

AGENDA

Committee of the Whole AGENDA FOR JANUARY 3, 2023 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.

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. December 12, 2022
4. **Public Comment on Agenda Items (Up to 3 Minutes)**

Presentation

 - B. Formal Swearing in of Elected 1st Ward City Council Member Ryan Kost by Judge Kristen Simmons
5. **Discussion/Action:**
 - C. RESOLUTION - Election of 2023 City Council President and Vice President
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.

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MINUTES

Committee of the Whole

Monday, December 12, 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

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Joseph Abood, OCA
Amanda O'Boyle, OCA
Jane DeSessa, Deputy Mayor
Mark Lawrence, Mayor's Office
Alec Malvetis, Public Service
Karl Dorshimer, EDC
Loretta Stanaway
Kyle Rashaud
Kris Klein, EDC

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM DECEMBER 5, 2022, AS PRESENTED. MOTION CARRIED 8-0.

Public Comment

Ms. Stanaway spoke on the agenda item for the Charter Revision, and a section about dedicated park land that should be placed in the Charter.

Mr. Rashaud spoke on the agenda item for the Charter Revision agenda item and asked if a question can be asked tonight on what legal qualifications are for the Charter Commission. Mr. Rashaud asked that if this goes on the agenda, it be placed on the general election ballot in November.

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Discussion

RESOLUTION – S MLK Jr Boulevard Corridor Improvement Authority Development and Finance Plan

Council President Hussain spoke on the history of the area along S. Martin Luther King and his interest in support of the Corridor Authority. He then expanded, that if this is passed it addresses the growth in taxes over the next 10-15 years, and those funds will be used for the development plan.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE S MLK DR BLVD DEVELOPMENT AND FINANCE PLAN. MOTION CARRIED 8-0.

ORDINANCE – Add Chapter 291 to Establish HUD Conflict of Interest Policy

Council President Hussain noted this was a requirement of HUD and once passed by Council it will be conveyed to HUD for approval. A hearing was held December 5, 2022.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE ORDINANCE TO ADD CHAPTER 291 – HUD CONFLICT OF INTEREST POLICY. MOTION CARRIED 8-0.

RESOLUTION – Issuance of Sewage Disposal System Revenue Bonds for CSO Program

Mr. Malvetis outlined that since the schedule was not met that was required, it was placed in a consent order. The City has until 2032 to finish 95% of the remaining CSO, and this loan will fund 2 of the CSO projects named in the consent order. Those have to start before May 31, 2023 and with ARPA funding, the same unit that processes the SRF loans, which are used in construction to spread out cost, and pay the loans back through the sewage funds at 2%. What is different because of ARPA funding, the City will get 50% of the loan eligible cost of the project via grant. Those will cover 50% of the eligible water pollution funds in the form of grant, which is about \$16 million alone. Mr. Malvetis noted these are projects that are mandated by the State, and these bonds are the funding sources that will be used. They will work with BWL on coordination with their projects along with coordination on the street projects.

Council Member Jackson asked what is expected for the long term after 2032 and is it possible to do all that work. Mr. Malvetis stated the sewer funding is healthy, and there were financial projections done based on that current revenue. Even without revenue increases there are funds, and they are changing however to 30 year loans to address the cost.

Council Member Wood asked for the names of the two projects mentioned earlier. Mr. Malvetis stated 15 south – will take 3 seasons to complete. That is Butler, Sycamore on the east, Lapeer west, Saginaw is the north boundary, and then Verlinden with Ottawa on the South to MLK. The other project is smaller, 1 year project and the last in the area of Greenlawn, South Washington on the west and the neighborhood just east of Washington.

Council Member Wood asked about the sewer fund and the City increase of 4% annually, and Mr. Malvetis confirmed.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE SEWAGE DISPOSAL SYSTEM REVENUE BONDS FOR THE CSO PROGRAM. MOTION CARRIED 8-0.

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RESOLUTION – Act 425 Agreement; Windsor Township

Council President Hussain noted this addresses a move to Canal Road into the Township, but this will be considered City of Lansing. This will begin in 2024, then demo the building and abate remediation at the former site.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR ACT 425 FOR WINDSOR TOWNSHIP.

Council Member Wood asked when Windsor Township asked when it would be voted on and Council Member Spadafore confirmed December 13, 2022.

MOTION CARRIED 8-0.

RESOLUTION – Ballot Proposal; Charter General Revision Question as Required by the Charter

Council President Hussain referenced the Charter requirement and confirmed the Resolution does speak to the placement on the November 2023 ballot.

Mr. Abood confirmed Council has to do this every 12 years, and then referenced the following questions.

1. If the voters approve opening the charter, what are the next steps.
2. How is a Charter Commission selected? Who appoints them?
3. How long do they have to work on the Charter?
4. Does it then require a vote of the public to approve the suggested changes?

Written response to the questions were included in the packet along with read at the meeting.

Council President Hussain asked about the qualifications for the Commission. Mr. Abood stated it refers to the Home Rules City Act, and the City Charter does. One inconsistency between the two that states the nominee must live in City for 3 years, and the Charter states the nominee has to be a voter for at least a year before taking the office. Also requirements include from the Home Rules City Act.

Council Member Wood noted OCA issuing the “nominee”, but this is similar to paying \$100 or getting petition of signatures. Mr. Abood confirmed, but they are using the language of the Chapter “Procedures for Nomination” so nominee is being used.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE BALLOT PROPOSAL CHARTER GENERAL REVISION AS REQUIRED BY CHARTER ON THE NOVEMBER 7, 2023 ELECTION. MOTION CARRIED 8-0.

CLOSED SESSION

MOTION BY COUNCIL MEMBER WOOD AT 5:58 p.m pursuant to MCL 15.268(e), City Council will 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.

Ms. Boak read the following cases:

Atkinson 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, et al.

City of Lansing v. Fady, Inc., et al.

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City of Lansing v. OCOF Nonprofit Housing Corp
City of Lansing, et al. v. Purdue Pharma, et al.

Deprekel v. City of Lansing, et al.

Fire Farm, LLC v. City of Lansing

Freeman v. City of Lansing

Hardy, Gregory v. City of Lansing, et al.

Hardy, Johnathon

Hulon v. City of Lansing, et al.

Khorrami v. City of Lansing, et al.

Legacy Five LLC v. City of Lansing

Lynn v. City of Lansing

Phillips v. Ingham County, et al.

Sanders, Gloria

Stewart v. City of Lansing, et al.

USA and Coleman v. City of Lansing

LJE Jolly Cedar LLC – MTT case

Mr. Abood clarified those will be the only cases that will be discussed.

ROLL CALL VOTE, MOTION CARRIED 7-1.

RECONVENE

Council President Hussain reconvened the meeting at 6:58 p.m.

Adjourn

The meeting adjourned at 6:59 p.m.

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

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

WHEREAS, a nomination for President and Vice President for the Lansing City Council in 2022 was made on January 3, 2023; and

WHEREAS, Councilmember _____ made a motion to nominate Councilmember _____ as President; and

WHEREAS, Councilmember _____ made a motion to nominate Councilmember _____ as Vice President.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council elects Councilmember _____ as President and Councilmember _____ as Vice President for the Lansing City Council year of 2023.