



**Official Proceedings of the City Council
City of Lansing
October 10, 2022**

Tony Benavides Lansing City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Hussain

PRESENT: Council Members Brown, Daniels, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

ABSENT: None

A quorum was present.

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

Approval of Printed Council Proceedings

By Vice President Wood

To approve the printed Council Proceedings of September 26, 2022

Motion Carried

Comments by Council Members and the City Clerk

City Clerk Swope spoke about the upcoming election, the issuing of absentee ballots, and the Fall Jamboree at Woodcreek Park.

Community Event Announcements

Loretta Stanaway spoke about the annual 5k at Mt Hope Cemetery.

Don Dean spoke about the Friends of Bancroft Park meeting.

Erica Lynn spoke about the Sugar Skull Decorating Workshop at The Village of Lansing, and the annual Trunk or Treat event.

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

Chief of Staff Jane Bais DiSessa spoke about the response to the Hispanic Heritage Event.

Public Comment on Legislative Matters

Public Comment on Legislative Matters:

Norma Bauer spoke about various legislative matters.

Kyle Richard spoke against the PILOT ordinances.

Don Dean spoke about Council Rule 47.

Loretta Stanaway spoke against the PILOT ordinances.

Legislative Matters

Consent Agenda

Consent Agenda

By Vice President Wood

To approve items on the Consent Agenda.

Council Member Jackson asked that item 4 be removed from the Consent Agenda.

The question being adoption of the remainder of the Consent Agenda.

Motion Carried with Council Member Spitzley voting nay

Resolution #2022-247

By Council Members Brown, Daniels, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood
Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing Branch of the National Association for the Advancement of Colored People (NAACP) is celebrating its 56th Annual Freedom Fund Celebration; Venture Out To Equity: When we vote we win!"; and

WHEREAS, in 1919, the Lansing branch of the NAACP was chartered under the leadership of Mr. C. A. Campbell who fought diligently to enforce civil rights laws for the community, and for over 100 years, the NAACP has led the movement on social rights and equality; and

WHEREAS, The *National Association for the Advancement of Colored People* (NAACP) works at the local, state, and national levels to ensure political, educational, social, and economic equality of all citizens and to eliminate and remove all barriers of racial discrimination; and

WHEREAS, the 2022 Keynote speaker is Hill Harper, an American Actor and Author, Special Guest speaker Tybre Faw, a 14 year old passionate civil rights activist, and remarks by National NAACP President Derrick Johnson, an American Lawyer and Humanitarian; and

WHEREAS, the NAACP 56th Annual Freedom Fund Celebration and Virtual Event offers an opportunity for the community to come together in support of the NAACP Lansing Branch and share in the celebration! The effort put forth through the Lansing Branch has made vast strides in integrating the Lansing community.

BE IT RESOLVED, the Lansing City Council, hereby, acknowledges the Lansing Branch of the National Association for the Advancement of Colored People on its 56th Annual Freedom Fund Celebration on October 22, 2022 and expresses our admiration and gratitude to its members for their achievements and commitment to the City of Lansing and its residents. We applaud the NAACP Lansing Branch for many years of success and diligence in the fight for equality and anticipate many more to come.

Adopted as part of the Consent Agenda

Resolution #2022-248

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, Lansing Police Department has submitted application for an annual grant to the Michigan State Police, Grants and Community Services Division for an Automobile Theft Prevention Authority (ATPA) grant; and

WHEREAS, the Lansing Police Department was informed on September 9, 2022, that it has been selected to receive grant funding in the amount of \$176,393; and

WHEREAS, the Lansing Police Department has a required local match of \$88,196 (50% of the grant); and

WHEREAS, the Michigan State Police's share is \$88,197 (50%); and

WHEREAS, the grant funds will be utilized solely for the benefit of motor vehicle theft prevention programs and initiatives; and

WHEREAS, the grant period is October 1, 2022 to September 30, 2023.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Automobile Theft Prevention Authority grant in the amount of \$176,393 for the program period October 1, 2022 through September 30, 2023; and

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

Adopted as part of the Consent Agenda

Resolution #2022-249

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

Resolution To Set Public Hearing To Adopt Substantial Amendment to
FY 2021 Annual Action Plan to include
HOME-ARP Allocation Plan

Resolved by the City Council of the City of Lansing that a public hearing be set for November 14, 2022, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed HOME-ARP Allocation Plan submission to HUD for FY 2021.

