



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JULY 31, 2017**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:02 p.m. by Vice President Wood

PRESENT: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

ABSENT: Council Member Spitzley

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by Vice President Wood

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Brown Clarke

To approve the printed Council Proceedings of July 10, 2017

Motion Carried

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Council Member Washington shared details about an upcoming First Contact community meeting and a community art project unveiling at the Cristo Rey Community Center. She also apologized for not speaking up during a previous Council meeting when a child, Charli, was not allowed to speak due to her age.

Council Member Hussain shared details about various National Night Out Against Crime events, neighborhood events, the summer concert in Fulton Park, an upcoming constituent contact meeting and a small business façade matching grant program.

City Clerk Swope shared details about the upcoming August City primary, and recognized the work of Kaitlin Jennings during her summer internship with the City Clerk's Office.

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON LEGISLATIVE MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the Concert in the Park Series, the Mobile Food Pantry, and the Mayor's Senior Activity Fair, and gave an update regarding the new Michigan law allowing the collection of money in the streets by charities and the safety concerns that law has created.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Principal Shopping District (PSD) Assessment for FY2018 to FY2020

Council Member Washington gave an overview of the public hearing.

- Public Comment on Legislative Matters:

Elaine Womboldt spoke about various city matters.

Kathy Miles spoke in support of the Window Sign Ordinance.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Principal Shopping District (PSD) Assessment for FY2018 to FY2020

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

CONSENT AGENDA

By Council Member Brown Clarke

To approve item 1f on the Consent Agenda.

Motion Carried

RESOLUTION #2017-188

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, NorthWest Lansing Healthy Communities Initiative, d/b/a NorthWest Initiative requested \$500.00 to defray costs associated with program activities for their "Cooking With Kids Camp" to be held on August 14th -17th, 2017; and

WHEREAS, the maximum total amount of Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on General Services met on July 27th, 2017, reviewed the request and approved \$500.00.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from Community Funding Account to NorthWest Lansing Healthy Communities Initiative, d/b/a NorthWest Initiative in the amount of \$500.00 to defray costs associated with program activities for their "Cooking with Kids Camp" to be held on August 14th – 17th, 2017.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$500.00 to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that NorthWest Lansing Healthy Communities Initiative, d/b/a NorthWest Initiative shall submit a written analysis of

the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2017-189

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Carlos Cuellar sought to eliminate a special assessment of \$560.00 for board up fees, and all associated penalties and interest, on the property tax bill for 1728 Pattengill (Tax ID #33-01-01-20-37-201); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$560.00 was denied on July 27, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of \$560.00 of the claim filed by Carlos Cuellar for board up fees and all associated penalties and interest on the property tax bill for 1728 Pattengill (Tax ID #33-01-01-20-37-201).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-190

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Aaron Wallace sought to eliminate a special assessment of \$818.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 1015 Westmoreland Avenue (Tax ID #33-01-01-08-408-091); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee denied \$440.00 of the claim and granted \$378.00 on July 27, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim in the amount of \$440.00 and grants in the amount of \$378.00 filed by Aaron Wallace for trash removal fees and all associated penalties and interest on the property tax bill for 1015 Westmoreland Avenue (Tax ID #33-01-01-08-408-091).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-191

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Unicorn, LLC to Transfer Ownership 2017 Class C & SDM Licensed Business with Sunday Sales Permit (PM) and Dance Permit from Unicorn Tavern at 327 E. Grand River Avenue ; and

WHEREAS, the Committee on General Services reviewed the request

with affirmative action taken.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Unicorn, LLC to Transfer Ownership 2017 Class C & SDM Licensed Business with Sunday Sales Permit (PM) and Dance Permit from Unicorn Tavern at 327 E. Grand River Avenue.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-192

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Acapulco Mexican Grill, Inc to transfer ownership and location of Class C license and for NEW SDM license and NEW Sunday (AM+ PM) sales permit at 300 N. Clippert Street, #17, Lansing, MI 48912; and

WHEREAS, the Committee on General Services reviewed the request with affirmative action taken.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Acapulco Mexican Grill, Inc to transfer ownership and location of Class C license and for NEW SDM license and NEW Sunday (AM+ PM) sales permit at 300 N. Clippert Street, #17, Lansing, MI 48912.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-193

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Enforcement Lead Housing Inspector has declared the building located at 1025 Orchard Street, Parcel #: 33-01-01-15-126-101, legally described as: Lot 4, Fairview Subdivision to be an unsafe and dangerous building as defined in Section 108.1.1 of the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Code Enforcement Office red tagged the building on April 14, 2016 and requested the property owner be ordered to demolish or otherwise make safe the building; and

