



**MINUTES**  
**Committee on Ways and Means**  
**Monday, March 27, 2023 @ 4:30 p.m.**  
**City Council Conference Room**

**CALL TO ORDER**

Council Member Spadafore called the meeting was called to order at 4:30 p.m.

**PRESENT**

Council Member Peter Spadafore, Chair  
Council Member Carol Wood, Vice Chair  
Council Member Brian T. Jackson, Member

**OTHERS PRESENT**

Sherrie Boak, Council Office Manager  
Lisa Hagen-Lawrence, OCA  
Chris Swope, City Clerk  
Desiree Kirkland, Finance  
Doris Witherspoon, EDP  
Barb Kimmel, EDP  
Dan Danke, Public Service  
Andy Kilpatrick, Public Service  
Dominic Cochran, City TV  
Jane DiSessa, Mayor's Office

**Minutes**

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MARCH 13, 2023, AS PRESENTED. MOTION CARRIED 3-0.

**Public Comment**

No public comment at this time.

Council Member Spadafore adjusted the order of the agenda.

**Discussion/Action:**

RESOLUTION – Grant Acceptance; Michigan Department of Transportation (MDOT) Local Transportation Alternatives Program

Mr. Kilpatrick explained this grant is for a project for a non-motorized facilities within Ranney Park and along Coolidge Road and Grand River to connect to the River Trail. In addition the grant covers a second project that is construction of East Street Right of Way from Shiawassee to May

Street with a connection to the bike lane on Saginaw, which currently ends at Center Street. There are matching funds coming from ACT 51 funds, with 20% match which is most common percentage for federal funding. In conclusion there is two projects, one funding source in the one resolution.

Council Member Wood asked if this acceptance. Mr. Kilpatrick stated it is called a grant, priority set by Tri-County, with a conditional commitment. It cannot be an award, until the funding is accepted. After that they work through plans with MDOT. Council Member Wood asked if it is part of this current budget, and Mr. Kilpatrick confirmed it will be in FY2024 because that is when it starts. It will be under the STP funding request. Council Member Wood noted, Council is being asked to approve this before approving the budget, and Council Member Spadafore added so it can be included in the budget. Mr. Kilpatrick stated cannot accept until Council approves and can't get the fund until awarded.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE GRANT ACCEPTANCE FO THE MDOT LOCAL TRANSPORTATION ALTERNATIVES PROGRAM. MOTION CARRIED 3-0.

RESOLUTION – Grant Acceptance; Michigan Department of Transportation (MDOT) Local Bridge Program

Mr. Danke briefly spoke on the annual project requests, and this request for three bridge projects in the amount of \$6,393,000. Of the three this year, include 2 that are restoration, with the remaining being E. Elm Bridge at \$252,300 as the City's #1 priority. The City will be responsible for 5% funding, and the State requires the governing body to approve and then they will match if approved for funding. In conclusion, he noted this is just for the application for the grant.

Council Member Jackson asked about preventative maintenance over Grand River near MLK, and the sidewalk crumbling. Mr. Danke stated that a sidewalk is not part of the bridge construction, so it would be a sidewalk repair and not a sign there are issues with the bridge.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE GRANT ACCEPTANCE FOR MDOT LOCAL BRIDGE PROGRAM. MOTION CARRIED 3-0.

RESOLUTION – Grant Acceptance; Michigan State Housing and Development Authority (MSHDA) Emergency Solutions Match Grant (ESM) October 1, 2022 to September 30, 2023.

Ms. Witherspoon noted it is \$249,000 grant with \$17,430 for personnel and the for other activities including but not limited to providing essential services for homeless individuals, housing services, short term rental assistance to prevent homelessness.

