

AGENDA

Committee of the Whole AGENDA FOR OCTOBER 2, 2023 AT 5:30 PM



Lansing City Hall, Tony Benavides Lansing City Council Chambers
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.

Council Member Wood, Chairperson
Council Member Garza, Vice Chairperson

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. September 18, 2023
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
 - B. DISCUSSION - Requested Reports in the Budget Policies from the Adopted FY 2023/2024 Budget Resolution
 - C. Report on the Cost of Warming and Cooling Centers
 - D. Report on Stump Grinding
 - E. Report on Community Mental Health Social Worker Housing Outreach Specialist
 - F. ORDINANCE - Amendment to Chapter 240; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board
 - G. ORDINANCE - Amendment to Chapter 273; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board
 - H. ORDINANCE - Ordinance Amendment to Chapter 273; repeal Section 273.06, "Examination of complaints; hearings and studies" to conform with the City Charter
 - I. ORDINANCE -Ordinance Amendment to Chapter 273; repeal Section 273.08 "Prohibited discrimination by city departments or employees" to conform with the City Charter

Closed Session

- J. Quarterly Litigation Update -
 - A. Pursuant to MCL 15.268(1)(e), City Council will recess into closed session to consult with the City Attorney in connection with the following specific pending litigation. An open meeting will have a detrimental financial effect on the litigating or settlement position of the City of Lansing concerning these cases:

Atkinson, et al. v. City of Lansing, et al. People of the City of Lansing v. Kolberg City of Lansing, et al. v. Purdue Pharma, et al. (Opioid Litigation) Deprekel v. City of Lansing, et al.
--

Downtown Capitol LLC v. City of Lansing
Hardy v. City of Lansing, et al.
Hulon v. City of Lansing, et al.
Khorrami v. Bradbury, Moore, Mapley, and City of Lansing
Legacy Five LLC v. City of Lansing
Lugo-Estok, Guadalupe v. City of Lansing
Lynn, Michael v. City of Lansing
Lynn, Michael v. Schor, et al. (2023)
Phillips v. City of Lansing, et al.
Stewart, G. v. City of Lansing, et al.
Stewart, S. v. City of Lansing, et al.

B.Pursuant to MCL 15.268(1)(h) of the Open Meetings Act, City Council will recess into closed session to consult with the City Attorney to consider material exempt from discussion or disclosure by state statute. Specifically, to discuss written material from the City Attorney provided under attorney-client privilege and attorney work-product, and which is also exempt from disclosure under the Freedom of Information Act pursuant to MCL 15.243(1)(g).

Reconvene

6. Other

7. Adjourn

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

DRAFT



MINUTES

Committee of the Whole

Monday, September 18, 2023 @ 5:00 p.m.

Tony Benavides Lansing City Council Chambers

CALL TO ORDER

Council President Wood called the meeting to order at 5:00 p.m.

PRESENT

Council Member Carol Wood
Council Member Jeremy Garza
Councilmember Adam Hussain
Councilmember Peter Spadafore
Councilmember Patricia Spitzley – arrived at 5:02 p.m.
Councilmember Brian T. Jackson – arrived at 5:16 p.m.
Councilmember Jeffrey Brown
Councilmember Ryan Kost

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Joseph Abood, City Attorney
Lisa Hagen-Lawrence, City Attorney
Emily Linden, Internal Auditor
Mark Lawrence, Mayor's Office
Jake Brower, Chief Finance Officer
Elizabeth O'Leary, HR Director
Loretta Stanaway
Ryan Cabell, Energy Event Center
Dan Doyle, Attorney Representing Energy Event Center
Michael Lynn
Erika Lynn
Terrance Cooper
Al Phillips
Summer Green
Mr. Watkins
Mr. Delmonte
Dale Smith
Pastor Tab
Markel
Charity Jones
Erica Munchman

DRAFT

Minutes

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM SEPTEMBER 11, 2023. MOTION CARRIED 6-0.

Public Comment

Ms. Stanaway spoke on the Energy Event, and encouraged Council to not revoke but provide him with guidelines and steps on how to move forward. Ms. Stanaway then spoke on the other items on the agenda including funding in the budget amendments.

Council Member Brown stepped away from the meeting at 5:02 p.m.

Ms. Stanaway asked what occurs with the current LPD offices when the City Hall moves.

Mr. Cooper spoke in support of Mr. Cabell and work that can positively affect the community.

Mr. Lynn apologized to Council Member Spadafore for comments made at the last meeting and understands that Council is taking the time to make the right decision. Mr. Lynn spoke in support of the Energy Event site, commented on discussions he has had with Mr. Cabell and the parking lot on site. Mr. Lynn concluded by acknowledging Council for the time they are taking on consideration of the Energy Event license.

Ms. Lynn asked for Council to consider gathering information and see what actions are on the table outside of revoking the license.

Council Member Brown returned to the meeting at 5:08 p.m.

Ms. Lynn asked Council to consider options, steps, plans and something to show support for small businesses coming to the south side of Lansing. Lastly, she referenced the warming and cooling centers on the agenda, referencing a plan in Alaska she sent to Council last year using existing resources.

Mr. Phillips spoke on violence in the city, then spoke in support of Mr. Cabell asking Council not to consider revocation of the license. He then offered assistance to Council Member Hussain on working in the 3rd Ward addressing issues.

Ms. Green spoke in support of Mr. Cabell.

Mr. Watkins spoke in support of Mr. Cabell and keeping his license at 3222 S MLK Jr. Blvd. asking for implementation of a police presence in the parking lot for future events.

