



**Official Proceedings of the City Council
City of Lansing
November 14, 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 7:48 p.m. by Vice President Wood

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

ABSENT: Council Members Garza, Hussain

A quorum was present.

Mayor Schor asked people to remember the veterans who served and passed in honor of Veterans Day. Vice President Wood asked people to remember Erma Ferguson and Jo Flaherty, both of whom recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by Vice President Wood.

Approval of Printed Council Proceedings

By Council Member Spitzley

To approve the printed Council Proceedings of October 10 and October 24, 2022

Motion Carried

Consideration of Late Items

By Council Member Spadafore

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Capitol City Labor Program Supervisor Collective Bargaining Agreement

Special Ceremonies

Citizen Academy Graduate Acknowledgment

Mayor Schor and Council Member Spadafore congratulated the graduates and presented their certificates.

Appointment of Tirstan Walters as an At-Large member of the Park Board for a term to expire June 30, 2024

Resolution #2022-279

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

WHEREAS, the Mayor has made the appointment of Tirstan Walter as an At-Large member of the Park 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 City Operations met on November 1, 2022 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tirstan Walter as an At-Large member of the Park Board for a term to expire June 30, 2024.

By Council Member Daniels

Motion Carried

City Clerk Swope administered the Oath of Office to Tirstan Walters as a member of the Park Board.

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

Price Dobernick and Aurelius Christian provided an overview of what a Corridor Improvement Authority is, a history on the MLK CIA, and a discussion on the projects and financial projections for the development

Brownfield Plan #83, Moneyball Brownfield Redevelopment Project, 923 & 927 W. Saginaw St.

Desmond Ferguson, Shaun Elliot, and Connor Zook spoke about Brownfield Plan #83 Project.

Obsolete Property Rehabilitation Act (OPRA) District, Michigan Certified Development Corporation, 1703, 1717, & 1723 E. Michigan Ave.

Aurelius Christian and Steve Precora provided an overview of OPRA District for 1703, 1717, & 1723 E. Michigan Ave.

Comments by Council Members and the City Clerk

Council Member Spadafore requested that items 23, 24, and 25 be pulled from the agenda.

Council Member Spitzley announced that the Downtown Lansing Inc. will be hosting the Kringle Holiday Market.

Council Member Daniels thanked the voters for their participation in the election and congratulated Ryan Kost on his victory.

City Clerk Swope thanked the election inspectors, staff, city partners, polling locations, and voters who participated in the election. He also spoke about the Constitutional amendment that will be changing the election next year.

Community Event Announcements

Heather Patter-Holguin announced the Hispanic Heritage Showcase at the Everett High School auditorium.

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

Mayor Schor congratulated Aurelius Christian on his award from the Lansing Chamber of Commerce Top Ten selection. He also thanked the 311 operators who helped to take questions on Election Day. He thanked the citizens of Lansing who supported the Public Safety Bond. He also announced the Silver Bells Parade, the Human Resources Community Services Department Community Connect event, the Citizens Academy graduation, the Mobile Food distribution at the South Church of the Nazarene, and the ice-skating rink opening at Rudder Park along with the Kringle Market.

Show Cause Hearings

In consideration of Orders to Make Safe or Demolish to the owners of property located at 304 Regent St.

- Comment on Scheduled Show Cause Hearings:

No one from the public spoke on the Show Cause hearing.

Referral of Show Cause Hearings

In consideration of Orders to Make Safe or Demolish to the owners of property located at 304 Regent St.
Referred to the Committee on Public Safety

Public Comment on Legislative Matters

Legislative Matters included the following public hearings:

Obsolete Property Rehabilitation Act (OPRA) District; Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Ave.

Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 W. Saginaw St.

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

Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan

Ordinance to repeal the permitting requirements for solicitors of charitable and religious donations

Ordinance amending Chapter 1300, Marihuana Operations

Council Member Spadafore gave an overview of the public hearings.

Public Comment on Legislative Matters:

Loretta Stanaway spoke about the Ovation Bonds and Brownfield.

Rebecca Kasen spoke about the ARP Allocation Plan.

Sharon Dade spoke about the ARP Allocation Plan.

