OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING AUGUST 28, 2017

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:44 p.m. by President Spitzley

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

ABSENT: None

Council President Spitzley asked to remember those of South Texas who are experiencing Hurricane Harvey and Mark Dotson's mother, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Spitzley.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Wood

To approve the printed Council Proceedings of July 31 and August 14, 2017

Motion Carried

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Yorko spoke about an upcoming REACH Art Project and the Board of Water and Light 1st S.T.E.P. High School Student and Parent/Guardian Orientation Session.

COMMUNITY EVENT ANNOUNCEMENTS

Rudy Reyes announced an upcoming Red Cross Blood Drive at the Cristo Rey Church.

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 upcoming 9-11 Rememberance Ceremony, the Mobile Food Pantry, the Lansing Police Department Citizen Police Academy, and shared details on the four items scheduled for public hearing

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of IFT-1-17; Industrial Facilities Tax Certificate for Cameron Tool at property located at 1800 Bassett

2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; Super Fancy Too, LLC at 1101 S. Washington Avenue

3. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; REO Life, LLC at 1103 S. Washington Avenue

4. In consideration of the Amended Obsolete Property Rehabilitation Act (OPRA) Certificate; DED Development, LLCC at 629 W. Hillsdale St.

Council Member Brown Clarke gave an overview of the public hearings.

- Public Comment on Legislative Matters:

Kathy Miles spoke in opposition to Z-1-2015.

Jon Miles spoke in opposition to Z-1-2015.

Loretta Stanaway spoke about zoning issues.

Deb Parrish spoke about zoning issues.

June Kenfield spoke in opposition to Z-4-2017.

Mike Morofsky spoke in opposition to Z-4-2017.

Jerry Stych spoke in opposition to Z-4-2017.

Carey Combs-Oberlin spoke in support of IFT-1-17.

David Fretter spoke about zoning issues.

Elaine Womboldt spoke in opposition to Z-1-2015.

Amillio Patino spoke in opposition to Make Safe or Demolish at 1025 Orchard Street.

David Lee Lambert spoke in opposition to the amendment to the Liquor License Ordinance.

Dee Dee Fuller spoke in support of the Celebration Banquets Liquor License transfer.

Kristin Kent spoke in support of the Celebration Banquets Liquor License transfer.

Michael Steinbach spoke in support of the Celebration Banquets Liquor License transfer.

Justine Ziegler spoke in support of the Celebration Banquets Liquor License transfer.

DelRae Finnerty spoke in opposition to Make Safe or Demolish at 214 Lathrop Street.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of 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

2. In consideration of IFT-1-17; Industrial Facilities Tax Certificate for Cameron Tool at property located at 1800 Bassett

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; Super Fancy Too, LLC at 1101 S. Washington Avenue

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; REO Life, LLC at 1103 S. Washington Avenue

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. In consideration of the Amended Obsolete Property Rehabilitation Act (OPRA) Certificate; DED Development, LLC at 629 W. Hillsdale St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS

RESOLUTION #2017-207

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tom Donaldson as a representative of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tom Donaldson as a representative of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019.

By Council Member Brown Clarke

Motion Carried

City Clerk Chris Swope swore in Tom Donaldson as a member of the Saginaw Street Corridor Improvement Authority.

RESOLUTION #2017-208

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

WHEREAS, the Mayor made the appointment of Mark Eagle of 1417 Corbett Street in Lansing, MI, 48910, as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on General Services took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Mark Eagle of 1417 Corbett Street in Lansing, MI, 48910, as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020.

By Council Member Houghton

Motion Carried

City Clerk Chris Swope swore in Mark Eagle as a member of the Human Relations & Community Services Board.

RESOLUTION #2017-209

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

WHEREAS, the Mayor made the appointment of Ryan Earl of 3337 Radford Drive of Lane in Lansing, MI, 48911, as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on General Services took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Ryan Earl of 3337 Radford Drive of Lane in Lansing, MI, 48911, as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-210

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

WHEREAS, the Mayor made the appointment of Chad Guerrant of 1210 Fairway Lane in Lansing, MI, 48912, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on General Services took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Chad Guerrant of 1210 Fairway Lane in Lansing, MI, 48912, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021.

By Council Member Houghton

Motion Carried

City Clerk Chris Swope swore in Chad Guerrant as an At-Large member of the Human Relations & Community Services Board.

RESOLUTION #2017-211

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Development and Planning took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020.