Mr. Delmonte spoke in support of Mr. Cabell, the narrative that has been stated on the incident that occurred, asked for police presence all over the city.

Mr. Lawrence stepped away from the meeting at 5:18 p.m.

Mr. Smith spoke in support of Mr. Cabell and asked Council to provide him with warnings not revocation of the license.

Mr. Lawrence returned at 5:22 p.m.

Pastor Tab spoke in support of Mr. Cabell and information on the incident itself.

Markel spoke as a participant at the event, and in support of Energy Event Center.

DRAFT

Ms. Jones spoke on her concerns with the violence in the city, as an employee during the incident, in support of Mr. Cabell, and asking for the Mayor to work with Mr. Cabell.

Mr. Doyle, attorney for Mr. Cabell, reiterated his request for Council to review the law, goal for written warnings, and asked them for consideration.

Ms. Munchman spoke on the incident and her connection to some of the victims in the shooting. She requested that Council consider conversations with Mr. Cabell, as she herself had conversations with Mr. Cabell telling him her concerns. She concluded asking Council to give him another chance because she believes he is in a good position to do good things in the city.

Mr. Cabell spoke on his business, his belief that people always come first, and stated he would take full accountability for anything that is wrong.

Ms. Hagen-Lawrence and Mr. Abood stepped away from the meeting at 5:33 p.m.

Mr. Cabell outlined his purpose of the Energy Events Center and his motivation to turn around things that are happening in the community.

Ms. Hagen-Lawrence and Mr. Abood returned to the meeting at 5:34 p.m.

Mr. Cabell asked Council to consider his integrity and things done legally.

DISCUSSION/ACTION

Hearing Determination from the License Revocation of Energy Event Center; 3222 S MLK Jr Blvd, Suite 41A Lansing

Ms. Linden stepped away from the meeting at 5:35 p.m.

Mr. Lawrence stepped away from the meeting at 5:35 p.m.

Council Member Spadafore asked Ms. O'Leary if restaurants and bars, when charging cover for a band, if a show license is required. Ms. O'Leary that anything that falls in the definition of show license would require that.

Ms. Linden returned to the meeting at 5:36 p.m.

Council Member Spadafore asked if other establishments in the city are required. Ms. O'Leary stated she has not done research on other entities.

Council Member Jackson asked Ms. O'Leary if she could describe and explain how many security guards were on site, and how does that play to the provision of "measures to prevent violence". Ms. O'Leary referred back to her findings report, and clarifying that her role was not to say what happened but make findings of fact based on the hearing.

Council Member Jackson referred to the exhibit which listed the number of security guards, and asked if she found the same number.

Mr. Lawrence returned to the meeting at 5:38 p.m.

Council Member Jackson asked if there were any written communications outlining the violations. Ms. O'Leary stated Council has received all the exhibits and transcripts, and he should review those documents. Council Member Jackson voiced his frustration on non-responses from Ms. O'Leary. Ms. O'Leary confirmed she is here as a courtesy, was not and is not being told what to say. Council Member Jackson asked again if it was determined there were 10 security guards. Ms. O'Leary referred Council Member Jackson to the report.

DRAFT

Council Member Hussain first apologized for being absent from the last meeting, and made it clear that Council has duties to address this. In reference to the ordinance Chapter 808, which is continually referred to in the documents and in discussions, he asked if the City has to give written notice. He asked for verification that his understanding of a written notice in this section is to go back on the cost of mutual aid on site. Therefore, he asked OCA if the City can even consider revocation, based on the fact they were not able to make the area safe.

Ms. Hagen-Lawrence, also referred to Section 808; which outlines the requirement of 2 instances, written warning 808.10 – pertaining to city costs. She noted there are a number of bases for revocation, one being 808.10. The other item falls under 808.08. Both were listed in the hearing notice, and the items under LPD pertaining to state and federal law. Ms. Hagen-Lawrence confirmed there has never been an ask of recovery of cost. Council President Wood noted that historically when the cost item was added to the ordinance it was there were other situations where there was a large amount of police and fire services present at events.

Council Member Spitzley agreed with Ms. Hagen-Lawrence on the interpretation of the ordinance, but was also looking at a letter dated August 2, 2023 that Mr. Cabell shared with Council that showed he had submitted an updated security plan for Energy events. Ms. O'Leary stated she did not recall having that letter as part of the hearing exhibits. Council Member Spitzley asked what "keep premise safe" is. Ms. Hagen-Lawrence stated the entire lot located, parking, parking where patrons, 1500 ft from where cabaret is located. Council Member Spitzley again referred to the August letter which spoke to what Mr. Cabell outlined he was doing to coordinate with law enforcement.

Ms. O'Leary reiterated she was asked by Council to be the hearing officer, provided in transcript, have not intent in saying anything that is not contained in the transcript.

Council Member Spadafore asked the OCA to explain the revocation ordinance, since there appears to be a discussion on alternative measures, short of revocation. Ms. Hagen-Lawrence stated the questions could be "does the ordinance provide for an option other than revocation", the answer would be that the ordinance speaks only to revocation or not revocation. There is nothing on intervention or a security plan, and any of those options would require the Council to amend the current ordinance. Council Member Spadafore asked if there are other licenses in the ordinances that speak to options. Ms. Hagen-Lawrence stated that when speaking to "cabaret" it is specific only to 808. The other license types are under other ordinances, and she would need to look into those, so cannot speak to that specifically at this time.