Adopted as part of the Consent Agenda

Resolution #2022-250

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, pursuant to Rule 41 of the Lansing City Council Rules, a proposed rule revision shall be placed on the Council Agenda for Council receipt and review, but "shall not be considered for adoption sooner than the next council meeting;"

THEREFORE BE IT RESOLVED, that the City Council hereby amends the City Council Rules to add a Rule 47 as fully set forth below

LANSING CITY COUNCIL RULES

Rule 47. Verification of Qualifications for Elective Office. Upon first taking office and annually not later than May 1 each year, each member of City Council must submit an affidavit to the City Clerk that the provisions of Lansing City Charter 2-102 continue to be met. In addition, the affidavit must also include a statement that each member of Council has no circumstance which would render that member ineligible for elective office pursuant to Lansing City Charter 2-103. The City Clerk shall notify Council leadership (Council President and Vice President) if any member of City Council fails to submit the required affidavit by the deadline, or if a member of Council is ineligible for office pursuant to Lansing City Charter provision 2-103.

Adopted as part of the Consent Agenda

Resolutions

Resolution #2022-251

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, on July 26, 2022, the Bureau of Justice Assistance (BJA) informed the Lansing Police Department (LPD) that the LPD had received a Byrne JAG grant in the amount of \$1,342,000; and

WHEREAS, the BJA Byrne JAG award of \$1,342,000 requires no local match; and

WHEREAS, on May 28, 2022, the LPD submitted a 100% Federally funded application to the BJA and Office of Justice Programs (OJP) in order to claim the grant award amount; and

WHEREAS, the grant period is June 1, 2022 through May 31, 2025; and

WHEREAS, the LPD will utilize the JAG grant to create the Lansing Crisis Assessment Team (LCAT)

WHEREAS, the LCAT will incorporate mental health and social welfare response from social workers and police in a rapid deployment model to assess needs and services: and

WHEREAS, the funding will be used to hire one(1) contract social worker to supplement existing staff (\$301,354), three(3) additional police officers (\$821,442), training in de-escalation, trauma and crisis intervention (\$17,340), three (3) passenger vehicles (\$180,024), computers (\$12,240) and a data system software (\$9,600) during the grant period.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Discretionary 2022 Justice Assistance Grant (JAG) in the total amount of \$1,342,000 (requiring no local match) for the grant period beginning June 1, 2022 and ending May 31, 2025.

BE IT FINALLY RESOLVED, the administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Spadafore

Motion Carried

Resolutions

Resolution #2022-252

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Jennifer Hinze as a Business Owner member of the Downtown Lansing Inc. Board for a term to expire June 30, 2025; and

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

WHEREAS, the Committee on Development and Planning met on September 28, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jennifer Hinze as a Business Owner member of the Downtown Lansing Inc. Board for a term to expire June 30, 2025.

By Council Member Garza

Motion Carried

Resolution #2022-253

By the Committee on Diversity Equity and Inclusion
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Randy Watkins as the 4th Ward member of the Diversity, Equity, & Inclusion Advisory Board for a term to expire June 30, 2024; and

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

WHEREAS, the Committee on Equity Diversity and Inclusion met on September 28, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Randy Watkins as a 4th Ward member of the Diversity, Equity, & Inclusion Advisory Board for a term to expire June 30, 2024.

By Council Member Jackson

Motion Carried

City Clerk Chris Swope swore Randy Watkins as the 4th Ward member of the Diversity, Equity, & Inclusion Advisory Board

Resolution #2022-254

By the Committee on Diversity Equity and Inclusion
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Kendall O'Connor as the 1st Ward member of the Diversity, Equity, & Inclusion Advisory Board for a term to expire June 30, 2025; and

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

WHEREAS, the Committee on Equity Diversity and Inclusion met on September 28, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kendall O'Connor as the 1st Ward member of the Diversity, Equity, & Inclusion Advisory Board for a term to expire June 30, 2025.