By Council Member Brown Clarke

Motion Carried

Council Member Brown Clarke moved to pass resolution NEZ Certificate Extension for Capital Properties Group LLC, 222 S. Washington, Units #4 & #6, Nos. N2007-093 & N2007-0095.

The Council Members discussed and then determined that questions about the NEZ resolutions could not be answered during the meeting.

Council Member Brown Clarke withdrew her motion to pass resolution NEZ Certificate Extension for Capital Properties Group LLC, 222 S. Washington, Units #4 & #6, Nos. N2007-092 & N2007-0094.

Council Member Brown Clarke requested that NEZ Certificate Extension for Capital Properties Group LLC, 222 S. Washington #3 and #5 be removed from the agenda for consideration.

RESOLUTION #2017-212

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

WHEREAS, Meghan Towner sought to eliminate a special assessment of $3,987.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 4628 Stafford Avenue (Tax ID #33-01-01-33-378-451); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of $3,987.00 was considered and $1,322.00 was denied on August 24, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Meghan Towner in the amount of $1,322.00 for trash and debris removal fees, and all associated penalties and interest on the property tax bill for 4628 Stafford Avenue (Tax ID #33-01-01-33-378-451).

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

By Council Member Houghton

Motion carried

RESOLUTION #2017-213

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

WHEREAS, the City of Lansing received a request from Lansing Ale, Inc. for a Brew Pub License in conjunction with Class C/SDM license Restaurant for 2101 E. Michigan Ave., Lansing, MI 48912, Ingham County; and

WHEREAS, the Committee on General Services met on August 24, 2017 to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Lansing Ale, Inc. for a Brew Pub License in conjunction with Class C/SDM license Restaurant for 2101 E. Michigan Ave., Lansing, MI 48912, Ingham County

By Council Member Houghton

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 830, Section 830.06 of the Lansing Codified Ordinances providing criteria for revocation or objection to transfer, issuance or renewal of licenses to permit the sale of beer and wine and/or spirits on premises

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

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Spitzley, Yorko

Nays: Council Members Hussain, Washington, Wood

ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 830, SECTION 830.06 OF THE LANSING CODIFIED ORDINANCES PROVIDING CRITERIA FOR REVOCATION OR OBJECTION TO TRANSFER, ISSUANCE OR RENEWAL OF LICENSES TO PERMIT THE SALE OF BEER AND WINE AND/OR SPIRITS ON PREMISES.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 830.06 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

830.06. Criteria for revocation or objection to transfer, issuance or renewal.

Upon determination of the existence of any one or more of the following elements or grounds, the City may recommend revocation of an already existing license or object to the transfer, issuance or renewal of a license:

(a) A person whose license, under this chapter or any ~~S~~state law, has been revoked for cause in the three years preceding the date of application for a new license or transfer or an existing license;

(b) A person who, at the time of application or renewal of any license already issued under this chapter, would not be eligible for such license upon a first application, as determined by any ~~S~~state or local law;

(c) A copartnership, unless all of the members of such copartnership qualify to obtain a license. A limited partnership shall not be disqualified from being issued or holding a license, as long as all general partners are qualified to obtain such a license~~.~~;