Council Member Jackson again referenced Ms. O'Leary analysis and recommendation, specific to open alcohol, and asked her if it was determined there was no alcohol sales inside, and since there were no sales inside, no alcohol inside. And if so, how is that attributed to the Energy Event Center. Ms. O'Leary again referred Council Member Jackson to her findings report, stating Council can either revoke, not revoke or make recommendations. Council Member Jackson explained to Ms. O'Leary he was attempting to figure out the rationale behind this so he can make his decision, and then he did note 1500 feet is excessive and that asked if during the process all the surrounding businesses within that 1500 ft. were interviewed.

RESOLUTION – Determination on License Revocation for Energy Event Center; 3222 S MLK Jr Blvd., Suite 41A Lansing

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION.

COUNCIL MEMBER SPADAFORE MOTIONED TO STRIKE FINDINGS 6, 7, & 8 FROM THE FINDINGS SINCE IT WAS NOT MADE CLEAR THAT THESE APPLY.

Ms. Hagen-Lawrence confirmed that per 808.08 Council can modify the findings.

DRAFT

MOTION CARRIED 8-0.

MOTION BY COUNCIL MEMBER SPITZLEY TO STRIKE FINDING 13 BASED ON TESTIMONY SHOW THE ALCHOL WAS OUTSIDE THE SUITE IN QUESTION AND NOTHING WAS ESTABLISHED THAT THE LIQUID IN THE RED SOLO CUPS WAS ACTUALLY ALCHOHOL. MOTION CARRIED 8-0.

Council Member Jackson stated His opposition to the actions taken to address gun violence in this action.

Council Member Brown stepped away from the meeting at 5:55 p.m.

Council Member Jackson continued stating his opposition.

Council Member Brown retuned to the meeting at 5:57 p.m.

He then expanded that there was not proof there were warnings given, businesses should get a courtesy outlining a fine. He then referenced the document on exhibits and transcripts that spoke to 10 security guards at the event. Council Member Jackson expanded on his belief of the situation and charge the Council has been given in this situation.

Council Member Spitzley acknowledged Ms. O'Leary for her work at the hearing, the ordinance, a letter from Mr. Cabell to Council dated August 2 on the security measures he planned to use, which however was not part of the hearing.

Council Member Hussain addressed comments by the public at the last meeting which asked Council to revoke liquor licenses noting City Council does not have the authority to do that, but have reached out to the State legislature to amend the liquor control act. Council Member Hussain then spoke on the work he has done in the 3rd Ward and south Lansing. He spoke in support of Mr. Cabell as a good business owner, but was hoping for a middle ground with an ability to suspend with a future plan that is workable with Council, administration and LPD.

Council Member Spadafore asked OCA about rental properties in the City and asked if businesses are subject to the rental ordinances, and if there is any licensing that goes with rental businesses and why landlords of commercial businesses are not addressed with this. Ms. Hagen-Lawrence stated that her belief is the City ordinance speaks only to residential rentals.

Council President Wood spoke on the document and there is nothing to hold them to. This is a vote of revocation or not, and this is not conditional on holding the business owner to something. With reviewing the findings, even though items were struck, there were many items. Council needs to consider even if revoked, Mr. Cabell can come and reapply.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION HEREBY MODIFYING THE HEARING OFFICER'S PROPOSED FINDINGS OF FACT REMOVING FINDINGS 6, 7, 8 & 13, AND RECOMMENDING REVOCATION OF THE CABARET LICENSE FOR ENERGY EVENT CENTER AT 3222 S MLK JR. BLVD SUITE 41A, LANSING EFFECTIVE IMMEDIATELY. MOTION CARRIED 5-3.

Council Member Spitzley stepped away from the meeting at 6:17 p.m.

RESOLUTION – Budget Amendment (HRCS Fiscal Year 2023-2024)

Council Member Brown asked Mr. Brower asked if the funds are specifically for hoteling, and Mr. Brower confirmed.

DRAFT

Council Member Spitzley returned to the meeting at 6:19 p.m.

Mr. Brower confirmed again referencing the resolution which specifically says "hotel".

Council Member Spadafore confirmed that this was a hold over from the last meeting, and Council President Wood confirmed.

Council Member Kost asked Ms. Linden if Mr. Brower was able to get an answer to his question from the last meeting on if SIMTOB did submit funds to cover the hotels in that incident. Ms. Linden referred to Mr. Brower, and he stated that they contacted Advent House and the OCA, and were told the City did receive a \$10,091 settlement and it was deposited to the GF for the expenses. Mr. Brower confirmed it would be a carry forward at a later date.

Council President Wood passed the gavel to Council Member Garza.

Council Member Wood asked to be recused from discussion and action on the resolution due to a conflict with her job and the HRCS department.

MOTION BY COUNCIL MEMBER GARZA TO RECUSE COUNCIL MEMBER WOOD. MOTION CARRIED 7-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE BUDGET AMENDMENT TO THE HRCS BUDGET FOR FY 2023/2024. MOTION CARRIED 7-0, 1 RECUSAL.

Council Member Garza passed the gavel back to Council Member Wood.

RESOLUTION – Budget Amendment; RE Storm Disaster Contingency Fund

Mr. Brower spoke briefly on questions from the last meeting, referencing an email he sent to Council speaking to two of the items. One being the SIMTOB question just asked, and the other was:

Why the General Fund debt service budget increased between the FY23 and FY24 budgets: The FY24 budget includes the 2021 Capital Improvement Bonds for the Pedway Improvements. This is a Brownfield eligible expense for which the City may request reimbursement but is also secured by the full faith and credit of the City as a Limited Tax General Obligation issuance. This was not included in the FY23 Budget on the basis of that reimbursement but is kept on our debt service schedule and included for the FY24 budget.

Council President Wood passed the gavel to Council Vice President Garza at 6:25 p.m. and stepped away from the meeting.