By Council Member Jackson

Motion Carried

Resolution #2022-255

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 2026 W. JOLLY RD. Parcel # 33-01-01-32-352-221, legally described as: LOT 132 PLEASANT GROVE SUB, to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on September 14, 2021 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on June 23, 2022, 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 Property Maintenance Code (Ord. 1460.01, et seq.), and ordered the property owner to make safe or demolish the structure by August 23, 2022; and

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

WHEREAS, the Housing Law of Michigan and the Lansing Codified Ordinances require that a hearing be conducted to give the property owner an

opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that a show cause hearing for Monday, October 24, 2022, at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 2026 W. Jolly Road., as legally described above, to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Compliance Officer notify the owner(s) of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Council Member Wood

Motion Carried

Resolution #2022-256

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Code Compliance Officer has determined that the building located at 3422 LOWCROFT AVE., Parcel # 33-01-01-33-101-323 legally described as LOTS 101, 102 & 103; FOSTER'S HOLMES ROAD SUB., City of Lansing, is an unsafe or dangerous building as defined in Section 108.1 of the International Property Maintenance Code as adopted by Lansing Codified Ordinance 1460.01, and the Housing Law of Michigan, and the building was red tagged on May 23, 2019; and

WHEREAS, a hearing was held by the Lansing Demolition Board on June 23, 2022, at which the Hearing Officer determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by July 23, 2022; and

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

WHEREAS, the Housing Law of Michigan and Lansing Codified Ordinances 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 public show cause hearing on September 26, 2022, to review the findings and the order of the Hearing Officers, 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 Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred.

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 3422 Lowcroft Avenue, as legally described above, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 30 days from the date of this resolution, October 10, 2022.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Code Compliance Officer 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 if the demolition is accomplished by the City, 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 owner's 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 Wood

Motion Carried

Resolution #2022-257

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, as part of the deployment of multi-space parking pay stations throughout the City and long standing issues with a lack of parity in parking in Lansing's Old Town, a parking study was performed by the Parking Services Office of the Planning and Neighborhood Development Department in this area of the City; and

WHEREAS, this study and related findings are detailed in Engineering Report #21-09; and

WHEREAS, based on the results of the study, the Parking Services Office recommends parking changes along the following streets: Clinton Street, 1200 block of Turner Street, 100, 200, 300 and 400 blocks of East Cesar E. Chavez Avenue, 1000, 1100 and 1200 blocks of North Washington Avenue, 100 block of West Maple Street and 100 block of East Maple Street; and

WHEREAS, the minutes containing the Public Service Board's recommendation on this matter are on file with the City Clerk's office; and

WHEREAS, the Mayor concurs with the recommendation of the Public Service Board; and

WHEREAS, the Committee on City Operations met on September 20, 2022, and October 4, 2022, and reviewed the report and concurs with the recommendation of the Public Service Board.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order Nos. 21-07, 21-08, 21-09, 21-10, 21-11, 21-12, 21-13, 21-14, 22-03 and 22-04 thereby authorizing the Transportation Engineer to regulate parking along Clinton Street, 1200 block of Turner Street, 100, 200, 300 and 400 blocks of East Cesar E. Chavez Avenue, 1000, 1100 and 1200 blocks of North Washington Avenue, 100 block of West Maple Street and 100 block of East Maple Street;

BE IT FINALLY RESOLVED that Traffic Control Order Nos. 21-07, 21-08, 21-09, 21-10, 21-11, 21-12, 21-13, 21-14, 22-03 and 22-04 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Council Member Daniels

Motion Carried

Ordinances for Introduction

Introduction of Ordinance

The Committee of the Whole introduced:

An Ordinance to amend Chapter 1300 of the City of Lansing codified ordinances, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the Ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

The Ordinance is referred to the Committee of the Whole

Resolution #2022-258

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 14, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving or opposing:

An Ordinance to amend Chapter 1300 of the City of Lansing codified ordinances, Sections 1300.02, 1300.04, 1300.09, and 1300.11 to update the Ordinance to reflect changes in laws and rules by the Cannabis Regulatory Agency, formerly known as the Marijuana Regulatory Agency, and adding Section 1300.17 to codify the process for temporary marihuana events.

By Vice President Wood

Motion Carried

Introduction of Ordinance

The Committee on City Operations introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 822, Sections 822.01 through 822.05, 822.11, 822.18, and 822.19, and repealing Chapter 822, Sections 822.16, 822.17, and 822.20, to eliminate City licensing requirements for massage therapists.

This Ordinance is read a first time by its title and referred to the Committee on City Operations.

Resolution #2022-259

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 24, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 822, Sections 822.01 through 822.05, 822.11, 822.18, and 822.19, and repealing Chapter 822, Sections 822.16, 822.17, and 822.20, to eliminate City licensing requirements for massage therapists.

By Council Member Daniels

Motion Carried

Introduction of Ordinance

The Committee on City Operations introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 872, Section 872.01, and repealing Chapter 872, Sections 872.10 through 872.23, to eliminate City licensing, regulating, and operating requirements for wreckers.

This Ordinance is read a first time by its title and referred to the Committee on City Operations.