(d) A corporation if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than

five percent **(5%)** of the stock of such corporation, would not be eligible to receive a license under this chapter for any reason;
(E) A person who has been convicted of a violation of any ~~F~~federal or ~~S~~state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance, where such violation occurred on the licensed premises;
(~~F~~g) Any premises where there exists a violation of any applicable City building,
electrical, mechanical, plumbing or fire code or any City zoning law, or of any applicable public health law or regulation, any ~~State~~ MICHIGAN Liquor Control Commission rule or regulation of any other applicable City ordinance or ~~S~~state law;
~~(h) Any premises where the applicant or licensee suffers or allows or intends to allow in or upon the premises a person who exposes to public view any pubic region, anus or genitals, as well as other types of nudity prohibited by statute or local ordinance. No on-premises licensee shall suffer or allow in or upon the licensed premises the showing of films, television slides or other electronic reproduction depicting scenes wherein any person exposes to the public view any pubic region, anus or genitals, as well as other types of nudity prohibited by statute or local ordinance. This prohibition does not apply to any publicly broadcast television transmission from a Federally licensed station.~~
~~(i) Any premises where the applicant or licensee suffers or allows or intends to allow in or upon the premises a person who performs, or simulates performance of, the following explicit sexual activities: sexual intercourse, masturbation, sodomy, bestiality, fellatio or cunnilingus. No on-premises licensee shall suffer of allow in or upon the licensed premises the showing of films, television slides or other electronic reproduction depicting scenes wherein a person performs, or simulates performance of, the following explicit sexual activities: sexual intercourse, masturbation, sodomy, bestiality, fellatio or cunnilingus. This prohibition shall not apply to any publicly broadcast television transmission from a Federally licensed station.~~
(G) Any premises where it is determined by Council that the premises do not, or will not reasonably soon after the commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening and noise control, or where a nuisance does or will exist as determined by applicable City ordinances;
(H) If Council determines that the proposed location is inappropriate, considering the desirability of establishing a location in developed, commercial areas in preference to isolated, undeveloped areas; traffic safety; accessibility to the site from abutting roads; capability of abutting roads to accommodate such commercial activity; distance from public or private schools for minors; proximity of an inconsistent zoning classification; and accessibility from primary roads or ~~S~~state highways;
(I) If the applicant or licensee owes personal OR REAL property taxes~~;~~ ~~or~~, SPECIAL ASSESSMENTS, SEWER OR WATER CHARGES THAT ARE DELINQUENT FOR THE PREMISES;
(J) If the applicant or licensee has filed an application containing false information with the City Clerk.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby 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 on the 30th day after enactment, unless given immediate effect by City Council.

RESOLUTIONS

RESOLUTION #2017-214

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 Celebration Banquets, LLC to transfer ownership of a Resort Class C license at 200 Edgewood Blvd., Lansing, MI 48911, Ingham County; 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 Celebration Banquets, LLC to transfer ownership of a Resort Class C license at 200 Edgewood Blvd., Lansing, MI 48911, Ingham County.

By Council Member Houghton

Motion Carried with Council Members Hussain, Washington, Wood voting “nay”

RESOLUTION #2017-215

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

WHEREAS, the Fire Marshal has determined that the structure (dwelling) located at 1025 Orchard Street, Lansing, Michigan Tax ID#33-01-01-15-126-101 Legal Description: Lot 4 Fairview Subdivision is an unsafe or dangerous building as defined in Section 108.1.1 of the Lansing Housing Code and the Housing Law of Michigan (MCLA 125.539) and;

WHEREAS the Code Enforcement Officer 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, 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, said Hearing Officer filed a report of his findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Lansing Housing Code require 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; and

WHEREAS, the City Council held a show cause hearing on August 14, 2017, to review the findings and the order of the Demolition Board and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Lead Housing Inspector has determined that compliance with the order of the Lansing Demolition Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 1025 Orchard Street, Lansing, Michigan are hereby directed to comply with the order of the Demolition Board to demolish or otherwise make safe that said structure (dwelling) within sixty (60) days from the date of this resolution, September 28, 2017.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty (20) days

pursuant to MCL 125.542 and should the owners fail to comply with the Demolition Boards order for demolition or make safe, the Lead Housing Inspector is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Council Member Hussain

Moved to substitute with the following changes to 60 days and October 28, 2017

Motion Carried

RESOLUTION #2017-216

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Fire Marshal has determined that the structure (dwelling) located at 214 Lathrop Street, Lansing, Michigan Tax ID#33-01-01-15-406-171 Legal Description: South 7 Feet of Lot 16 & the North 26 Feet of Lot 17, Harrah's Addition is an unsafe or dangerous building as defined in Section 108.1.1 of the Lansing Housing Code and the Housing Law of Michigan (MCLA 125.539) and;

WHEREAS the Code Enforcement Officer red tagged the building on July 13, 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, said Hearing Officer filed a report of his findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Lansing Housing Code require 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; and

WHEREAS, the City Council held a show cause hearing on August 14, 2017, to review the findings and the order of the Demolition Board and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Lead Housing Inspector has determined that compliance with the order of the Lansing Demolition Board Officer has not occurred;

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 214 Lathrop, Lansing, Michigan are hereby directed to comply with the order of the Demolition Board to demolish or otherwise make safe that said structure (dwelling) within sixty (60) days from the date of this resolution, October 28, 2017.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty (20) days pursuant to MCL 125.542 and should the owners fail to comply with the Demolition Boards order for demolition or make safe, the Lead Housing Inspector is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Council Member Hussain

Motion Carried

RESOLUTION #2017-217

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity, and provide for the maintenance, security, and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services; and

WHEREAS, a public hearing was held on August 14, 2017 at 7:00 p.m. in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to

consider the establishment of the Principal Shopping District special assessment roll; and

WHEREAS, notice to the affected owners of the properties in said district were given at least a 12 (twelve) day notice prior to the date of the hearing and in accordance with Chapter 1026 of the Lansing Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along' the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning -A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning –A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning -B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning –B.