Mr. Brower explained the potential expenses thus far, and the need to set the appropriation in advance so it is set aside when they submit to FEMA for reimbursement.

Council President Wood returned to the meeting at 6:27 p.m. and Council Vice President Garza passed the gavel.

Council Member Spitzley asked if this will be funded every year for disasters. Mr. Brower confirmed, but noted it does not demand an appropriation of a given amount every year; but set aside a portion or the whole amount. Potentially they will apply to a contingency revenue anticipating state reimbursement. Council Member Spitzley asked what happens if the funds are not use, and was told they will fall to a disaster contingency fund.

Council Member Garza stepped away from the meeting at 6:28 p.m.

He added that the City can consider depleting it or draw from it. It must be specifically earmarked for contingency provisions, and he cited the State ACT.

DRAFT

Council Member Garza returned to the meeting at 6:30 p.m.

Council Member Spadafore asked if this was a special contingency fund under Treasury, if it is lock-boxed and can Council release the funds for operations or permanent disaster. Mr. Brower stated it is in disaster for disaster purposes, but they anticipate plenty of uses, such as mitigation planning, and economic recovery over time. Council Member Spadafore asked if in future there are funds and a need for resources somewhere else, can Council un-restrict the account. Mr. Brower stated the State ACT description says they have to earmark the revenue, but he believes technically they could un-earmark.

Council Member Wood asked if Council next year only wanted to put in \$100,000, as long as the account is still there, can it be limited. Mr. Brower assured them there is no obligation to fund, and they anticipate reimbursement and reappropriation.

Council Member Spitzley asked where the funds from the 2013 ice storm came from. Mr. Brower stated there was an account created, and Council President Wood recalled the funds were used out of the GF revenue reserve fund, and then were paid back through the State.

Council Member Spadafore asked if by creating the fund, is the City isolating the fund and setting aside for disasters, and Mr. Brower stated it will be separate from the GF and independent of the 12-15% threshold.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR THE BUDGET AMENDMENT FOR STORM DISASTER CONTINGENCY FUNDS. MOTION CARRIED 8-0.

RESOLUTION – Budget Priorities for the Fiscal Year 2024/2025 Budget

Council Member Spadafore stepped away from the meeting at 6:37 p.m.

The Committee went through the document, beginning on page 1 with the highlighted areas in Committee of the Whole

Council Member Brown asked if the 1st item; \$100,000 was to work with housing ombudsman role. Council President Wood stated these were all from last year at this time for the current budget Carol FY2023/2024 and this was to get someone with legal experience to assist tenants and landlords.

Council Member Spadafore returned to the meeting at 6:38 p.m.

Council Member Spitzley added that she believed last year this was a suggestion from the 2022 Ad Hoc on Housing and Resident Safety.

Item 1. The consensus of the Committee was to keep in the priorities.

Item 2. Council Member Spadafore amended the amount from a total of \$500,000 to \$600,000.

Consensus of Committee to keep in the priorities. Council Member Spadafore informed the Committee that the Director of Public Service has been asked to come to a Committee on City Operations before the end of the year to speak on the street projects, and he was asked to also request the Director speak on sidewalks. Council Members asked the question to be asked for attention to be given to underserved areas.

Item 3. The consensus of the Committee is to change the total from \$5 million to \$7 million.

Item 4. Ms. Linden was asked for an exact figure, and she was able to provide information that a GED test is \$150 test, but she could not provide an estimate on classes because it would depend on how many people they wanted to fund. Council Member Jackson suggested keeping the language as it is. Mr. Lawrence asked Council if there was a specific demographic they wanted to focus on, such as the recently released from incarceration, but it was explained that there are already programs for

DRAFT

that, and Council Member Spitzley clarified it should be for anyone who does not have a high school diploma.

Council Member Kost stepped away from the meeting at 6:46 p.m.

Item 5 and 6. Consensus of the Committee to remove from the priorities.

Council Member Kost returned to the meeting at 6:48 p.m.

Item 7. Council Member Jackson requested it remain, and provided a handout with his proposal to change to "Sustainability - \$140,000 Funding for marketing, training, professional development, needed risk assessments and updated plans, along with an additional part-time employee." which is information and funding amounts he received from the sustainability manager, Lori Welch. Council Member Brown questioned some of the funds requested, specifically pointing to branding and logo for \$10,000 where there are already departments and services in the City that are City employees that could do that without out sourcing for \$10,000. Council Member Jackson agreed to the reduction.

Consensus of the Committee to amend Item 7 to:

Sustainability - \$134,000 Funding for marketing, training, professional development, needed risk assessments and updated plans, along with an additional part-time employee

Item 8 and 9. Consensus of the Committee to remove from the priorities.

Item 10. Consensus of the Committee to keep in the priorities.

Council Member Spadafore asked the Council to provide him with their understanding of "underserved" so that he may have an understanding when he speaks to the Director of Public Service for the future meeting of City Operations.

The Committee moved to page 4, what was remaining from the 2022 Ad Hoc on Housing and Resident Safety budget priorities from last year. The consensus of the Committee was to remove: Prepare a report of red tag statistics annually to Council during budget discussions to determine if there are fees that need to be added or updated in the upcoming budget cycle.

Move under Committee on Public Safety the remaining two items:

Dedicate resources to searching appropriate databases for non-homestead ownership. (EDP)

Implement a pilot program to incentivize landlords to accept Section 8 vouchers. (EDP)

Council Member Jackson went through the additional items on his handout on forestry and sustainability. Council Member Brown acknowledged the explanation of the request, but asked the in the future requests like this be provided to Council in advance of the meeting, not at the meeting they are taking action.