City Clerk Swope acknowledged written communications.

Legislative Matters

Referral of Public Hearings

Obsolete Property Rehabilitation Act (OPRA) District; Michigan Certified Development Corporation for property located at 1703, 1717, and 1723 E. Michigan Ave.

Referred to the Committee on Development and Planning

Brownfield Plan #83; Moneyball Brownfield Redevelopment Project, 923 and 927 W. Saginaw St.

Referred to the Committee on Development and Planning

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

Referred to the Committee on Development and Planning

Substantial Amendment, FY 2020-2021 Annual Action Plan to include HOME-ARP Allocation Plan

Referred to the Committee of the Whole

Ordinance to repeal the permitting requirements for solicitors of charitable and religious donations

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

Ordinance amending Chapter 1300, Marihuana Operations

Referred to the Committee of the Whole

Consent Agenda

By Council Member Spadafore

To approve all remaining items on the Consent Agenda.

Motion Carried

Resolution #2022-280

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

WHEREAS, In August 2022, the Lansing Police Department submitted a grant application to the Michigan Office of Highway Safety Planning for extra overtime funding to be utilized for a high visibility impaired driving, speed and seatbelt enforcement program; and

WHEREAS, Michigan traffic crash data from 2015-2019 identified a high number of people seriously injured or killed where 1) the traffic crash was coded as alcohol-involved and/or drug-involved, or 2) the occupants were in passenger vehicles and the crash was coded as no belts or child restraint not used/used improperly and 3) the crashes included at least one driver speeding; and

WHEREAS, the grant-funded overtime must focus on traffic stops for hazardous moving violations during times and on roadways experiencing fatal and serious injury traffic crash problems; and

WHEREAS, the expectation is zero tolerance for seat belt, child restraint, DUI violations, and any other hazardous moving violations during the grant-funded high-visibility enforcement efforts; and

WHEREAS, during the span October 1, 2022 to September 30, 2023, the grant has five enforcement periods; and

WHEREAS, the Lansing Police Department was informed on October 18, 2022, that it has been selected to receive funding in the amount of \$107,521; and

WHEREAS, the funding covers roughly 900 hours of overtime and overtime related fringes; and

WHEREAS, there is no local match requirement for the grant.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Office of Highway Safety Planning grant in the amount of \$107,521 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 awarded funds.

Adopted as part of the Consent Agenda

Resolution #2022-281

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

WHEREAS, in August 2022, the Lansing Police Department (LPD) submitted a grant application to the Michigan Office of Highway Safety Planning (OHSP) for overtime funding to be utilized for a high visibility traffic enforcement program designed to reduce pedestrian and bicyclist fatalities and suspected serious injuries by educating and enforcing traffic safety laws designed to keep pedestrians and bicyclists safe; and

WHEREAS, the city of Lansing had a total of 55 pedestrian fatalities and serious injuries and 23 bicyclist fatalities and serious injuries during a 5-year period (2015-2019); and

WHEREAS, the Lansing Police Department was informed on October 11, 2022, that its application was selected to receive grant funding; and

WHEREAS, the total grant amount is \$23,687; and

WHEREAS, the Federal grant award amount is \$18,949

WHEREAS, twenty percent (\$4,738) of the \$23,687 grant consists of local match; and

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

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Office of Highway Safety Planning grant for the period October 1, 2022 through September 30, 2023 in the amount of \$23,687, of which 20% is local match.

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 awarded grant funds

Adopted as part of the Consent Agenda

Resolution #2022-282

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

WHEREAS, the City Clerk is charged with the orderly conduct of elections in the City of Lansing by the State of Michigan and Lansing City Charter; and

WHEREAS, the Michigan Secretary of State Office has provided a grant program to reimburse municipalities for election security-related purchases and costs up to \$1,500 per precinct. Costs incurred from October 2021 through November 2022 will be eligible for reimbursement. The grant is funded from a federal election security grant under the Help America Vote Act; and

WHEREAS, expenses must relate to election security, but a broad range of physical, technology, and personnel expenses are eligible. Costs must have been incurred after October 1, 2021, to be eligible for reimbursement

WHEREAS, reimbursement expenses include the installation of five additional security cameras at each Lansing Fire Station in order to watch the Election Drop Boxes 24 hours a day and other election security expenses

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the Michigan Secretary of State Elections Security Grant for the purposes of election security-related purchases;

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

Adopted as part of the Consent Agenda

Resolution #2022-283

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

WHEREAS, the City Clerk has forwarded an application for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

ACE Pyro, LLC for a public display of fireworks in the City of Lansing on the West of the State Capitol Building at 100 N. Capital Ave. to be held on November 18, 2022.

