



**Official Proceedings of the City Council
City of Lansing
April 24, 2023**

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 7:25 p.m. by President Wood

PRESENT: Council Members Brown, Hussain, Jackson, Kost, Spadafore, Wood

ABSENT: Council Members Garza, Spitzley

A quorum was present.

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

Special Ceremonies

Tribute; In recognition of Against All Odds Foundation's Anniversary

Resolution #2023-089

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

WHEREAS, Against All Odds, Foundation is a non-profit (501c3) breast cancer organization dedicated to providing emotional and educational support services for African American Women of all ages, in all stages of breast cancer, along with their families, encouraging them to reclaim their lives; and

WHEREAS, according to the National Breast Cancer website, every one in eight women will be diagnosed with breast cancer in their lifetime and is the most common cancer amongst women worldwide; and

WHEREAS, Against All Odds, Foundation host fundraising events, such as the "Women of Vision" Luncheon, to help benefit these strong women in need; and

WHEREAS, Against All Odds, Foundation has dedicated their website for women to share special stories of hope and spread positive words of encouragement to other women no matter where they are in life or in their stages of breast cancer.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby recognizes the 24th Anniversary of Against All Odds Foundation "Women of Vision" Luncheon Denim and Pearls to further support Women Empowering Women, sharing knowledge, hope, and encouragement in that there is life after a breast cancer diagnosis.

By Council Member Hussain

Comments by Council Members and the City Clerk

Council Member Kost announced the Eastside Neighborhood Organization 50th Anniversary. He also announced his 1st Ward constituent contact meeting. He finally announced the fishing available at Jones Lake.

Council Member Jackson thanked Council Member Kost for his involvement with Jones Lake. He also announced the 4th Ward Constituent Contact Meeting and thanked those who attended the last meeting.

Council Member Spadafore congratulated Council Member Jackson on his achievement in the Boston Marathon.

Council Member Council Member Hussain spoke about his upcoming 3rd Ward constituent meeting and announced the upcoming Rejuvenating South Lansing meeting.

City Clerk Swope thanked intern Lauren Welch for her involvement with the City Clerk. He also announced the filing deadline for city council seats that are up for election.

Community Event Announcements

Elissa Turcsak spoke about the Non-Profit Network open house networking event.

Loretta Stanaway spoke about the Friends of Lansing Cemeteries tombstone cleaning event

Daniel Arnold spoke about the Fledge meeting

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 to the Mayor spoke about the yard waste collection updates. She also spoke about the River Shell Apartments compliance and rental agreement.

Public Comment on Legislative Matters

Legislative Matters included the following public hearings:

Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year 2023-2024

Council Member Hussain gave an overview of the public hearing.

Public Comment on Legislative Matters:

Nicklas Zande spoke about legislative matters.

Emily Childress spoke about the Make Safe or Demolish for 1309 W. Shiawassee St.

Elizabeth Rice spoke about the Make Safe or Demolish for 1309 W. Shiawassee St.

Michael Lynn spoke about various legislative matters.

Erica Lynn spoke about CDBG public hearing.

Legislative Matters

Referral of Public Hearings

Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year 2023-2024
Referred to the Committee of the Whole

Resolutions

Resolution #2023-090

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

WHEREAS, the Mayor has made the appointment of David Washburn as a City of Lansing member of the Local Development Finance Authority 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 & Planning met on April 19, 2023 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of David Washburn as a City of Lansing member of the Local Development Finance Authority for a term to expire June 30, 2025.

By Council Member Brown

Motion Carried

Clerk Swope administered the Oath of Office to David Washburn as a member of the Local Development Finance Authority.

Consent Agenda

By Council Member Hussain to approve all items on the Consent Agenda

Motion Carried

Resolution #2023-090

By the Committee on Development & Planning

~~Resolved by the City Council of the City of Lansing~~

~~WHEREAS, the Mayor has made the appointment of David Washburn as a City of Lansing member of the Local Development Finance Authority 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 & Planning met on April 19, 2023 and took affirmative action.~~

~~NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of David Washburn as a City of Lansing member of the Local Development Finance Authority for a term to expire June 30, 2025.~~

~~Adopted as part of the Consent Agenda~~

Resolution #2023-091

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

WHEREAS, every year on April 28th, communities and worksites around the world honor friends, family members, and colleagues who have been killed or injured on the job; and

WHEREAS, in 2021, The Federal Bureau of Labor Statistics estimated that 5,190 workers were killed by traumatic injuries on the job. On average, nearly 100 workers died every week, at roughly 14 workplace deaths a day, and 140 workers were lost through fatal workplace accidents in Michigan; and

WHEREAS, it is appropriate to honor the memory of the courageous and dedicated member of Michigan's labor force who have been injured, disabled, or have died as a result of work place accidents., and