MOTION BY COUNCIL MEMBER JACKSON TO AMEND ITEM 7 ON THE BUDGET PRIORITIES UNDER COMMITTEE OF THE WHOLE TO ADD THE AMENDED LANGUAGE FOR \$134,000.
MOTION CARRIED 8-0.

Council Member Garza asked to add funds for a community center in southeast Lansing at \$75,000 to a feasibility study.

Council Member Spadafore objected to the request based on the past practice that all Council Members must submit amendments in writing. He did concur with the suggestion, however. Council Member Brown also supported the suggestion.

Ms. Hagen-Lawrence stepped away from the meeting at 7:10 p.m.

Council President Wood stated that Council Member Garza did approach her with the idea and she neglected to remind him to put it in writing.

DRAFT

MOTION BY COUNCIL MEMBER GARZA TO ADD \$75,000 UNDER COMMITTEE OF THE WHOLE BUDGET PRIORITIES FOR A FEASIBILITY STUDY TO GET A COMMUNITY CENTER IN SOUTHEAST LANSING. MOTION CARRIED 8-0.

MOTION BY COUNCIL MEMBE GARZA TO APPROVE THE BUDGET PRIORITIES WITH AMENDMENTS. MOTION CARRIED 8-0.

ORDINANCE – Amendment to Chapter 288.21 Chief Strategy Office

Council President Wood stated the OCA had made changes since the public hearing and asked the OCA to speak to those changes.

Mr. Abood stated that “duties” was changed to “responsibilities, functions” on page 1, lines 4 and 10, and line 2 on page 2 was changed from “report to” to “meet and conference with the”. Mr. Abood stated the OCA made the changes because they believed it would clarify it to comport with City Charter.

Ms. Hagen-Lawrence returned to the meeting at 7:12 p.m.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE TO AMEND CHAPTER 288.21 CHIEF STRATEGY OFFICER. MOTION CARRIED 8-0.

DISCUSSION – Requested Reports in the Budget Policies from the Adopted FY 2023/2024 Budget Resolution; Cost of Warming and Cooling Centers; Stump Grinding; Community Mental Health Social Worker Housing Outreach Specialist

Council President Wood moved the discussion on these reports to the next meeting.

OTHER

Update by the Administration – South Washington Complex (SWOC) Current City Department Relocations and Financial Impact

Mr. Lawrence stated Ms. Frayer was not present because there were no new updates since the last time she was present and spoke on it.

Adjourn

The meeting adjourned at 7:14 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary, Lansing City Council

Approved by the Committee



CITY OF LANSING

INTERNAL AUDITOR

124 W MICHIGAN AVE FL 10

LANSING MI 48933-1605

(517) 483-4159

Date: September 12, 2023
To: Lansing City Council
From: Emily Linden, Internal Auditor
Subject: Budget Policy Reports Received from the Administration on 9/1/2023

Overview

The budget policies passed on Monday, May 15th, 2023 included the following sections:

- Forestry is requested to initiate a stump removal study that would determine the number of employees and amount of equipment, and then base the recommendation on how many stumps can be removed per year. The results of the study will be presented to City Council no later than 9/1/2023.
- The Administration is requested to determine the cost to run (per day) community centers as warming and cooling centers for a total of approximately 60 in a year, 24 hours/day, which would include utilities, staff and security and report back to Council no later than 9/1/2023.
- The Administration is requested to work with Community Mental Health to determine the feasibility of contracting with them for a Social Worker Housing Outreach Specialist to work with the homeless and report back on the status of the contract by 9/1/2023.

The Administration sent Council Members the reports attached to this document on 9/1/2023.

Outstanding Questions:

The following questions were sent to the Administration on 9/6/2023. Answers from Mark Lawrence are in red below.

Forestry:

- What is the recommendation going forward for stump removal? Is the plan to hire the outside contractor to remove 1,000 stumps for \$100,000?
 - The Administration is having discussions with our departments and labor partners to see the best way to do this to get the most stumps removed for the dollars we could allocate. The Mayor has not yet decided if this is an item we'll include in our budget proposal next spring. My understanding is that Union leadership has also spoken to Council leadership regarding resources available for stump grinding, and these conversations are ongoing.

Warming and Cooling Centers:

- What are the current operating hours of Letts Community Center?
 - Council's interpretation of the given report is that the \$250,000 estimate is only for operating the facility between the hours of 7pm and 7am.
 - Per the City website, daily 8.30-4 plus whatever programming is happening on a given day/season.
- The budget policies ask for the cost of running a 24 hour a day center for 60 days. If the \$2,400 per day amount noted in the memo is used that would be \$144,000. Are these numbers accurate for 60 days?
 - This is the annual cost for a 24/7 shelter. It would be extremely difficult to determine an accurate cost for just 60 days. Uncertainties around if the 60 days are consecutive or are based on weather needs (few days here and there, based on high heat or extreme cold)? If they were nonconsecutive, costs would likely be higher due to lack of predictability and availability in staffing, including security. \$2400/day for any 60-day period in a year is an accurate estimate. HRCS continues to work on a proposal for the \$800,000 allocation from the state and the \$130,000 that was moved from the Mayor's office budget.

Social Worker Housing Outreach Specialist:

- Please elaborate on the lack of capacity stated here.
 - This was the answer I received from CMH, so I'm unable to elaborate further. Council is certainly welcome to inquire with CMH.
- Will this be revisited in the future if/when capacity increases?
 - We would be open to that.