Zone C -North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning -C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning -C (North).

Zone C -South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning -C (South},," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning -C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A -13.6 cents per square foot for first floor and 6.2 cents per square foot for second floors and above, parking structures at the rate of 4.9 cents per square foot for the main floors and 2.47 cents per square foot for second floors and above, parking lots at 4.9 cents per square foot, vacant land at 1.24 cents per square foot, and industrial & manufacturing properties at 2.47 cents per square foot for the first floor and 1.24 cents per square foot for second floors and above for FY18;

14 cents per square foot for first floor and 6.39 cents per square foot for second floors and above, parking structures at the rate of 5.05 cents per square foot for the main floors and 2.54 cents per square foot for second floors and above, parking lots at 5.05 cents per square foot, vacant land at 1.27 cents per square foot, and industrial & manufacturing properties at 2.54 cents per square foot for the first floor and 1.27 cents per square foot for second floors and above for FY19;

14.42 cents per square foot for first floor and 6.58 cents per square foot for second floors and above, parking structures at the rate of 5.2 cents per square foot for the main floors and 2.62 cents per square foot for second floors and above, parking lots at 5.2 cents per square foot, vacant land at 1.3 cents per square foot, and industrial & manufacturing properties at 2.62 cents per square foot for the first floor and 1.3 cents per square foot for second floors and above for FY20;

ZONE B -9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above;

ZONE C (North & South) -2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above;

BE IT FURTHER RESOLVED, that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD17-A/PSD17-B/PSD17-C compiled by the City Assessor.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed $10,000.00 per one parcel, shall be capped at no more than $10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C " (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 15, 2017 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FURTHER RESOLVED that Special Assessment roll No. PSD17-A/PSD17-B/PSD17-C as presented and as returned by the City Assessor, is hereby, ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax.

BE IT FINALLY RESOLVED that if said payment is not received by October 30, 2017, said tax will be placed on the December tax roll without interest or penalty.

By Council Member Washington

Motion Carried

RESOLUTION #2017-218

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, the Public Service Department of the City of Lansing received a Conditional Commitment letter from the Michigan Department of Transportation of our selection to receive a Federal Transportation Alternatives Program (TAP) grant totaling up to $32,740 in federal funds for the Grand River Avenue Bike Lane project; and

WHEREAS, the local match is 20% up to $7,260 of the total estimated project cost of $40,000; and

WHEREAS, the project involves removal of the existing pavement markings along Grand River Avenue between Cleveland Street and North Street and restriping to accommodate bike lanes; and

WHEREAS, the Public Service Department is requesting acceptance of the TAP grant; and

WHEREAS, the proposed enhancements are identified in the Non-Motorized Transportation Plan; and

WHEREAS, the proposed enhancements are identified in the Tri-County Regional Planning Commission's Transportation Improvement Program; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facility constructed with TAP funding and has budgeted sufficient monies to ensure the continued maintenance of the enhancements; and

WHEREAS, Mitch Whisler, a staff engineer for the Public Service Department, will act as the agent on behalf of the Grand River Avenue Bike Lane project; and

WHEREAS, Chad A. Gamble, P.E., Director of Public Service and Chief Operations Officer is authorized to sign a project agreement upon receipt of a funding award; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe, alternate modes of transportation for all users;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Transportation Alternatives Program grant for the purposes of funding of non-motorized improvements to Grand River Avenue between Cleveland Street and North Street;

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

By Council Member Washington

Motion Carried

RESOLUTION #2017-219

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

RESOLVED that the Second Amendment to the City of Lansing Defined Contribution Plan is hereby adopted effective as set forth therein; and

FURTHER RESOLVED that William Barkyoumb, Chairperson of the Defined Contribution Board, is hereby authorized to execute the

Second Amendment and any related documents that are necessary in order to implement the foregoing resolution on behalf of the City.

SECOND AMENDMENT TO THE
CITY OF LANSING DEFINED CONTRIBUTION PLAN

The City of Lansing Defined Contribution Plan is hereby amended, effective May 26, 2017, as set forth below.