WHEREAS, we remember those who have died in workplace catastrophes, suffered occupational-related diseases, or have been injured due to dangerous conditions; and

WHEREAS, recognition of the integrity of Michigan's workforce and its achievements on behalf of the economic growth of our state is necessary; and

WHEREAS, the Lansing City Council wishes to pay tribute to the workers who have died, been injured, or disabled in workplace accidents . We honor the contributions of Michigan's workforce and call for increased workplace safety; and

WHEREAS, the Lansing City Council renews efforts to seek stronger workplace safety and health protections, better standards and enforcement, and fair and just compensation, and by rededicating ourselves to improving safety and health in every city workplace; and

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby recognize April 28, 2023 as Workers Memorial Day in the City of Lansing, and encourages City of Lansing residents to become educated and informed about programs, services, and opportunities to support a safe work environment.

Adopted as part of the Consent Agenda

Resolution #2023-092

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

Resolution to Establish an Industrial Development District

WHEREAS, pursuant to PA 198 of 1974, as amended, the City Council of the City of Lansing has the authority to establish "Industrial Development Districts" within the City of Lansing; and

WHEREAS, the City of Lansing received and filed a request from Consumers Energy Company, to establish an Industrial Development District, pursuant to Public Act 198 of 1974, as amended, on property more fully described in this resolution; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed Lansing Industrial Development District, and to the public by newspaper advertisement in the **[City Pulse]** and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, a public hearing on the creation of the district was held on the April 10, 2023, at which time all owners of real property within the proposed Lansing Industrial Development District and all interested persons, residents and taxpayers of the City of Lansing were afforded an opportunity to appear and be heard thereon; and

WHEREAS, the Council of the City of Lansing deems it to be in the public interest of the City of Lansing to establish the Lansing Industrial Development District (IDD-01-23) as proposed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lansing that the following described parcel of land situated in the City of Lansing, Eaton County, and State of Michigan is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as Lansing Industrial Development District IDD-01-23:

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

BE IT FURTHER RESOLVED, this Resolution shall not be construed as the City Council's approval of any future tax abatement or tax exemption applications from Consumers Energy Company, or any other applicant.

Adopted as part of the Consent Agenda

Resolution #2023-093

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

Approving a New Personal Property Exemption for
Consumers Energy Located at 7000 North Canal Rd.

WHEREAS, pursuant to Public Act 328 of 1998 (PA 328 of 1998), as amended, Consumers Energy Company, has made Application for Exemption of New Personal Property (PPE-01-23) for property located at 7000 North Canal Rd., Dimondale, Michigan 48821 which is within the jurisdiction of the City of Lansing; and

WHEREAS, the City of Lansing meets the definition of an "Eligible Local Assessing District" under of PA 328 of 1998, Section 9(h), by virtue of containing an eligible distressed area as defined by Section 7(f)(i), in accordance with PA 346 of 1966, Section 11; and

WHEREAS, the City Council of the City of Lansing established Lansing Industrial Development District IDD 01-23 on the property located at 7000 North Canal Rd., Dimondale, Michigan 48821 pursuant to PA 198 of 1974 on April 24, 2023 as required under PA 328 after a public hearing held on April 10, 2023; and

WHEREAS, a public hearing was held April 10, 2023, on the Consumers Energy Company application for a New Personal Property Exemption, at which, and with advance written notice, the assessor, all representatives of affected taxing units, and all other residents and taxpayers were afforded an opportunity to appear and be heard on the application and exemption request; and

WHEREAS, Consumers Energy Company meets the definition of an "Eligible Business" as defined by PA 328 of 1998 and is primarily engaged in Office Operations within IDD-01-23.

WHEREAS, the new personal property was not placed in the facility within the qualified district prior to approval of the exemption by the City Council of the City of Lansing; and

WHEREAS, the applicant Consumers Energy Company is not delinquent on any taxes related to the facility, including taxes owed on existing personal property; and

WHEREAS, the exemption of new personal property for Consumers Energy Company shall have the effect of increased employment and retention of employment for the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of Consumers Energy Company for a New Personal Property Exemption (PPE-01-23) pursuant to Public Act 328 of 1998, as amended, for that portion of the IDD-01-23 legally described as:

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

BE IT FURTHER RESOLVED that the personal property exemption PPE-01-23 under Public Act 328 shall be for the period of twenty-five (25) years effective Dec. 31, 2023 and ending Dec. 31, 2048.

BE IT FINALLY RESOLVED that the City Clerk shall cause the application for exemption of new personal property PPE-01-23 to be completed and shall cause the completed application and a copy of this Resolution to be filed with the State Tax Commission.