Andy Schor
Mayor



City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

Andy Schor, Mayor

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

MEMORANDUM

Date: September 1, 2023
To: Lansing City Council
From: Mayor Andy Schor
Subject: 2023 Report on Stump Grinding

Per the Fiscal Year 2023-2024 Budget Ordinance, the Forestry Division has completed a study of the costs of a stump removal initiative to be conducted by City of Lansing employees.

There are approximately 7,000 stumps in the public right of way. The cost to stand up a 5-person crew of non-CDL seasonal employees who focused exclusively on stump grinding, including full restoration of the grinding site breaks down as follows:

Equipment (One-Time Cost):

1 Stump Grinder 100 HP	\$90,000 - \$100,000
1 Trailer for Stump Grinder	\$6,000 - \$8,000
1 Tractor Loader	\$140,000
2 Non-CDL Dump trucks	\$125,000 each
Top Soil, Straw and Grass Seed	\$15,000

Staffing (Annual):

1 FT Forestry Worker 600 w/Benefits	\$119,000
4 Seasonal Workers @ \$35,000	\$140,000
1 Seasonal Contract Forestry Inspector w/o Benefits	\$25,000

Grand Total **\$797,000**

It is estimated that crews could grind and restore approximately 700 sites in a season. Additionally, due to the nature of the work, it is likely that these would be high turnover positions meaning that seasonal employees would have to be trained annually on the safe and efficient operation of the equipment.

After some additional research, a local stump grinding contractor could remove approximately 1,000 stumps in the same period in which our seasonal employees work (approx. April-October) for approximately \$100,000.

Andy Schor
Mayor



City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

Andy Schor, Mayor

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

MEMORANDUM

Date: September 1, 2023

To: Lansing City Council

From: Mayor Andy Schor

Subject: 2023 Report on Cost of Warming & Cooling Centers

Per the request from Council in the Fiscal Year 2023-2024 Budget Ordinance, the Administration provides the following information regarding the per diem cost of operating City of Lansing community centers as warming/cooling centers 60 days out of the year.

Two studies were completed; one that examined the cost of standing up a 24/7 emergency shelter & day center at a location to be determined, the other would be located at the Letts Community Center and would open in the evenings during the coldest 6 months of the year (November through April) for 12 hours a day.

The 24/7 facility would cost approximately \$870,000/year. This is approximately \$2,400 per day and does not include the cost of a facility and any needed renovations.

The overnight warming center located at Letts Community Center would cost approximately \$250,000 to operate for 182 days/year, 12 hours/day. It is expected that this facility would operate November through April from 7pm-7am. This equates to approximately \$1,400 per day. This does not include an upgrade to the building's fire suppression system which, at the current time is not adequate for a facility that is occupied overnight. A system that meets the necessary fire code would add about \$100,000 in cost but would add significant value to the building and would allow it to be utilized in the event of future emergencies.

The administration continues to look at all options to shelter and house our most vulnerable, including the \$130,000 that was appropriate for warming/cooling center activity and especially in light of the \$800,000 appropriation awarded to the City by the state of Michigan that we first reported to this body back in March.

Andy Schor
Mayor



City Hall - 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933-1694
PH: 517.483.4141 – FAX: 517.483.6066
Lansing.Mayor@lansingmi.gov

Andy Schor, Mayor

OFFICE OF THE MAYOR
CITY OF LANSING, MICHIGAN

MEMORANDUM

Date: September 1, 2023

To: Lansing City Council

From: Mayor Andy Schor

Subject: 2023 Report on CMH Social Worker Housing Outreach Specialist

Per the Fiscal Year 2023-2024 Budget Ordinance, the Administration hereby submits its report regarding the feasibility of partnering with the Community Mental Health Authority of Clinton, Eaton and Ingham (CMHACEI) counties.

After inquiring with CMHACEI, although other partnerships exist, this partnership does not appear feasible at this time due to lack of capacity and funding to the tune of approximately \$80,000 - \$100,000 for the position.

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan, to amend Chapter 240 of the Lansing Codified Ordinances, Section 240.02, Section 240.03, and Section 240.04 in order to clarify the role of the HRCS Advisory Board to make it consistent with the City of Lansing Charter, including 5-106.

The City of Lansing Ordains:

Section 1. That Chapter 240, Sections 240.02, 240.03, and 240.04 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

Chapter 240.- Department of Human Relations and Community Services

240.02. – Definitions

As used in this chapter:

"Basic Human Services," means programs by the City or agencies that serve City of Lansing residents; meet basic human needs of residents in the City; address housing and tenant services; address the root causes of racism in Lansing and/or promote racial equity; provide life skills development, employability, development, physical health, or mental health services for City of Lansing residents.

"City-Supported Agencies," means organizations that receive separate City Council funding; such funding may be allocated by the City Appropriations Ordinance.

"Cultural Arts Programs," means organizations that facilitate community access to theater, music, museum, art and related activities.

"HRCS," means the Department of Human Relations and Community Services.

"HRCS Director," means the Director of the Department of Human Relations and Community Services or the Director's designated staff personnel.

"HRCS Advisory Board," means the Human Relations and Community Services Advisory Board.

240.03. - Funding.

(a) The City of Lansing General Fund Budget shall include, at a minimum for each fiscal year period, an appropriation equal to 1.35 percent of general fund revenue as adopted in the annual budget for the purpose of funding Basic Human Services.

(b) The evaluation and examination of the elements of Basic Human Services is reserved to HRCS. The HRCS Advisory Board may make recommendations in connection with the evaluation and awarding of grants.

~~(b)~~ (c) At least one-tenth of the general fund dollars 1.35 percent, the difference in funds allocated at 1.25 percent of general fund dollars and funds allocated at 1.35 percent of general fund dollars described in Section 240.03(a), shall be reserved for local agencies or activities that address the root causes of racism and/or promote racial equity.