Council Member Wood referred to the recent red tag properties in the City and asked if any funds in this grant could be utilized for red tag properties. Ms. Witherspoon could not confirm but did state it might be possible. She added that with these grants, agencies apply for them, and those agencies could assist those residents. Council Member Wood noted to the Committee that a question at Council tonight could be if these funds were granted, could they be used for red tag properties and she asked Council Member Spadafore to be prepared. Ms. Witherspoon, noted MSHDA funding is only one source of funding that can be used. These funds would go directly to the agencies the City supports, and EDP just became the fiduciary for these funds.

Council Member Jackson noted that the grant form states “specifically to provide emergency shelter”, and asked if the intent is to be used for a new shelter. Ms. Witherspoon stated she did not believe the funds would be used for a new shelter. This is for homeless prevention, homeless

shelter operations, utilities under shelter operation not anything new. Council Member Jackson asked if it could be used for a new shelter. Ms. Witherspoon stated that would come from other funds not MSHDA funds.

MOTION BY COUNCIL MEMBER TO APPROVE THE RESOLUTION TO ACCEPT THE GRANT FOR MSHDA ESM. MOTION CARRIED 3-0.

RESOLUTION – Grant Acceptance; Michigan State Housing and Development Authority (MSHDA) Emergency Solutions Match Federal Grant (ESF) October 1, 2022 to September 30, 2023.

Ms. Witherspoon explained to the Committee that these funds are with the homeless program, for eligible with outreach, and HMIS and administration costs. This will go to rapid rehousing, outreach, and essential services. This grant is for \$283,536 with \$19,836 for personnel and \$263,536 for other activities.

Council Member Spadafore asked why Council was just getting these grants now, and Ms. Witherspoon noted that as the new fiduciary they are learning how to administer. Council Member Wood noted that this was awarded in 2022, were these grant funds spent already. Ms. Witherspoon stated they have not started to spend, but dealing with the current funds, noting that they cannot spend until Council approves.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO ACCEPT THE GRANT FOR MSHDA ESF. MOTION CARRIED 3-0.

Sole Source Purchase; Office of Community Media request for Tempest Lighting Inc. as the vendor for Outdoor Projector Enclosures

Mr. Cochran explained that the product is an enclosures to protect the downtown mapping projectors across from the Comerica building. It appears that Tempest Lighting is the only one that will work with Michigan cold and hot climates.

Council Member Wood asked if this was coming out of PEG funds, and Mr. Cochran confirmed and added that the Arts Council is providing \$75,000 for some equipment.

Council Member Jackson asked where the projectors are stored, and Mr. Cochran stated they are stored in SWOC. They will be mounted permanently and can be taken down if there is maintenance.

MOTION BY COUNCIL MEMBER WOOD TO PLACE ON FILE. MOTION CARRIED 3-0.

RESOLUTION – Introduction and Set a Public Hearing; Ordinance Amendment Chapter 206, Section 206.16; Increase the maximum contract amount for which a Lansing- based bidder has an opportunity to match the lowest bid

Council Member Spadafore asked if the blank line in the draft ordinance on page one should be Chapter 206, Section 206.16 and Ms. Hagen-Lawrence confirmed.

Ms. DiSessa stated the Administration supports the ordinance.

Council Member Spadafore outlined the amended ordinance and that would increase the maximum amount of the contract for which a Lansing-based bidder than has an opportunity to match the lowest bid of a non-Lansing based bidder. This would allow preference to local bidders. Council Member Spadafore then referred to page 3, which references the MCL 129.201 and the

exceeding amount of \$30,000, but the current MCL 129.201 has that amount at \$500,000. The consensus of the Committee was to amend the current draft to make that change.

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE DRAFT ORDINANCE TO TO REFLECT CHAPTER 206 SECTION 206.16 ON PAGE ONE AND THE CORRECT AMOUNT TO \$50,000 ON PAGE 3 LINE 22. MOTION CARRIED 3-0.