Resolution #2022-260

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 24, 2022, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 872, Section 872.01, and repealing Chapter 872, Sections 872.10 through 872.23, to eliminate City licensing, regulating, and operating requirements for wreckers.

By Council Member Daniels

Motion Carried

Ordinances for Passage

Passage of Ordinance

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888. _____ for the purposes of providing for a service charge in lieu of taxes for sixty-six (66) low-income multi-family dwelling units in a project known as Stadium North Lofts, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966 as amended [MCL 125.1401, et seq.]) (The "Act").

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

Yeas: Council Members Brown, Daniels, Jackson, Spadafore, Spitzley

Nays: Council Members Hussain, Garza, Wood

Motion Carried

Ordinance #1305

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888. _____ for the purposes of providing for a service charge in lieu of taxes for sixty-six (66) low-income multi-family dwelling units in a project known as Stadium North Lofts, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966 as amended [MCL 125.1401, et seq.]) (The "Act").

The City of Lansing ordains:

Section 1. That Chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new Section _____ to read as follows:

Stadium North Lofts

- (a) **Purpose.** It is acknowledged that it is a proper public purpose of the state and its political subdivisions to provide housing for its residents of low and moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966, being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]. The City is authorized by such Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under such Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low and moderate income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose.

(b) *Definitions.*

- (1) "*Act*" means the State Housing Development Authority Act, being Public Act 346 of 1966, as amended.
- (2) "*Annual shelter rents*" means the total collections during an agreed annual period from all persons of low or moderate income, occupying the housing development representing rents for occupancy, which rental amounts shall be exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.
- (3) "*Authority*" means the Michigan State Housing Development Authority.
- (4) "*Housing development*" or "*Development*" means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the authority may determine will improve the quality of the development as it relates to housing for persons of low and moderate income. For the purpose of this section, the name of this development is Stadium North Lofts, and consist of sixty-six (66) units of rental housing located within the City of Lansing at:

Parcel 1

Land in the City of Lansing, Ingham County, Michigan, described as follows:

Lot 34 of Assessor's Plat No. 33 of the East ½ of Lot 3 and Lots 4 through 8 inclusive of Block 247, City of Lansing; also Lots 14, 15, 16 and 17 of Scofield's Subdivision; thence South 4.5 feet along extension of East line of Lot 17 to North line of Lot 34 of Assessor's Plat No. 33; thence West along North line of said Lot 34 a distance of 214.5 feet to the point of beginning.

ALSO: Commencing at Southwest corner of Lot 11; thence East 132 feet; thence North 100 feet; thence West 14.5 feet; thence South 30.5 feet; thence West 22.5 feet; thence South 19.5 feet; thence East 4 feet; thence South 27 feet; thence West 21 feet; thence South 13 feet; thence West 78 feet; thence South 10 feet to beginning, being part of Lots 10 and 11 of Scofield's subdivision of Lot 2 and part of Lot 3, Block 247, City of Lansing;

ALSO: Lots 1, 2, 4, 5, 6, 33 and Lot 3 except the North 33 feet of the east 40 feet thereof Assessors Plat No. 33 of East ½ of Lot 3 and Lots 4 through 8 inclusive of Block 247, City of Lansing; also Lots 12 and South 57 feet of Lot 13 and commencing at the Northwest corner of Lot 11; thence East 99 feet; thence South 27 feet; thence West 21 feet; thence South 13 feet; thence West 78 feet; thence North 40 feet to beginning of Scofield's Subdivision of Lot 2 and part of Lot 3, Block 247, City of Lansing; Together with and in addition of those lands as described above, all lands lying between the South line of Lot 12 and the South line of Lot 13 of Scofield's Subdivision (a subdivision of Lot 2 and part of Lot 3, Block 247, Original Plat, City of Lansing) and the North line of Lot 1, Assessor's Plat No. 33 (on the East ½ of Lot 3 and all of Lots 4 through 8 inclusive of Block 247, Original Plat, City of Lansing).

Parcel 2

Land in the City of Lansing, Ingham County, MI, described as follows:

The North 93 feet of Lot 13, Scofield's Subdivision of Lot 2 and part of Lot 3 of Block 247, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber1 of Plats, Page 34, Ingham County Records.