1. The effective date of the Third Amendment to the Plan, executed November 15, 2013 (prior to the adoption of the restated Plan, which became effective on January 1, 2016) shall be changed from September 17, 2012 to January 1, 2013.

   Section 19.2(a), which was added by Section E of Addendum A to the Adoption Agreement, shall be replaced in its entirety with the following:

   (a) Effective Date: The provisions of this Article XIX shall be effective as of January 1, 2013.

   Section I of Schedule A to the Adoption Agreement shall be replaced in its entirety with the following:

   I. Bargaining Units

   An individual whose terms of employment are overned by a collective bargaining agreement between the Employer and a bargaining unit that is listed below is eligible to participate in the Defined Contribution Plan pursuant to the terms of the Plan.

Name of Bargaining Unit	Effective Date
Teamsters Local No. 214 Supervisory and Non-supervisory	January 1, 2013
Teamster 243 – 54-A District Court (formerly Teamster 580 – 54-A District Court)	March 31, 2014
Teamster 243 Supervisory (formerly Teamster 580 Supervisory)	May 19, 2014
Teamster 243 Clerical, Technical, and Professional (formerly Teamster 580 Clerical, Technical, and Professional)	May 19, 2014

By Vice President Wood

Motion Carried

ORDINANCES FOR PASSAGE

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

ORDINANCE # 2600

An Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances.

Z-4-2017; Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue, Rezoning from "B" Residential District to "C" Residential District

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

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Spitzley, Yorko

Nays: Council Members Hussain, Washington, Wood

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-4-2017

Parcel Number: 33-01-01-29-259-120

Legal Descriptions: Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision, City of Lansing, Ingham County, MI, from "B" Residential district to "C" Residential district

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on August 28, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

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 Vice President Wood that all items be considered as being read in

full and that President Spitzley 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

   b. Liquor License; Lansing Ale, Inc. for a Brew Pub License in conjunction with Class C/SDM License Restaurant for 2101 E. Michigan Ave

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

   c. Memorial Application; Memorial Review Board recommendation to approve renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter(s) from the Mayor re:
   a. Appointment; Tom Donaldson as an At-Large Member of the EDC/TIFA/LBRA Board for a term to expire February 28, 2022

REFERRED TO THE COMMITTEE OF THE WAYS AND MEANS

   b. Appointment; Abbey Frazier as an At-Large Member of the Human Relations & Community Services Board for a term to expire June 30, 2018

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

   c. Appointment; Douglas Mains as a Second Ward Member of the Planning Board for a term to expire June 30, 2018

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- Communications and Petitions, and Other City Related Matters:

1. Letters from the Michigan Liquor Control Commission re:

   a. 320 E. Michigan Holdings, LLC for Conditional license; Transfer ownership 2017 Class C and SDM licensed business with Sunday sales permit (pm) and outdoor service (1 area) from Laf Fine Dining, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

   b. Gyina Distribution Inc. for New Wholesaler License

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from Celebration Banquets, LLC regarding their Application for Liquor License for Celebration! Cinema Lansing & IMAX

PLACED ON FILE

3. Claim Appeal; Claim #1421 submitted by Kent Bowden for $75 for Trash Removal fee, 1207 N. Chestnut

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. Claim Appeal; Claim #1422 submitted by Kent Bowden for $2,914 for Trash Removal and Recycling fees, 508 W. Grand River Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. Claim Appeal; Claim #1461 submitted by Donald Comer for $4,518 for Grass & Weeds, Board Up, and Trash Removal fees, 212 Allen St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. Claim Appeal; Claim #1462 submitted by Eric Harmon for $5000 for Trash Removal fee and alleged property taken, 6512 Sommerset Rd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. Claim Appeal; Claim #1463 submitted by Marvin Al-Shankool for $6,152 for Trash Removal fee, 819 Cleveland St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Loretta Stanaway of Lansing spoke about various city matters.

Deb Parrish of Lansing spoke about various city matters.

Tonatzin M Alfaro Maiz of Wheatfield Township spoke in support of renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.

Rudy Reyes of Charlotte spoke in support of renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.

Paulo Gordillo of Delta Township spoke in support of renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.

Al Salas of Delta Township spoke in support of renaming E. Grand River Ave. and W. Grand River Ave. from Oakland Ave. to Pine St. to César E. Chávez Ave.

ADJOURNED TIME 10:26 P.M.

CHRIS SWOPE, CITY CLERK