~~(e)~~ (d) Funds described in Section 240.03(a) shall be appropriated as part of the annual budget process. The Mayor, as part of the budget recommendation, may designate the HRCS Director to allocate dollars to other City departments for Basic Human Services as approved by Council.

~~(d)~~ (e) All funding provided to the HRCS Department for grants shall utilize an open application process in accordance with the Lansing Code of Ordinances for purchasing and competitive bid process (Chapter 206), including the sole source requirements, and other relevant Lansing ordinances.

Funding shall also satisfy the following requirements:

(1) Be awarded on a competitive basis to sustainable and viable agencies through grant contracts with the City. Should the City be mandated or elect to account for revenue which is

1 credited to the general fund in a separate enterprise or special revenue fund, the amount of
2 revenue transferred to such fund from the general fund shall continue to be included in the base
3 utilized for calculation of the 1.35 percent to be appropriated for the funding of Basic Human
4 Services.

5 (2) The application for a grant shall include at a minimum the amount of funds requested,
6 the history of grants to the applicant, the metrics of previous awards, including successes and
7 failures of contractual objectives, a statement of compliance with federal, state, and local
8 regulations, laws, and ordinances, specifically attesting that the applicant is familiar with, and
9 will abide by, the Lansing Human Rights Ordinance pursuant to Chapter 297, and the filing of a
10 verification of non-conflict of interest form pursuant to Chapter 240.04(a)(7).

11 (3) All applications shall be evaluated and ranked by the HRCS Advisory Board with a
12 minimum acceptable level first being established. The City's internal auditor shall participate as
13 an advisor during the evaluation and ranking process. All individuals participating in the
14 evaluation and ranking process including HRCS board members and the internal auditor shall
15 file the City of Lansing statement of financial interest and personal interest with the City Clerk
16 prior to consideration, ranking, and evaluation of applications.

17 (4) HRCS Advisory Board ranking recommendations and supplemental staff evaluations
18 and recommendations shall be provided to the Mayor for review. The Mayor will make final
19 recommendations to City Council for approval.

20 (5) Only after compliance with the procedure contained in Section 240.04, the HRCS
21 Department shall enter into contractual agreements with community-based, non-profit, charitable
22 organizations or other City departments that provide Basic Human Services.

(6) These funds will be used to provide a locally funded revenue base that supports Basic Human Services. These funds may be used for the direct provision of Basic Human Services by local community-based, non-profit, charitable organizations or City departments and/or they may be used as match or leverage by these agencies to secure additional funds from federal, state and/or private sources to support human service delivery initiatives. All of the foregoing shall be accomplished through a competitive bid process pursuant to the Lansing Code of Ordinances.

~~(e)~~ (f) The 1.35 percent of the general fund revenue appropriated for Basic Human Services shall be exclusive of any direct funding of community supported agencies by City Council through a competitive bid process pursuant to the Lansing Code of Ordinances. The 1.35 percent of the general fund revenue appropriated for Basic Human Services shall also be exclusive of any funding appropriated for the purpose of supporting Cultural Arts Programs.

240.04. - Administration. Funding through ~~the HRCS Department~~, pursuant to Section 240.03~~(e)~~ (d), shall be issued to agencies after contracts are created and approved to address Basic Human Services needs as identified by ~~the HRCS Advisory Board and Department~~, and after review and approval of the grant contract by the Mayor, the Finance Director, and the City Attorney, and after a verification of non-conflict of interest form required by this chapter and attestation by the agency that its members are familiar with the Lansing Human Rights Ordinance (Chapter 297) and expressly agree to comply with its provisions have been filed with ~~the HRCS Department~~.

The evaluation and examination of the elements of Basic Human Services is reserved to HRCS. The HRCS Advisory Board may make recommendations in connection with the evaluation and awarding of grants.

The following process shall be followed in awarding grants under this chapter:

(1) The availability of applications and grants shall be listed on the City of Lansing website and in other printed material available to the general public.

(2) A public informational meeting for interested grant applicants and the general public shall be held before the deadline for applications for grants.

(3) After the application deadline has passed, all applications for grants and applicant success metrics shall be provided to the HRCS Advisory Board members together with the verification of non-conflict of interest form required by Section 240.04(7) and an attestation of familiarity and compliance with Lansing's Human Rights Ordinance Chapter 297 prior to a meeting of the Board to discuss and score applications.

(4) The HRCS Director shall provide a recommendation to the Mayor regarding the distribution of funding based upon HRCS Advisory Board scoring **recommendations**, applicant metrics, history, and the ability of the applicant to provide services that meet the goals of the City.

(5) The Mayor will include final recommendations in the budget presented to City Council.

(6) The HRCS Director shall provide approval letters to successful agency applicants after the City budget is approved by City Council.

(7) Prior to funding each agency, its principal officers and directors, if any, shall file a verification of non-conflict of interest form prepared by the City Attorney **provided to them by HRCS**, regarding any actual or potential conflict of interest pertaining to the subject funding

1 approval and any ensuing contract and affirm agency familiarity and compliance with the
2 Lansing Human Rights Ordinance pursuant to Chapter 297.

3 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
4 inconsistent with the provisions hereof are hereby repealed.

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

8 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
9 immediate effect by City Council and shall expire December 31, 2032.

10

11

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan, to amend Chapter 273 of the Lansing Codified Ordinances, Section 273.01 and Section 273.04 in order to clarify the role of the HRCS Advisory Board to make it consistent with the City of Lansing Charter, including 5-106.