- (5) "*HUD*" means The Department of Housing and Urban Development of the United States government.
 - (6) "*Low Income Housing Tax Credit Program*" means the program established by section 42 of the United States internal revenue code.
 - (7) "*Low or moderate income*" means low- or moderate-income eligibility under the authority act or rules.
 - (8) "*Mortgage loan*" means a loan that is federally aided (as defined in section 11 of the Act) or a loan or grant made or to be made by the authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project and secured by a mortgage on the housing project.
 - (9) "*Sponsor*" means a person or other entity with a housing development which is financed or assisted pursuant to the act. For purposes of this section, the Sponsor of Stadium North Lofts is MVAH Development LLC, or its successors or assigns.
 - (10) "*Utilities*" means fuel, water, sanitary sewer and/or electrical service, which is paid for by the housing development.
- (c) *Establishment of annual service charge.*
- (1) The City acknowledges that the Sponsor and the authority have established the economic feasibility of Stadium North Lofts in reliance upon the enactment and continuing effect of this section and upon the qualification of the sixty-six (66) units of housing in the housing development for exemption from all property taxes as established in this section,
 - (2) Subject to the conditions and requirements of this section and the act, the sixty-six (66) units in the housing development for persons of low and moderate income identified as Stadium North Lofts and the property on which they are constructed shall be exempt from all property taxes for not more than thirty-five (35) years, commencing with and including tax year 2024.
 - (3) In lieu of all said property taxes on the sixty-six (66) units in the housing development, the Sponsor shall pay, and the City will accept, an annual service charge for public services in the sum equal to seven percent (7%) of the annual shelter rents.
 - (4) The exemption provided under this section shall commence when the Sponsor complies with Section 15a(1) of 1966 PA 346, as amended, codified as MCL 125.1415a(1), which provides: the owner of a housing project eligible for the exemption shall file with the local assessing officer (the City Assessor) a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file or cause to be filed the certified notification of the exemption with the local Assessing Officer before November 1 of the year preceding the tax year in which the exemption is to begin.
 - (5) In addition to the certification required pursuant to Subsection (c)(4), the Sponsor shall provide for the housing development annually in writing to the City assessor for the preceding year in which the property tax exemption was in effect:
 - A. The annual audited accounting report for the payment in lieu of taxes; and

- B. A certified statement identifying all the units rented to persons of low or moderate income; and
 - C. If requested by the City, proof that the housing development units have not increased, decreased, or been altered in any form, unless the City has otherwise amended the provisions of this section.
- (d) *Limitation on the payment of the annual service charge.* Notwithstanding subsection (c), the service charge to be paid each year in lieu of taxes for the part of the housing development project that is tax exempt and occupied by other than low- or moderate-income persons shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.
- (e) *Payment of annual service charge.* The service charge in lieu of taxes, as established under this section, shall be payable in the same manner as general property taxes are payable to the City, except that the annual payment shall be made on or before July 1 of the year following the year upon which such charge is calculated. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 pa 206 as amended; MCL 211.1 et seq.)
- (f) *Contractual effect.* Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payment in lieu of taxes as previously described, is effectuated by the enactment of this section.
- (g) *Duration.* This section shall remain in effect and shall not terminate for thirty five (35) years, commencing with and including tax year 2024, provided that the Sponsor complies with the requirements of the act and this section, and further provided that the housing development continues to be rented to low or moderate income persons at rents determined under the low income housing tax credit program, as the same maybe further amended or superseded, or there is an authority-aided or federally-aided mortgage on the housing development as provided in the act, or the authority or HUD has an interest in the property; but in no event beyond December 31, 2058. If (a) the construction of the housing development project does not commence or the Sponsors fail to obtain a mortgage loan within two (2) years from the effective date of this ordinance, or (b) if transfer of title is not effectuated to Stadium North Lofts Limited Dividend Housing Association LLC within two (2) years from the effective date of this ordinance or (c) if the Sponsors change the scope or purpose of the sixty-six (66) units of housing within the housing development project without the consent of the City, by and through its representatives, and in accordance with the requirements of the Lansing City Charter, and the Sponsor or other responsible party does not cure the violation within ninety (90) days after written notice is given to the Sponsor, then this ordinance shall automatically expire, terminate and be of no further effect.

Section 2. All ordinances, resolutions or rules, ordinances, parts of ordinances, resolutions or rules inconsistent with the provisions hereof including the Payment In Lieu of Taxes Agreement dated January 29, 2021, are hereby repealed as they pertain to Stadium North Lofts at the time this exemption commences.

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 valid.

