



MINUTES
Committee of the Whole
Monday, March 27, 2023 @ 5:30 p.m.
Tony Benavides Lansing City Council Chambers

CALL TO ORDER

Council President Wood called the meeting to order at 5:32 p.m.

PRESENT

Council Member Carol Wood
Council Member Jeremy Garza- excused
Councilmember Adam Hussain- excused
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Brian T. Jackson
Councilmember Jeffrey Brown
Councilmember Ryan Kost

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen- Lawrence, OCA
Jim Smiertka, OCA
Emily Linden
Alan Fox, Ingham County Treasurer
Amanda O'Boyle OCA
Mr. Dickson, TMO
Peter Froyan, CFO with Diamond Baseball Holdings
Elaine Fischhoff
Michael Lynn
Erica Lynn
David Mittleman

Minutes

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM THE MARCH 13TH, 2023 AND MARCH 20, 2023 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment

Ms. Fischhoff spoke on the necessity to address green house gases and spoke in opposition to the minutes from the COW/BWL joint meeting on March 20, 2023.

Mr. Lynn spoke on items scheduled for the closed sessions on the agenda.

Ms. Lynn spoke on items scheduled for the closed session and an interest in the Mayor's Annual Report.

Presentations

Ingham County Treasurer – Alan Fox

Council Member Jackson stepped away from the meeting at 5:43 p.m.

Mr. Fox introduced himself and began speaking on red tag issues and housing issues in the City and the County, and noted historically they have not tried to give landlords of red tag properties leniency.

Council Member Jackson returned to the meeting at 5:44 p.m.

Mr. Fox expanded on housing and discussions in his office on enforcement of property tax collection, new foreclosures, and putting housing back into a productive use. Because daily they see foreclosures, they spend time on foreclosure prevention staff for foreclosure issues. They are actively reducing the foreclosures to under 80 in the City.

Mr. Fox then spoke on the Landbank, the role on providing additional housing in the City.

Council Member Jackson stepped away from the meeting at 5:49 p.m.

He admitted that the Landbank gets, what he has determined as “worthless”, and in 2022 they acquired nothing. Two years prior they acquired only vacant lots, or property that needed to be demolished. This is not the situation the Landbank dealt with years ago. The Landbank has been before the city with a proposal to build on vacant land in the City and will continue to come back.

Council Member Jackson returned to the meeting at 5:51 p.m.

Some plans are to take adjacent lots and combine them together into condominiums, one of those being a proposal for 5 units on Saginaw across from the former St. Lawrence. Mr. Fox continued speaking about housing from the Landbank, the options to acquire the available properties.

Council Member Spitzley asked about the concrete steps they have been taken to address the housing resources that could help red tag properties. She asked about the Landbank process because she is aware of people who are trying to contact them and there is no response, and people are interested in property. Mr. Fox acknowledged they are working on reclassifying properties so they are correct contact and information on the website which is a priority. He admitted that his office is also working on having to decide what to do with tenants at red tag properties when there are no other properties for them to go to. He is encouraged to work together, and has a meeting with MSDHA March 28, 2023 and other government agencies to talk about housing strategy in the region.

Council Member Brown asked what he believed was an actual tangible way to make sure housing is available, and additional requirements for qualifications or will they maintain status quo. Mr. Fox stated they work with credit unions that are based in the community and understand the community. They have existing programs that have lower credit score requirements, and review case by case analysis that is needed to make it work. He added that the secondary thing that needs to be done is having the Landbank to subsidize the housing, and have building requirements in place to encourage people to stay in the house. Another option he suggested would be to put all the homes on the open market, but work towards having a qualified home buyer in advance. There was a Housing Trust created with ARPA funds, and there are \$2 million available in competitive grants, and they will work with people to work with contractors who have not qualified in the past but help them apply, so people have assistance with obtaining grants to build.

Council Member Kost pointed out to Mr. Fox that the City has 706 red tags, and asked him about the short fix living in sub standard housing. He also asked, outside of Lansing, how many properties are deemed substandard, in Ingham County. Mr. Fox stated most units in Ingham County do not have the rental registration other than City of Lansing and East Lansing. Council Member Kost asked how many affordable housing is in placed such as Okemos and Meridian Township. Mr. Fox said the Tri County Regional Planning report would have that information. Council Member Kost stated East Lansing has no rental districts, and asked if that perpetuates the rentals in Lansing, and Mr. Fox admitted that it keeps the students out of the neighborhoods.

Council Member Spadafore spoke about what is attainable in terms of housing and asked Mr. Fox if he was aware of any programs where people can afford rent but not a mortgage. Asking if there are programs that could help and allow for people to get into mortgage and stable housing. Mr. Fox was not aware of any programs but noted the critical point is to work with lenders locally that have an interest in doing that. Adding that there is a lot of opportunity to do that, but neither the City nor the County have the capacity or legal ability to direct people to specific lenders. Council Member Spadafore encouraged a discussion on how to talk about housing, attainability and define affordability.

Council Member Jackson stepped away from the meeting at 6:21 p.m.