Council Member Jackson asked what the rational for the changes to the ordinance from \$500,000 to \$1 million for a preference for Lansing based businesses on contract amounts. Council Member Spadafore explained it allows a Lansing-based bidder to come back and meet that bid if it falls within those limits. Council Member Jackson asked if the address determines they are a Lansing-based bidder, and Ms. Hagen-Lawrence referenced the ordinance requirements on page 2 lines 1- 7.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO INTRODUCE AND SET A PUBLIC HEARING FOR APRIL 10, 2023 TO AMEND THE ORDINANCE CHAPTER 206, SECTION 206.16. MOTION CARRIED 3-0.

RESOLUTION – Lansing Based Bidders- Setting Percentage Difference to 10%

The resolution will be held until the ordinance to amend Chapter 206 Section 206.16 returns to Committee for action.

**Presentations**

Estimated Costs for a Charter Commission if approve din the General Election- Finance/City Clerk  
Council Member Spadafore provide some details he was made aware of, which included that the Charter Commission will be paid, per diem set by Council. They can be paid for no more than 90 days, there will be staff costs, and the City Clerk will be the clerk of the Charter Commission. As with all Boards, Committees and Commissions there is the potential that OCA will also have some involvement as well.

Ms. Kirkland had nothing to add at this time.

Mr. Swope spoke to the Committee on information he was able to obtain and spoke to the MML about, which stated that according to the Home Rules Act, the Charter Commission will be elected 60 days after the election that establishes it, but the Michigan Election Law says to be elected you have to file for that position 13 weeks before the election. It is acknowledged by MML and other parties that there are discrepancies between Home Rules and Michigan Election law, and currently no state legislature is willing to address these timeline conflicts. Michigan Election Law speaks to dates to hold an election, such as in a Presidential year- primary is the 1<sup>st</sup> Tuesday of August and November. With the Homes Rules Act, presumably the closest election could be the end of February, which is the State Primary date, assuming it gets immediate effect. But again, The filing deadline is 105 days before election.

Council Member Wood referenced the memo from the OCA that she requested due to the discrepancies with OCA and Clerk. Mr. Smiertka referenced his opinion stating the City will follow the Home Rule City Act. Mr. Swope stated in his opinion it is not possible, and Mr. Smiertka reiterated the Home Rule City applies.

Council Member Spadafore asked if an election will be held in January 2024 if the results from the November 2023 election on the topic of establishing a Charter Commission is approved.

Council Member Jackson asked why the OCA was following the Home Rule City Act, and Mr. Smiertka stated it is their opinion to follow that vs. the Election Law. Council Member Spadafore asked if there is a fix for the discrepancies, and Mr. Smiertka stated the OCA opinion is that if the residents determine in November that there should be a Charter Commission, then an election has to happen in 60 days.

Mr. Swope referenced a discussion he had with the MML and the provision that the City of Lansing has in their Charter for this is unique. There are six other cities that have a mandatory vote before the people and 7 that require a charter review. Out of 256 cities in Michigan, the City of Lansing is in less than 10% that have this specific provision on the charter going before the voters. There are other provisions in the Home Rules Cit Act, that could be put before the voters. Since the current Charter this has been before the voters 3 times- 22%, 21%, 35% yes votes.

Council Member Spadafore asked if they can propose to strike the within 60 days and Mr. Swope stated that is State law.

Council Member Wood acknowledged that once this was referred Council acted on it as soon as possible so the public was aware.

Council Member Jackson stepped away from the meeting at 5:09 p.m.

Mr. Swope stated that in terms of cost, for an election expenses of staff, postage and printing, it could be \$200,000.

Council Member Jackson returned to the meeting at 5:10 p.m.

He spoke briefly on the changes which now require the State to pay return postage on absentee ballots.

Council Member Spadafore asked if the budget that will be presented at Council tonight includes funds for this election and Commission, and Ms. Kirkland and Ms. DiSessa state there is nothing in the proposed budget for those.

#### **OTHER**

No other topics at this time.

#### **ADJOURN**

Adjourned at 5:16 p.m.

Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee on April 24, 2023