Adopted as part of the Consent Agenda

Resolution #2022-284

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

WHEREAS, City Clerk Chris Swope submitted a recommended list of dates for the Lansing City Council meetings for 2023 to the Lansing City Council; and

WHEREAS, the Committee of the Whole will meet at 5:30 p.m. or at another time or date as determined by the Council President, before all Monday Council meetings listed below; and

WHEREAS, the Committee of the Whole will meet at 5:30 p.m. on Tuesday, January 3, 2023; and

WHEREAS, the Lansing City Charter requires the City Council to meet at least 26 times each year; and

WHEREAS, the Committee of the Whole reviewed the City Clerk's recommendations for the meeting dates for 2023.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Lansing City Council meeting dates for 2023 as follows:

Tuesday, January 3, 2023; Annual Organizational - 1st meeting of year
Monday, January 9, 2023
Monday, January 23, 2023
Monday, February 13, 2023
Monday, February 27, 2023; Board List - prior to first meeting in March
Monday, March 13, 2023
Monday, March 27, 2023; Mayor's Budget - on or before 4th Monday in March
Monday, April 10, 2023
Monday, April 24, 2023; Mayor's Board Appointments - prior to first meeting in May
Monday, May 8, 2023
Monday, May 15, 2023 Adopt Budget - not later than 3rd Monday in May
Monday, May 22, 2023;
Monday, June 12, 2023; Council Act on Appointments - at or before 1st meeting in June
Monday, June 26, 2023
Monday, July 10, 2023
Monday, July 24, 2023
Monday, August 14, 2023
Monday, August 28, 2023
Monday, September 11, 2023
Monday, September 18, 2023; Budget Priorities - no later than October 1
Monday, October 2, 2023
Monday, October 16, 2023
Monday, October 30, 2023
Monday, November 13, 2023
Monday, November 27, 2023
Monday, December 11, 2023

All meetings will be on Monday at 7:00 p.m. in one of the following meeting locations, the Tony Benavides Lansing City Council Chambers, 10th Floor City Hall, South Washington Office Complex, 2500 S. Washington, Lansing MI 48910 or virtual webinar. The meeting location (or, if virtual, the meeting ID and instructions for access) will be posted on the notice of the public meeting in accordance with state statute.

Adopted as part of the Consent Agenda

Resolution #2022-285

By Council Member Garza
Resolved by the City Council of the City of Lansing

A RESOLUTION TO SET A SECOND PUBLIC HEARING ON THE DEVELOPMENT AND TAX INCREMENT FINANCE PLAN OF THE SOUTH MARTIN LUTHER KING JR. BOULEVARD CORRIDOR IMPROVEMENT AUTHORITY OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing, MI, by Resolution 2019-334, passed on December 16, 2019, authorized the creation of the South Martin Luther King Jr. Boulevard Corridor Improvement Authority (the "Authority") by the provisions of the State of Michigan's Corridor Improvement

Authority Act, previously Act 280 of 2005 (MCL 125.2871, et seq.), recently reorganized as Part 6 of Act 57 of 2018 (125.4602, et seq.), as amended (the "Act"); and

WHEREAS, prior to the adoption of a resolution approving the Plan, the City Council of the City of Lansing must hold a public hearing and receive written and spoken comments from members of the public on all aspects of the Plan, in compliance with Section 622 of the Act; and

WHEREAS, prior to the adoption of a resolution approving the Plan, the City Council of the City of Lansing must also provide reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to meet with the governing body, and allow those taxing jurisdictions to present their recommendations at the public hearing on the Plan, in compliance with Section 618 of the Act; and

WHEREAS, on October 24, 2022 City Council set a public hearing under Resolution 2022-274 for November 14, 2022, however proper notice was not met and therefore a second hearing is being set for December 5, 2022.