Mayor's 2022 Annual Report

Council President Wood confirmed that the Administration was asked to speak on this agenda item, and then read into the record the Mayor's response.

In the two months since we submitted this, I have received zero questions about this document from council. We had a state of the city that hit on the highlights of this document, which was compiled in working with many department heads. There is not one person that can comment on all items of the hundred or so page document. And the state of city update to the public, with highlights from the year, was shown on city TV and YouTube.

If there are questions that Councilmembers have that they would like answers to, they can provide them to us and we can attempt to answer them. But we don't have a presentation short of reading the document or watching the state of the city.

If there are any questions that people have before Monday, please send them to Jane and she can work with department directors to do their best to answer them either at COW or in writing afterwards.

Council Member Spitzley asked if it was referred in January.

Council Member Jackson returned to the meeting at 6:22 p.m.

Council President Wood confirmed it was referred January 23, 2023 and when Council staff went to find on the Mayor's Annual Report website it was not there. (It was recently added March 23, 2023). It was available on the Clerk's page under Documents Placed on File.

Council Member Spitzley acknowledged the information and stated she will have questions and will ask those of the departments during the budget sessions. Council President Wood reiterated that the Mayor stated he would not be speaking on it tonight.

Discussion

RESOLUTION – Assignment of Stadium License, Lease and Service Agreement rights and obligations from Take Me Out to the Ballgame, LLC to Diamond Baseball Holdings, LLC
Council President Wood referenced the presentation in the packet from the last meeting.

Mr. Froyn, DBH CEO, introduced himself and briefly spoke on his commitment to Lansing and experience which includes only 15 other teams.

Council President Wood asked the OCA if there was anything to add, and Mr. Smiertka assured the Council that they have been dealing with both TMO and DBH attorneys to put together the documents and address the City's interest. The documents and resolution will actively effect the transfer, and the transfer will be assigned through 2038. The liquor license transfer is forth coming, per confirmation from Ms. Hagen-Lawrence.

Council Member Jackson questioned their resources since this will be their 16th team. The CEO confirmed there are a lot of public private partnerships and this is a hyper local business with business and staff all local. He added that there is an opportunity to bring in other events, and they have worked with entertainment agencies in the past for other events. Council Member Jackson asked them how long they have been in the baseball business. Mr. Froyn himself has been involved for over a decade, and before creating DBH he owned 3 teams , so this is a long term venture for them. With the MLB requirements, this will ensure baseball will stay in Lansing for a long time. Council Member Jackson voiced his concern that if they have to downgrade the number of teams, who decides if the Lugnuts will no longer exist. The CEO reiterated that they are here to stay, they cannot afford to downgrade, if MLB decreases, they are committed to not letting that happen.

MOTION BY COUNCIL MEMBER SPADAFORÉ TO APPROVE THE RESOLUTION ASSIGNING THE STADIUM LICENSE, LEASE AND SERVICE AGREEMENT RIGHTS AND OBLIGATIONS TO DIAMOND BASEBALL HOLDINGS, LLC. MOTION CARRIED 6-0.

RESOLUTION – Support of Eight (8) Funding Proposals for Congresswoman Slotkin to Advocate

Ms. DiSessa summarized the resolution outlining each of the eight (8) projects covered in the memo and resolution in the packet. She noted that this year the applications were narrow in scope, projects that were recommended are listed in the resolution and the Administration is hoping they will be considered at the federal legislation.

Wastewater Treatment Plant Upgrade - \$5.5 million
Residential Footing Drain Disconnect Program - \$100K-\$1 million
Combined Sewer Overflow Support - \$15 million
City-owned Fiber Replacement - \$1.5 million
Michigan Ave. Corridor Enhancements - \$9.8 million
Public Safety Complex Construction - \$10 million
Kalamazoo Street Flood Barrier- \$100,000
Universally Accessible Playground at Adado Park - \$800,000

Council President Wood confirmed that the residential footing drain project is something the City has been working on in the past.

Ms. DiSessa concluded by stating the Congresswoman Slotkin is looking for broad based support.

Council Member Brown asked if these community funded projects were selected by Congresswoman Slotkin's office, and if how many applications were submitted. Ms. DiSessa did not know all the numbers. Ms. Linden stated the Mayor submitted eight (8) and all were selected. Council Member Brown stated his belief that there were other areas of needs of the people for housing, not just infrastructure, and asked if those projects were applied for. Ms. DiSessa stated those projects were not submitted, but some of those would be submitted to the Senate. Council Member Brown asked why the Administration did not submit for projects that would benefit residents directly. Ms. DiSessa again stated they will look at Senate

applications. Council Member Brown acknowledged an email he had that said the City of Lansing applied for housing and the Administration did not support that application. He added in that email he had, the proposed project was to address housing. He explained to the Administration and Council that Ms. Slotkin stated to him they would support housing and homelessness and however were told that the City would not support that project. Ms. DiSessa stated she will look into housing projects and see if they qualify.