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

Passage of Ordinance

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 884.____ for the purposes of providing for a service charge in lieu of taxes for sixty-six (66) low-income elderly dwelling units in a project known as Stadium North Senior Lofts, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

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

Yeas: Council Members Brown, Daniels, Jackson, Spadafore, Spitzley

Nays: Council Members Hussain, Garza, Wood

Motion Carried

Ordinance #1306

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 884.____ for the purposes of providing for a service charge in lieu of taxes for sixty-six (66) low-income elderly dwelling units in a project known as Stadium North Senior Lofts, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

The City of Lansing ordains:

Section 1. That chapter 884 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section _____ to read as follows:

_____ **Stadium North Senior Lofts**

(a) *Purpose.* It is acknowledged that it is a proper public purpose of the state and its political subdivisions to provide housing for its elderly residents of low and moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966, being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]. The City is authorized by such Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under such Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for elderly persons of low and moderate income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose.

(b) *Definitions.*

- (1) "Act" means the State Housing Development Authority Act, being Public Act 346 of 1966, as amended.
- (2) "Annual shelter rents" means the total collections during an agreed annual period from all persons of low or moderate income, occupying the housing development representing rents for occupancy, which rental amounts shall be exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.
- (3) "Authority" means the Michigan State Housing Development Authority.
- (4) "Housing development" or "Development" means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the authority may determine will improve the quality of the development as it relates to housing for persons of low and moderate income. For the purpose of this section, the name of this development is Stadium North Senior Lofts, and consist of sixty-six (66) units of rental housing located within Lansing at:

Parcel 1

Land in the City of Lansing, Ingham County, Michigan, described as follows:

Lot 34 of Assessor's Plat No. 33 of the East ½ of Lot 3 and Lots 4 through 8 inclusive of Block 247, City of Lansing; also Lots 14, 15, 16 and 17 of Scofield's Subdivision; thence South 4.5 feet along extension of East line of Lot 17 to North line of Lot 34 of Assessor's Plat No. 33; thence West along North line of said Lot 34 a distance of 214.5 feet to the point of beginning.

ALSO: Commencing at Southwest corner of Lot 11; thence East 132 feet; thence North 100 feet; thence West 14.5 feet; thence South 30.5 feet; thence West 22.5 feet; thence South 19.5 feet; thence East 4 feet; thence South 27 feet; thence West 21 feet; thence South 13 feet; thence West 78 feet; thence South 10 feet to beginning, being part of Lots 10 and 11 of Scofield's subdivision of Lot 2 and part of Lot 3, Block 247, City of Lansing;

ALSO: Lots 1, 2, 4, 5, 6, 33 and Lot 3 except the North 33 feet of the east 40 feet thereof Assessor's Plat No. 33 of East ½ of Lot 3 and Lots 4 through 8 inclusive of Block 247, City of Lansing; also Lots 12 and South 57 feet of Lot 13 and commencing at the Northwest corner of Lot 11; thence East 99 feet; thence South 27 feet; thence West 21 feet; thence South 13 feet; thence West 78 feet; thence North 40 feet to beginning of Scofield's Subdivision of Lot 2 and part of Lot 3, Block 247, City of Lansing; Together with and in addition of those lands as described above, all lands lying between the South line of Lot 12 and the South line of Lot 13 of Scofield's Subdivision (a subdivision of Lot 2 and part of Lot 3, Block 247, Original Plat, City of Lansing) and the North line of Lot 1, Assessor's Plat No. 33 (on the East ½ of Lot 3 and all of Lots 4 through 8 inclusive of Block 247, Original Plat, City of Lansing).

Parcel 2

Land in the City of Lansing, Ingham County, MI, described as follows:

The North 93 feet of Lot 13, Scofield's Subdivision of Lot 2 and part of Lot 3 of Block 247, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 34, Ingham County Records.