NOW, THEREFORE, BE IT RESOLVED that a second public hearing be set for December 5, 2022, at 7:00 P.M. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comment from all members of the public and taxing jurisdictions specified herein, on all aspects of the Plan.

BE IT FURTHER RESOLVED that the Lansing City Clerk shall ensure that:

- notice of the time and place of the hearing to be given by publication twice in a newspaper of general circulation, the first of which shall be not less than 20 days before the date set for the hearing; and
- notice of the hearing to be posted in at least 20 conspicuous and public places in the development area not less than 20 days before the hearing; and
- notice to also be mailed to all property taxpayers of record in the development area not less than 20 days before the hearing; and
- notice to also be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the tax increment financing plan is approved.

BE IT FURTHER RESOLVED that the notice of hearing shall contain all the following:

- a description of the proposed development area in relation to highways, streets, streams, or otherwise; and
- a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at the Lansing City Clerk's Office, and online at the City of Lansing's website; and
- a statement that all aspects of the development plan will be open for discussion at the public hearing.

BE IT FINALLY RESOLVED that the City Council of the City of Lansing will make and preserve a record of the public hearing, including all data presented at the hearing.

Adopted as part of the Consent Agenda

Resolution #2022-286

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

WHEREAS, Abdoulaye Ndiaye sought to eliminate a special assessment of \$150 for red tag monitoring fees, associated penalties, and interest, on the property tax bill for 4630 Christiansen Road (33-01-01-32-352-521); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on November 1, 2022, and granted the claim in the amount of \$150.

THEREFORE, BE IT RESOLVED, the City Council, hereby granted the claim in the amount of \$150 for red tag monitoring fees, associated penalties, and interest on the property tax bill for 4630 Christiansen Road (33-01-01-32-353-521).

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

Adopted as part of the Consent Agenda

Resolution #2022-287

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

WHEREAS, Min Hu (Kings Property LLC) sought to eliminate a special assessment of \$1,057 for trash removal fees, associated penalties, and interest, on the property tax bill for 2306 E Michigan Avenue (33-01-01-14-305-422); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on November 1, 2022, and denied the claim in the amount of \$1,057.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$1,057 for trash removal fees, associated penalties, and interest on the property tax bill for 2306 E Michigan Avenue (33-01-01-14-305-422).

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

Adopted as part of the Consent Agenda

Resolution #2022-288

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

Act-6-2022, Purchase of Property, Parcels on N Cedar St.

WHEREAS, the City of Lansing's Public Service Department, has requested to acquire from the Ingham County Land Bank and Ingham County Treasurer two vacant parcels of real property, Parcel # 33-01-01-09-430-021, and Parcel # 33-01-01-09-430-031, roughly 0.33 acres total in area, to facilitate long-term maintenance of a large – 90" diameter storm drain; and

WHEREAS, the agreed upon purchase price for Parcel # 33-01-01-09-430-021 is not-to-exceed Two Thousand Five Hundred Dollars (\$2500.00) plus closing costs; and

WHEREAS, the agreed upon purchase price for Parcel # 33-01-01-09-430-031 is not to exceed Two Thousand Five Hundred Dollars (\$2500.00) plus closing costs; and

WHEREAS, the subject properties would support the maintenance obligations of the Public Service Department; and

WHEREAS, on September 6, 2022, the Planning Board reviewed the location, character, and extent of the proposal in accordance with its Act 33 Review procedure, and voted unanimously (6-0) to recommend approval of Act-6-2022, Purchase of Property, Parcels on N Cedar St.; and

WHEREAS, the Committee on City Operations has reviewed the report and recommendation of the Planning Board and concurs therewith.

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-6-2022, and approves the purchase of property legally described as:

LOT 11 ASSESSORS PLAT NO 30 OF BLOCK 19 ORIGINAL PLAT

From the Ingham County Land Bank for a sum not-to-exceed Two Thousand Five Hundred Dollars (\$2500.00), plus closing costs.

and

LOT 12 ASSESSORS PLAT NO 30 OF BLOCK 19 ORIGINAL PLAT

From Ingham County Treasurer, for a sum not-to-exceed Two Thousand Five Hundred Dollars (\$2500.00), plus closing costs.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to execute all documents necessary to complete this transaction, subject to the prior approval as to content and form by the City Attorney.