Council Member Kost noted that the public safety facility construction already has \$10 million in funding, and asked Ms. DiSessa why they couldn't ask for funding for the Moores River Pool. Ms. DiSessa acknowledged they did not consider that project. Council Member Kost voiced his frustration with the City closing facilities, but their intentions to ask for and use \$10 million on a public safety building. He believed that it appears that the City needs funds for police because Lansing is dangerous. Lastly, Council Member Kost added a statement that there are items in the eight (8) that already have funding.

Council Member Jackson stepped away from the meeting at 6:44 p.m.

Ms. DiSessa replied that the Administration believes wastewater is important.

Council President Wood added to the discussion that there are items on the list that the City has funded, but this would reduce what the City would have to fund from either the GF or bonds, and in turn reduce any bonding.

Council Member Jackson returned to the meeting at 6:45 p.m.

Council President Wood expanded on the discussion stating that with the CSO, currently the sewer fee pays for that, and is increased 4% every year. This \$1.5 million requested for Combined Sewer Overflow Support would reduce what the fees would have to be increased by.

Council Member Spadafore referenced the playground at Adado Park and the \$1.2 million raised already by Capital Regional Community Foundation. Noting that with this request it would be another \$800,000 which keeps making the cost higher than what the City was told initially the universal park would cost. Ms. DiSessa could not explain why the cost is getting higher, but did state that the Administration wants it done. Council Member Spadafore asked her if there will be a match by someone for the \$800,000 will be matched and Ms. DiSessa confirmed she was not aware of a match.

Council President Wood reminded Ms. DiSessa that the Administration has asked for action tonight at City Council, so any information she cannot provide she will need shortly. Ms. DiSessa admitted action is timely and respectively asked Council to approve.

Council President Wood asked if this will come back to Council for appropriation, and Mr. Smiertka confirmed.

Council Member Brown asked if they appropriate funds, then they will never get a chance to see it again, and asked if they approve the application, but not appropriating them. Mr. Smiertka clarified that in some resolutions, when Council takes actions on projects, it also states "and appropriates", in this case it does not, so the appropriation will come back to Council.

Council Member Brown asked for justification for no application for the Moores River Pool, but they would put in an application for Adado Park. Ms. DiSessa stated she would have to speak to Park Board. She expanded that the application choices was a team decision and they thought they were the best projects to go through the process. She stated again she would have to speak to the Parks department as to why no application for the Moores Park pool.

Council Member Brown asked her to reiterate to the Administration and the “team” that with public transparency these are federal dollars for community funding.

Council President Wood explained to Committee that Council in the past approved funds for a study for the pool rehabilitation, and at this time she was unsure if that study was completed, so Parks Department might not be sure of what the cost is. They could have asked for funds and it might not have been enough.

Council Member Spitzley expressed to Ms. DiSessa that she would have appreciated projects that were people oriented. She explained the process to the Committee and public that once it is voted out of Council it goes to the Federal level. At that point the only time Council will see it again will be to vote on appropriating the funds or not. Council cannot change the projects at that time, which was frustrating.

Council Member Brown asked Mr. Smiertka if the statement just made by Council Member Spitzley was true. Mr. Smiertka reiterated his earlier statement that at this time the City is not appropriating. Council Member Brown asked if Council can reject one of the projects of the eight presented. Mr. Smiertka stated this resolution is to support all eight (8) projects, and it is speculation what will happen at the Federal level and if the City will even get the total \$8 million they are asking for.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION TO SUPPORT EIGHT FUNDING PROPOSALS FOR CONGRESSWOMAN SLOTKIN TO ADVOCATE. MOTION CARRIED 5-1.

PLACE ON FILE – Boards and Commissions Term Expirations
PLACED ON FILE.

Closed Session

Request and granted by Deputy City Attorney, Deputy Mayor and Finance Director to attend MOTION BY COUNCIL MEMBER SPADAFORE AT 6:58 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.

City of Lansing, et al. v. Purdue Pharma, et al.
--

ROLL CALL VOTE, MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER SPADAFORE 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.

Atkinson, et al. v. City of Lansing, et al.

Charter Township of Lansing v. City of Lansing, et al.
--

City of Lansing v. OCOF Nonprofit Housing Corp
--

City of Lansing, et al. v. Purdue Pharma, et al.
--

City of Lansing v. Holmes Apartments, Simtob Management & Investment, Good Life Apartments, Richard Simtob, and Bradley Simtob
--

DePrekel v. City of Lansing, et al.

Freeman v. City of Lansing

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

Hulon v. City of Lansing, et al.

Isaia v. Lansing Police Department

Khorrami v. City of Lansing, et al.

Legacy Five LLC v. City of Lansing

Lynn v. City of Lansing

Phillips v. City of Lansing, et al.

Stewart v. City of Lansing, et al.
Taft v. City of Lansing, et al.
United States of America and Coleman v. City of Lansing
LJE Jolly Cedar LLC v. City of Lansing
Robinson Memorial Church of God in Christ v. City of Lansing
ROLL CALL VOTE, MOTION CARRIED 6-0.

Reconvene

Council Member Spadafore (acting Vice President) reconvened the meeting at 7:36 p.m.

Other

No other topics of discussion.

Adjourn

The meeting adjourned at 7:37 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee April 3, 2023