- (5) "HUD" means The Department of Housing and Urban Development of the United States government.
 - (6) "Low-income housing tax credit program" means the program established by Section 42 of the United States internal revenue code.
 - (7) "Low or moderate income" means low- or moderate-income eligibility under the authority act or rules.
 - (8) "Mortgage loan" means a loan that is federally aided (as defined in Section 11 of the act) or a loan or grant made or to be made by the authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project and secured by a mortgage on the housing project.
 - (9) "Sponsor" means a person or other entity with a housing development which is financed or assisted pursuant to the act. For purposes of this section, the Sponsor of Stadium North Senior Lofts is MVAH Development LLC, or its successors or assigns.
 - (10) "Utilities" means fuel, water, sanitary sewer and/or electrical service, which is paid for by the housing development.
- (c) *Establishment of annual service charge.*
- (1) The City acknowledges that the Sponsor and the authority have established the economic feasibility of Stadium North Senior Lofts in reliance upon the enactment and continuing effect of this section and upon the qualification of the sixty-six (66) units of housing in the housing development for exemption from all property taxes as established in this section,
 - (2) Subject to the conditions and requirements of this section and the act, the sixty-six (66) units in the housing development for elderly persons of low and moderate income identified as Stadium North Lofts and the property on which they are constructed shall be exempt from all property taxes for not more than twenty (35) years, commencing with and including tax year 2024.
 - (3) In lieu of all said property taxes on the sixty-six (66) units in the housing development, the Sponsor shall pay, and the City will accept, an annual service charge for public services in the sum equal to seven percent (7%) of the annual shelter rents.
 - (4) The exemption provided under this section shall commence when the Sponsor complies with section 15a(1) of 1966 PA 346, as amended, codified as MCL 125.1415a(1), which provides: the owner of a housing project eligible for the exemption shall file with the

local assessing officer (the City Assessor) a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file or cause to be filed the certified notification of the exemption with the local Assessing Officer before November 1 of the year preceding the tax year in which the exemption is to begin.

- (5) In addition to the certification required pursuant to subsection (c)(4), the Sponsor shall provide for the housing development annually in writing to the City Assessor for the preceding year in which the property tax exemption was in effect:
- A. The annual audited accounting report for the Payment In Lieu Of Taxes; and
 - B. A certified statement identifying all the units rented to persons of low or moderate income; and
 - C. If requested by the City, proof that the housing development units have not increased, decreased, or been altered in any form, unless the City has otherwise amended the provisions of this section.
- (d) *Limitation on the payment of the annual service charge.* Notwithstanding Subsection (c), the service charge to be paid each year in lieu of taxes for the part of the housing development project that is tax exempt and occupied by other than low- or moderate-income elderly persons shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.
- (e) *Payment of annual service charge.* The service charge in lieu of taxes, as established under this section, shall be payable in the same manner as general property taxes are payable to the City, except that the annual payment shall be made on or before July 1 of the year following the year upon which such charge is calculated. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206 as amended; mcl 211.1 et seq.)
- (f) *Contractual effect.* Notwithstanding the provisions of Section 15(a)(5) of the act to the contrary, a contract between the City and the Sponsor with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payment in lieu of taxes as previously described, is effectuated by the enactment of this section.
- (g) *Duration.* This section shall remain in effect and shall not terminate for thirty five (35) years, commencing with and including tax year 2024, provided that the Sponsor complies with the requirements of the act and this section, and further provided that the housing development continues to be rented to low or moderate income elderly persons at rents determined under the low income housing tax credit program, as the same maybe further amended or superseded, or there is an authority-aided or federally-aided mortgage on the housing development as provided in the act, or the authority or HUD has an interest in the property; but in no event beyond December 31, 2058. If (a) the construction of the housing development project does not commence or the Sponsors fail to obtain a mortgage loan within two (2) years from the effective date of this ordinance, or (b) if transfer of title is not effectuated to Stadium North Senior Lofts Limited Dividend Housing Association LLC within two (2) years from the effective date of this ordinance or (c) if the Sponsors change the scope or purpose of the sixty-six (66) units of housing within the housing development project without the consent of the City, by and through its representatives, and in accordance with the requirements of the Lansing City charter, and the Sponsor or other responsible party does not cure the violation within ninety (90) days after written notice is given to the Sponsor, then this ordinance shall automatically expire, terminate and be of no further effect.

Section 2. All ordinances, resolutions or rules, ordinances, parts of ordinances, resolutions or rules inconsistent with the provisions hereof including the payment in lieu of taxes agreement dated January 29, 2021, are hereby repealed as they pertain to Stadium North Senior Lofts at the time this exemption commences.

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 valid.

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

ORDINANCE FAILED

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new Section 888. __ for the purposes of providing for a service charge in lieu of taxes for forty (40) low-income multi-family dwelling units in a project known as Hillsdale Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966 as amended [MCL 125.1401, et seq.]) (The "Act").