Adopted as part of the Consent Agenda

Resolutions

Resolution #2022-289

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

WHEREAS, the City of Lansing (City) and the Charter Township of Windsor (Township) are considering entry into an agreement for the conditional transfer of property pursuant to 1984 PA 425 (Act 425 Agreement) from the Township to the City; and

WHEREAS, the legal description of the property being considered for conditional transfer is:

A parcel of land in the North 1/2 of the Northwest 1/4 of Section 10, Township 3 North, Range 3 West, Windsor Township, Eaton County, Michigan described as follows: Beginning at the North 1/4 corner of said Section; thence South 00 degrees 44 minutes 21 seconds East, on the North & South 1/4 line of said Section, 1332.08 feet to the North 1/8 line of said Section; thence North 89 degrees 46 minutes 39 seconds West, on said North 1/8 line, 2646.67 feet to the West line of said Section; thence North 00 degrees 13 minutes 11 seconds West, on said West Section line, 325.28 feet; thence North 89 degrees 46 minutes 49 seconds East, perpendicular to said West Section line, 60.00 feet; thence North 00 degrees 13 minutes 11 seconds West, parallel with said West Section line, 459.79 feet to a point of curvature; thence 246.15 feet on a curve to the left, having a radius of 878.51 feet, a central angle of 16 degrees 03 minutes 13 seconds, and a long chord which bears North 08 degrees 14 minutes 47 seconds West, 245.35 feet to the beginning of an existing Limited Access Right of Way; thence North 23 degrees 05 minutes 11 seconds East, on said Limited Access Right of Way line, 127.96 feet; thence North 64 degrees 59 minutes 25 seconds East, on said Limited Access Right of Way line, 66.86 feet to the end of said Limited Access Right of Way; thence continuing North 64 degrees 59 minutes 25 seconds East, 45.87 feet to a point of curvature; thence 332.12 feet on a curve to the right, having a radius of 758.51 feet, a central angle of 25 degrees 05 minutes 15 seconds, and a long chord which bears North 77 degrees 32 minutes 03 seconds East, 329.47 feet; thence North 00 degrees 04 minutes 40 seconds East, perpendicular to the North line of said Section, 60.00 feet to said North Section line; thence South 89 degrees 55 minutes 20 seconds East, on said North Section line, 2133.55 feet to the point of beginning.

Parcel Number 080-010-100-010-01

Commonly Known as 7000 N. Canal Rd, Dimondale, MI 48821;

and

WHEREAS, the Act 425 Agreement is being considered the purpose of the transferred area development by Consumers Energy for a new service center project; and

WHEREAS, a copy of the proposed Act 425 Agreement was placed on file with the City Clerk on October 24, 2022, and is publicly available for viewing.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on December 5, 2022, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan.

BE IT FINALLY RESOLVED that the City Clerk give notice of the hearing as required by Public Act 425 of 1984 and in compliance with the Michigan Open Meetings Act.

By Council Member Spadafore

Motion Carried

Resolution #2022-290

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 2026 W. JOLLY RD., Parcel # 33-01-01-32-352-221 legally described as LOT 132 PLEASANT GROVE 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 September 14, 2021; 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 August 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 October 24, 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 2026 W. Jolly Road, 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 60 days from the date of this resolution, November 14, 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 sixty (60) 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 Daniels

Motion Carried

Resolution #2022-291

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

WHEREAS, the City of Lansing and the Capitol City Labor Program Inc., Supervisory Unit have negotiated a collective bargaining agreement (the "CBA")

for the period covering July 1, 2022 through June 30, 2026, which is summarized in the Tentative Agreement Document approved by the parties ("Tentative Agreement") and which contains the changes to the prior CBA; and

WHEREAS, the Union membership ratified this agreement on November 13, 2022; and

WHEREAS, the Mayor recommends the CBA, as summarized in the Tentative Agreement, be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the Tentative Agreement of the parties for the CBA between the City of Lansing and the Union, Capitol City Labor Program Inc., Supervisory Unit for the period covering July 1, 2022 through June 30, 2026.