The City of Lansing Ordains:

Section 1. That Chapter 273, Sections 273.01 and 273.04 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

Chapter 273.- Human Relations and Community Services Advisory Board

273.01. Statement of Purpose.

To provide a citizen board called the Human Relations and Community Services Advisory Board to foster mutual understand and respect among all groups in the city and promote essential human services to meet citizens' needs within the community; advise and recommend methods for furnishing equal services to all residents of the City; study and examine problems arising between groups in the City; ~~formulate and carry out~~ **evaluate and recommend** programs of community education and information; ~~examine reports of discrimination or prejudice~~; cooperate with other public governmental or private agencies in ~~developing~~ **evaluating and recommending** instructions for private and public schools showing the value of diversity; cooperate with federal, state and City agencies and departments which request advice in carrying out projects within their respective authorities; ~~conciliate alleged discriminatory practices relating to City Government~~; monitor contracting agencies doing business with the City to assure adherence to applicable laws; serve in an advisory capacity to the Mayor and City Council on

issues relating to community services, human relations and budget recommendations, and
prepare and submit reports to the Mayor and City Council of its activities.

273.04. Powers and general duties.

The Board shall:

(a) Foster mutual understanding and respect among all groups in the City and promote essential human services to meet citizens' needs within the community. It shall discourage discriminatory practices among any such groups or any members thereof. It shall cooperate with City, state and federal agencies, as well as with nongovernmental organizations. It shall examine and make such studies in any field of human relations as will, in the judgment of the board, aid in effectuating its general purpose;

(b) Advise the Mayor and City Council of human service needs within the community that impact the quality of life in Lansing;

(c) Advise the Mayor and City Council on the effectiveness of programs funded to provide human services within the community;

(d) Serve as a resource to assist in collaborative efforts between the human services field and other key sectors in the community;

(e) Advise and recommend methods for furnishing equal service to all residents of the City. It shall advise on the enforcement of Article I, Chapter 3, Section 1-302 of the City Charter. It shall ~~develop~~ **review and evaluate** pamphlets ~~for to be provided to~~ City employees ~~to study~~, which pamphlets shall prescribe methods of dealing with intergroup relations which develop respect for equal rights and which result in equal treatment under law to all residents. It shall ~~give counsel~~

~~and~~ advise on how to protect the rights of all persons to enjoy public accommodations and facilities, and to receive equal treatment from all holders of contracts or privileges from the City, and advise on the best method of maintaining equality of opportunity for employment and advancement in the City Government;

(f) Study and examine problems arising between groups in the City, which problems may result in tensions, discrimination or prejudices;

~~(g) Formulate and carry out~~ **Evaluate and recommend** programs of community education and information, with the object of discouraging and eliminating any such tensions, prejudice or discrimination;

~~(h) Examine and, if it deems it advisable, make public, reports on any complaints of discrimination, tensions or prejudice filed with or referred to it;~~

~~(hi) Further issue such~~ **evaluate and recommend** publications and reports of examinations and research as will, in its judgment, tend to minimize or eliminate prejudice, intolerance, race or neighborhood tensions and discrimination, and which will promote or tend to promote good will;

~~(ij) Secure~~ **Evaluate and recommend** the cooperation of various racial, religious, nationality and ethnic groups, formal or informal groupings in the community, veterans' organizations, and fraternal, benevolent and service groups, in educational campaigns devoted to the need for eliminating group prejudice, racial or neighborhood tensions, intolerance and discrimination;

~~(jk) Cooperate with other public governmental or private agencies in developing~~ **evaluating and recommending** courses of instruction for presentation in public and/or private schools, in public libraries or any other suitable place, showing and illustrating the contributions of various religions, nationalities, ethnic and other groups to the culture, tradition and progress of the City,

1 state and nation, and further showing the deplorable effects and menace of prejudice, intolerance,
2 discrimination and racial and neighborhood tensions;

3 ~~(kl)~~ Cooperate with federal, state and City agencies and departments which request advice in
4 carrying out projects within their respective authorities to eliminate intergroup tensions and to
5 promote intergroup harmony. It shall recommend to the Mayor and to City Council measures,
6 including legislation, aimed at improving the ability of the various City departments and
7 agencies to ensure protection of all persons and groups from discrimination. It shall **provide**
8 **recommendations on** ~~advise any official or competent authority on~~ matters involving civil rights
9 or the violation thereof, or the occurrence of tensions, prejudice, or discrimination that may come
10 to its attention; and

11 ~~(lm)~~ Prepare and submit reports to the Mayor and City Council of its **activities** ~~activeness~~. At
12 least one report shall be made annually.

13 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
14 inconsistent with the provisions hereof are hereby repealed.

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

18 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
19 immediate effect by City Council and shall expire December 31, 2032.

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 273, Section 273.06 of the Lansing Codified Ordinances in order to clarify the role of the HRCS Advisory Board to make it consistent with the City of Lansing Charter, including 5-106.

The City of Lansing Ordains:

Section 1. That Chapter 273, Section 273.06 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby repealed in its entirety and shall be null and void and of no effect.

Section 2. All ordinances, 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 repeal shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

ORDINANCE NO. _____

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 273, Section 273.08 of the Lansing Codified Ordinances in order to clarify the role of the HRCS Advisory Board to make it consistent with the City of Lansing Charter, including 5-106.

The City of Lansing Ordains:

Section 1. That Chapter 273, Section 273.08 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby repealed in its entirety and shall be null and void and of no effect.

Section 2. All ordinances, 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 repeal shall take effect on the 30th day after enactment, unless given immediate effect by City Council.