then, she began to talk about the budget. She said that I was costing her too much money. She said that if I was hired at Holy Cross instead of working through an agency, that I would be paid the same or less. I was being paid \$17 per hour by my agency, which I knew was below the norm for a case manager.

But she continued. She said that she had several options. Either she could move me to a permanent position manning the front desk, or a permanent position manning the New Hope dayroom, or she could have my agency find me a different position with another company.

I was stunned. She wanted to fire me! I started to feel cold.

I told her several times that I preferred to stay at this job, but that no matter what the outcome was, I would deal with it, which is the truth. I love the job at Holy Cross, but if I am fired by her, I know I will survive. But I went into a state of shock.

She kept on talking about my safety, and she told me to think about all this and to get back to her the following day. But her intention was clear. I would no longer be working as a case manager. And that she wanted to get rid of me. Then she left and I gathered my things to go home.

I got home, and continued to try to process what had just happened.

I called Michael and told him that I needed to work at home the next day, which he agreed with. I needed a day to think. He asked me to document everything, which I did.

Over the weekend, I thought a lot about all this. The next day, I reported all this to the FBI. I suspected fraud at Holy Cross. But it was not up to me to prove this. It was much bigger than I was.

Things then went from bad to worse for me. I tried to text and email my friends at Holy Cross, but they did not respond. Either they had been poisoned against me or they had been told not to communicate with me. I can only imagine the lies they were told about me.

They might have been threatened with termination if they did contact me. I knew that they had young families and that job termination was not an option for them. So, I understood. But that did not make the situation any less painful for me.

I was very sad to lose my job at Holy Cross, but I also know that I am extremely resilient and that I will survive this turn of events.

I did not go back to work at Holy Cross the following Monday. I cannot work in a toxic situation. Been there, done that. I will fight for my job, but I will fight from home until the dust clears.

I feel I have done an amazing job at Holy Cross, especially in light of the fact that I had very little training. I loved the staff at Holy Cross as well as the participants, and they all knew that I cared about them.

But, at this time, I am working at home and considering my options.

Please feel free to contact me if you have any questions.

Sincerely,

Margery Wakefield, MSW

Haslett, Michigan

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