By Council Member Spadafore

Motion Carried

Ordinances for Introduction

Introduction of Ordinance

The Committee of the Whole introduced:

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by Adding Chapter 291, Sections 291.01-291.04, to establish a conflict of interest policy and regulations for U.S. Department of Housing and Urban Development (HUD) Programs and Funding; including, but not limited to, Continuum of Care (24 CFR 578.95); Emergency Services Grants (24 CFR 576.404); and CDBG (24 CFR 570.611, 24 CFR 578.95, 24 CFR 576.404); and to provide penalties for any violations of the provisions of this ordinance.

The Ordinance is referred to the Committee of the Whole

Resolution #2022-292

By the Committee of the Whole

Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, December 5, 2022 at 7:00 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 supporting and/or opposing

An Ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by Adding Chapter 291, Sections 291.01-291.04, to establish a conflict of interest policy and regulations for U.S. Department of Housing and Urban Development (HUD) Programs and Funding; including, but not limited to, Continuum of Care (24 CFR 578.95); Emergency Services Grants (24 CFR 576.404); and CDBG (24 CFR 570.611, 24 CFR 578.95, 24 CFR 576.404); and to provide penalties for any violations of the provisions of this ordinance.

By Council Member Spadafore

Motion Carried

Ordinances for Passage

Passage of Ordinance

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.

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

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

Nays: None

Motion Carried

Ordinance #1307

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.

The City of Lansing Ordains:

Section 1. That Chapter 822, Sections 822.01 through 822.05, 822.11, 822.18, and 822.19, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

822.01. - Purposes.

In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety and general welfare of the people of the City receiving services from health, massage, bath or similar establishments.

822.02. - Definitions.

As used in this chapter:

Health club means any establishment which offers services in the form of massages, baths, exercises or similar services, singly or in combination, to club members or to the public for a charge. "Health club" does not include:

- (1) Hospitals, nursing homes or medical clinics, or the office or quarters of a physician, surgeon, chiropractor or osteopath;
- (2) Exercise clubs exclusively for members or clientele where the services, without massage in any form, are performed by persons of the same sex as the members or clientele, and where the facilities are not utilized by members of both sexes at the same time; or
- (3) Barber shops and beauty parlors; or
- (4) The office or quarters of a qualified and certified massage therapist, or the home, office or workplace of a client of a qualified and certified massage therapist, provided the massage therapy is provided only by the qualified and certified massage therapist and not by any other person.

Qualified and certified massage therapist means a person who has successfully completed, as evidenced by a certificate of completion, diploma, certified transcript, degree or other confirming documentation satisfactory to the City Clerk, a comprehensive course of study in massage therapy at a school either established by legislative enactments of the State or approved by the State Board of Education or by the American Massage Therapy Association, or a comprehensive course of study in massage therapy specifically licensed by the State Board of Education. Such a comprehensive course of study, in order to be deemed adequate, must include classes in anatomy, physiology, massage practice and theory, and related course work, and must consist of a minimum of 260 hours of instruction and practical training. Effective July 1, 1990, such a course of study must consist of a minimum of 300 hours of instruction and practical training, provided that this provision shall not apply to individuals first approved by Council prior to July 1, 1990. Alternatively, "qualified and certified massage therapist" means a person who has successfully completed the examination offered by the American Massage Therapy Association for membership therein, or who has been admitted to membership therein by virtue of holding a State license, and who is currently a member in good standing therein.

822.03. - License required; exemption.

- (a) No person shall establish, maintain, operate or conduct a health club without first obtaining a license therefor from the City Clerk.
- (b) No person who has failed to obtain a license to establish, maintain, operate or conduct a health club shall be deemed a qualified and certified massage therapist unless he or she has first obtained an exemption approved by the City Clerk.
- (c) No person who has failed to obtain a health club license shall provide massage services, without first obtaining the City Clerk approval of an exemption as a qualified and certified massage therapist, unless otherwise excluded from this chapter by the provisions hereof.