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

Yeas: Council Members Jackson

Nays: Council Members Hussain, Garza, Wood, Brown, Daniels, Spadafore, Spitzley

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 Hussain make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:

Letter(s) from the City Clerk re:

Minutes of Boards and Commissions placed on file in the Clerk's Office

Placed on File

Board of Water and Light Financial Report and additional Information for Fiscal Year 2021 and 2022

Referred to the Committee of the Whole

Letter(s) from the Mayor re:

South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development and Finance Plan

Referred to the Committee on Development and Planning

Setting a Public Hearing in consideration of South Martin Luther King Jr. Boulevard Corridor Improvement Authority Development and Finance Plan

Referred to the Committee on Development and Planning

Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 West Saginaw Street

Referred to the Committee on Development and Planning

Setting a Public Hearing in consideration of Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 West Saginaw Street

Referred to the Committee on Development and Planning

Obsolete Property Rehabilitation Act (OPRA) District filed by the Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Avenue

Referred to the Committee on Development and Planning

Setting a Public Hearing in consideration of Obsolete Property Rehabilitation Act (OPRA) District filed by the Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Avenue

Referred to the Committee on Development and Planning

Orders to Make Safe or Demolish to the owners of property located at 304 Regent Street

Referred to the Committee on Public Safety

Setting a Show Cause in consideration of Orders to Make Safe or Demolish to the owners of property located at 304 Regent Street

Referred to the Committee on Public Safety

Grant Acceptance; Domestic Violence Services, Capital Area Response Effort (DVS-CARE) FY 2022-2023 Grant

Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; Justice Assistance Grant (JAG) for Capital Area Response Effort (CARE) Unit

Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; Byrne Memorial Justice Assistance Grant (JAG) 2022

Referred to the Committee on Ways and Means and to the Internal Auditor

Donation Acceptance; Lansing Police Department's Special Tactics and Rescue Team (START) Unit

Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; STOP Violence Against Women FY 2022-2023 Grant

Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; League of American Bicyclists' Community Spark Grant

Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; Michigan Enhancement Grant for Ovation Performing Arts Center

Referred to the Committee of the Whole

Issuance and Sale of Limited Tax General Obligation Bonds for Capital Improvements for Ovation Performing Arts Center

Referred to the Committee of the Whole

Act 31; Incorporation of the Lansing Public Media Authority

Referred to the Committee of the Whole

- Communications and Petitions, and Other City Related Matters:

Communication from Robert Engel about Civil Rights Claim
Placed on File

Notice from the Michigan Liquor Control Commission; RYKY, LLC request for Transfer Ownership 2022 Class C & SDM License With Sunday Sales Permit (PM) And Outdoor Service (1 Area), New Entertainment Permit; at 2525 E Jolly Rd (RID # RQ-2209-10378)
Referred to the Committee on City Operations

Notice from the Michigan Liquor Control Commission; Padsinab LLC request for Conditional License; Transfer Ownership Escrowed 2022 Class C & SDM License With Dance-Entertainment Permit And Extended Hours Permit (Dance-Entertainment) to 221 S. Washington Square (RID # RQ-2208-08666)
Referred to the Committee on City Operations

Claim Appeal; Claim #1907, Eduardo Mora-Zavala for \$1413 in trash fees at 301 South Foster Ave. (PEND-3059)
Referred to the Committee on City Operations

Claim Appeal; Claim #1909, Abdoulaye Noiaye for \$150 in trash fees at 4630 Christiansen Road.
Referred to the Committee on City Operations

Claim Appeal; Claim #1875, Sharon and Surin Bonnysaith for \$150 in red tag fees at 218 S Hayford Ave.
Referred to the Committee on City Operations

Claim Appeal; Claim #1911, Kings Property LLC for \$1057 in trash fees at 2306 E Michigan Ave.
Referred to the Committee on City Operations

Claim Appeal; Claim #1913, Luisa Franjul for \$455 in grass violation fees at 1802 Stirling Ave
Referred to the Committee on City Operations

Remarks by Council Members

Council Member Spadafore asked that item 36 be discharged from Ways and Means and referred to the Committee of the Whole.

Public Comment on City Government Related Matters

Kyle Richard spoke about Terrance Robinson and Lansing First Responders.

Nicklas Zande spoke about Lansing's Wards.

Jessica Verlinde spoke about homeless fraud and doctoring of documents.

Loretta Stanaway spoke about various City Matters.

Norma Bauer spoke about affordable housing and CIT Training.

Claretta Duckett-Freeman spoke about the PILOTS.

Ryan J Smith spoke about the PILOTS.

Jody Washington spoke about the PILOTS.

Linda Appling spoke about various City Matters

John Morin spoke about his experience with the LPD.

David Ellis spoke about the accessibility of Frandor Shopping Center

Adjourned Time 8:29 P.M.



Chris Swope, City Clerk