WHEREAS, on April 20, 2017 the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the building; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, August 14, 2017 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer

regarding the structure at 1025 Orchard Street to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Enforcement Lead Housing Inspector notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Council Member Hussain

Motion Carried

RESOLUTION #2017-194

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Enforcement Lead Housing Inspector has declared the building located at 214 Lathrop Street, Parcel #: 33-01-01-15-406-171, legally described as: South 7 Feet of Lot 16 & the North 26 Feet of Lot 17, Harrah's Addition, to be an unsafe and dangerous building as defined in Section 108.1.1 of the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Code Enforcement Office red tagged the building on July 17, 2013 and requested the property owner be ordered to demolish or otherwise make safe the building; and

WHEREAS, on April 20, 2017 the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the building; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, August 14, 2017 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 214 Lathrop Street to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Enforcement Lead Housing Inspector notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Council Member Hussain

Motion Carried

RESOLUTION #2017-195

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

WHEREAS, the Tri-County Aging Consortium, known as Tri-County Office on Aging, produced the Fiscal Year 2018 Annual Implementation Plan as required by the Older Americans Act and the Older Michiganians Act; and

WHEREAS, Lansing City Council has reviewed the Tri-County Office on Aging's Fiscal Year 2018 Annual Implementation Plan;

THEREFORE BE IT RESOLVED that the Lansing City Council approves said document as presented.

By Council Member Brown Clarke

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1442. Signs, Section 1442.15 Window Signs; Permitted Zoning Districts

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Washington, Wood, Yorko

Nays: None

ORDINANCE NO. 1215

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1442. – SIGNS, SECTION 1442.15. – WINDOW SIGNS; PERMITTED ZONING DISTRICTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1442 – Signs, Section 1442.15 – Window Signs; permitted Zoning Districts, of the Code of Ordinances of the City of Lansing, Michigan by and is hereby amended to read as follows:

Window signs are permitted in office, commercial, wholesale and industrial zoning districts.

(a) SIZE. WINDOW SIGNS SHALL NOT EXCEED 20 PERCENT OF THE WINDOW AREA FROM WHICH THE SIGN CAN BE SEEN FROM THE EXTERIOR OF THE BUILDING. ALL MOUNTING HARDWARE AND EQUIPMENT SHALL BE CONCEALED FROM THE EXTERIOR VIEW OF THE BUILDING.

(b) EXCEPTIONS. BUILDINGS THAT ARE USED FOR A PUBLIC PURPOSE AND ARE OWNED OR ENTIRELY OCCUPIED BY THE UNITED STATES FEDERAL GOVERNMENT, STATE OF MICHIGAN OR THE CITY OF LANSING AND ANY OF ITS AGENCIES, DEPARTMENTS OR INSTRUMENTALITIES ARE EXEMPT FROM THE DIMENSIONAL REQUIREMENTS OF THIS CHAPTER. THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT SHALL HAVE SOLE AUTHORITY TO APPROVE OR DENY SIGNS FOR ENTITIES SEEKING A VARIANCE AFTER REVIEWING THE PROPOSED SIGNS' COMPATIBILITY WITH THE SURROUNDING AREA AND THE GOALS EXPRESSED IN THIS CHAPTER.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect of the 30th day after enactment unless given immediate effect by City Council.

**SPEAKER REGISTRATION FOR PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

**REPORTS FROM CITY OFFICERS, BOARDS, AND
COMMISSIONS; COMMUNICATIONS AND
PETITIONS; AND OTHER CITY RELATED MATTERS**

By Council Member Brown Clarke that all items be considered as being read in full and that Vice President Wood make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:
 1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office

PLACED ON FILE

2. Letter(s) from the Mayor re:
 - a. Z-5-2017, 1024 Lake Lansing Road, Rezoning from "B" Residential District to "F-1" Commercial District,
- REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- Communications and Petitions, and Other City Related Matters:
 1. Notice from the Michigan Liquor Control Commission regarding the Transfer all membership interest through merger from existing member Pizza Hut, Inc. to Pizza Hut, LLC; and by dropping existing member Pizza Hut, LLC and adding new member Pizza Hut Holdings, LLC, 6200 S. Cedar Street
- REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Council Member Houghton to excuse Council President Spitzley from tonight's proceedings.

Motion Carried

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Kathy Badgley spoke about Ormond Park.

ADJOURNED TIME 7:44 P.M.

CHRIS SWOPE, CITY CLERK