822.04. - License expiration and renewal; expiration of exemptions.

- (a) Licenses issued under this chapter shall be renewed annually and shall, in each case, expire on April 30 of each year. Licenses issued during the year and later than May 1 in any given year shall likewise expire on April 30 in any succeeding year.
- (b) Exemptions for qualified and certified massage therapists shall, in each case, expire on April 30 of each year. Exemptions approved during the year and later than May 1 in any given year shall likewise expire on April 30 in any succeeding year.

822.05. - License applications; exemptions.

- (a) An application for a license required by this chapter shall be filed with the City Clerk. Such application shall be accompanied by plans and specifications of the quarters showing such details as entrances, partitions, windows, openings, ventilation, plumbing fixtures and water supply.
- (b) Application blanks shall be furnished by the City Clerk. An application for renewal of a license must be made at least 60 days before the current license held by the applicant expires.
- (c) An application for an exemption as a qualified and certified massage therapist shall be filed with the City Clerk. Such application shall be on a form supplied by the City Clerk. An application for a renewal of an exemption must be made at least 60 days before the current exemption held by the applicant expires.
- (d) The initial application for an exemption as a qualified and certified massage therapist shall be accompanied by the documentary evidence described in Section 822.02(b). The application for exemption as a qualified and certified massage therapist shall contain the following:
 - (1) The name, address and date of birth of the applicant;
 - (2) The location of the office or quarters where massages will be regularly performed;
 - (3) Whether the applicant has ever been convicted of a felony or misdemeanor and, if so, the nature of the offense and where the conviction occurred;
 - (4) Whether the applicant, any business owned by the applicant or any business in which the applicant has been employed or otherwise affiliated with, has ever been sued for operating or maintaining a nuisance and, if so, when or where this lawsuit occurred and its outcome;
 - (5) Any course of study in massage therapy completed by the applicant, including the dates, the number of credit hours and the names of institutions attended;
 - (6) Any equipment to be installed at the office or quarters where massages are to be regularly performed;
 - (7) An acknowledgment that the applicant understands that providing knowingly false information shall be justification for denial of an exemption or revocation of an exemption that has already been issued; and
 - (8) An authorization for release to the City of personal, confidential or privileged information, including educational records, bearing on the applicant's qualifications or fitness for an exemption.

822.11. - Personnel requirements.

- (a) No person shall operate an establishment licensed under this chapter without having on the premises at least one person who is a qualified and certified massage therapist as defined in Section 822.02(b).
- (b) No person shall practice any of the services of a health club without first obtaining a certificate of good health issued by a duly licensed physician. Such certificate shall be renewed every six months on May 1 and November 1 of each year. The licensee shall deposit with the City Clerk such certificate on or before the date any person provides such service in his or her licensed establishment and again on the semi-annual certificate renewal dates.

(c) No licensee shall allow any person within his or her licensed establishment to provide any services to a member of the opposite sex where physical contact is required.

822.18. 822.16. - Notice of denial of license or exemption as a qualified and certified massage therapist.

If the City Clerk denies an application for a health club license or an application for an exemption as a qualified and certified massage therapist, the City Clerk shall notify the applicant of such denial by registered or certified mail, return receipt requested, sent to the address on the application. The notice of denial shall include a statement of the reasons therefor.

~~822.19.~~ **822.17** - Appeals.

Any applicant aggrieved by the action of the City Clerk in the denial of a license as a health club, ~~or in the denial of an exemption as a qualified and certified massage therapist,~~ may appeal to Council by filing, within 14 days after notice of the denial has been mailed to the applicant's address contained on the application, a written statement setting forth fully the grounds for the appeal. Upon appeal to Council, the matter shall be referred to the General Services Committee or consideration. The Committee shall set a time and place for a hearing on such appeal and notice of such hearing shall be given by registered or certified mail. After reviewing the appeal, the General Services Committee shall make a recommendation to the Council for final decision. The decision of Council on such appeal shall be final and conclusive.

Section 2. That Chapter 822, Sections 822.16, 822.17, and 822.20, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

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

Section 4. 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 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2031.

Speaker Registration for Public Comment on City Government Related Matters

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

Reports From City Officers, Boards, and Commissions; Communications and Petitions; and Other City Related Matters

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

Motion Carried

- Reports from City Officers, Boards and Commissions:

Letter(s) from the City Clerk re:

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

Placed on File

FY 2022-2023 First Quarter Budget and Vacancy Report

Referred to the Committee of the Whole

Letter(s) from the Mayor re:

Z-1-2022; 109 E. Randolph, Rezoning from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse (PEND-3101)

Referred to the Committee on Development and Planning

Setting a Public Hearing; Z-1-2022; 109 E. Randolph, Rezoning from "R-6A" Urban Detached Residential to "R-AR" Residential Adaptive Reuse (PEND-3100)

Referred to the Committee on Development and Planning

SLU-1-2022; Special Land Use Permit, 109 E. Randolph Street for a 20-bed, state-licensed adult foster care, large group home for the aged (PEND-3098)

Referred to the Committee on Development and Planning

Setting a Public Hearing; SLU-1-2022; Special Land Use Permit, 109 E. Randolph Street for a 20-bed, state-licensed adult foster care, large group home for the aged (PEND-3099)

Referred to the Committee on Development and Planning

Voter Approved Sale of City Property; portion of North Cemetery (PEND-3089)

Referred to the Committee of the Whole

Orders to Make Safe or Demolish to the owners of property located at 4580 Seaway (PEND-3092)

Referred to the Committee on Public Safety

Setting a Show Cause Hearing; Orders to Make Safe or Demolish to the owners of property located at 4580 Seaway (PEND-3092)

Referred to the Committee on Public Safety

Appointment; Dr. Thomas Woods as an At-Large member of the Human Relations and Community Services Board for a term to expire June 30, 2025 (PEND-3094)

Referred to the Committee on City Operations

Appointment; Mary Ellen Jeffries as a Lansing Resident Non-Retiree member of the Employees' Retirement System Board of Trustees for a term to expire June 30, 2024 (PEND-3103)

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

Obsolete Property Rehabilitation Act (OPRA) Certificate Transfer; M3 Group LLC for property located at 221 W. Saginaw St. (PEND-3107)
Referred to the Committee on Development and Planning

Reappointment; Shirley Carter-Powell as an At-Large member of the Arts and Culture Commission for a term to expire June 30, 2026 (PEND-3104)
Referred to the Committee on City Operations

Appointment; Karl Dorshimer as an At-Large member of the Next Michigan Development Corporation Board for a term to expire April 15, 2024.
Referred to the Committee on Development and Planning

Reappointment; Jennie Gies as a City of Lansing member of the Capital Area Transportation Authority Board for a term to expire September 30, 2025 (PEND-3106)
Referred to the Committee of the Whole

Issuance and Sale of voter approved Unlimited Tax General Obligation Bonds for Public Safety Facilities (PEND-3108)
Referred to the Committee of the Whole

- Communications and Petitions, and Other City Related Matters:

Affidavit of Disclosure; Cedric H. Ford, Lansing Police Department
Referred to the Board of Ethics

Affidavit of Disclosure; Peter Scaccia, Lansing Police Department
Referred to the Board of Ethics

Claim Appeal; Claim #1922, AAA Michigan Homes LLC for \$8,978 in trash removal fees at 1119 Bement St. (PEND-3102)
Referred to the Committee on City Operations

Motion of Excused Absence

By Council Member Spadafore to excuse Council Members Hussain and Garza from tonight's proceedings.

Motion Carried

Remarks by Council Members

Council Member Jackson announced the Equity, Diversity and Inclusion Committee meeting and asked for community input and ideas.

Public Comment on City Government Related Matters

City Clerk Swope acknowledged a written communication.

Tamara Arend spoke about her experience with the City Attorney.

Randy Martin spoke about inpatient hospitals.

Michael Morofsky spoke about his concerns with a Combine Sewer Overflow Project.

Loretta Stanaway spoke about various City Matters.

Jody Washington spoke about non-profit organizations serving people who are homeless.

Ross Fisher spoke about various City Matters.

Rikki Reynolds spoke about Proposal 3.

Adjourned Time 9:23 P.M.



Chris Swope, City Clerk