Adopted as part of the Consent Agenda

Resolution #2023-094

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

Authorizing Michigan Natural Resources Trust Fund (MNRTF) Grant Funding

WHEREAS, the Parks and Recreation Department is applying for grant funding through Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, MNRTF will be accepting grant applications for the next grant cycle no later than April 1, 2023; and

WHEREAS, MNRTF requires a resolution from the governing body of the applicant supporting the applications, acknowledging the required match and committing to the amount and source of match that are specified in the applications; and

WHEREAS, on March 13, 2023 City Council considered and approved Resolution 2023-047 for support of the applications; and

WHEREAS, the Parks Department in accordance with the MNRTF requirements needs to amend the match percentage on the grants; and

WHEREAS, the Parks and Recreation Director is recommending the City apply for grant funding for the following projects:

Land acquisition of 1624 E. Cavanaugh	\$300,000
Land acquisition of Parcel 23-50-80-01-282-004	\$500,000
Development Grant for Pickle Ball Courts at St. Joseph Park	\$300,000
Recreation Passport for fitness facility at Davis Park	\$150,000
Land and Water Conservation Fund for Tennis at Letts	\$500,000

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of grant applications to the Michigan Natural Resources Trust Fund for the above projects; and

NOW, THEREFORE, BE IT RESOLVED that Resolution 2023-047 is amended to reflect the maximum percentage to matching funds in item one (1) below; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City of Lansing Parks and Recreation Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the projects during the project period and to provide funding with a maximum 26% matching funds of the total project for the \$500,000 land acquisition of Parcel 23-50-80-01-282-004 grant, the \$300,000 Land Acquisition Grant of 1624 E. Cavanaugh, the \$300,000 Development Grant for Pickle Ball Courts at St. Joseph Park and \$150,000 Recreation Passport Grant for a fitness facility at Davis Park and 50% on the \$500,000 Land and Water Grant authorized by the department.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the department for auditing at reasonable times in perpetuity.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement included all terms not specifically set forth in the foregoing portions of this Resolution.

Adopted as part of the Consent Agenda

Resolutions

Resolution #2023-095

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

WHEREAS, Lansing City Ordinance 206.16(3) outlines a procedure for establishing the lowest bidder for the award of contracts; and

WHEREAS, the Ordinance further provides a procedure wherein a Lansing-based bidder within a specified percentage of the lowest bidder (if not a Lansing-based business) may have an opportunity to revise their bid to match the lowest bid for some contract awards; and

WHEREAS, the Ordinance authorizes the Lansing City Council to set via resolution that percentage difference, which may be revised from time to time as Council deems appropriate.

NOW THEREFORE BE IT RESOLVED, if any responsive bids are from Lansing-based businesses and are within 10% of the lowest bid then such Lansing-based business shall be given the opportunity to reduce its bid to match the bid of the lowest bidder.

BE IT FINALLY RESOLVED, this resolution supersedes any other resolution setting the percentage difference at an amount other than 10%.

By Council Member Spadafore

Motion Carried

Resolution #2023-096

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 318 CLIFFORD ST., Parcel #33-01-01-15-407-161, legally described as: S 20 FT LOT 68 & N 13 FT LOT 69 HARRAHS ADD., 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 August 22, 2011 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on January 26, 2023, 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 March 23, 2023; 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, May 8, 2023, 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 318 Clifford Street, 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 Hussain

Motion Carried

Resolution #2023-097

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 1309 W. SHIAWASSEE ST., Parcel # 33-01-01-17-253-172, legally described as: LOTS 100 & 101 STANDARD REAL ESTATE COS WESTMORELAND ADD., 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 March 6, 2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on February 23, 2023, 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 March 23, 2023; 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, May 8, 2023, 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 1309 W. Shiawassee Street, 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 Hussain

Motion Carried

Resolution #2023-098

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 1020 WOODBINE AVE., Parcel # 33-01-01-29-234-081, legally described as: LOT 19 BLOCK 14 ELMHURST 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 May 24, 2022 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on February 23, 2023, 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 March 23, 2023; 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, May 8, 2023, 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 1020 Woodbine Avenue, 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 Hussain

Motion Carried

Resolution #2023-099

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

WHEREAS, the City of Lansing (City) is implementing the next five-year phase of its Wet Weather Control Program, which is being implemented to achieve compliance with the raw sewage discharge abatement requirements of State of Michigan, Dept. of Environment, Great Lakes and Energy Administrative Consent Order (ACO) #ACO-05153, entered December 19, 2019.

WHEREAS, the ACO encompasses the regulatory requirements of the City's Combined Sewer Overflow (CSO) Control Program and for abatement of sanitary sewer overflows (SSOs); and

WHEREAS, the City intends to apply for low-interest SRF loan funding to fund construction of these wastewater utility construction projects to meet the ACO's requirements; and

WHEREAS, as a requirement of the SRF Loan Program, the City must submit to the State of Michigan, Dept. of Environment, Great Lakes and Energy, an approvable Project Plan describing the proposed sewer and wastewater system environmental program projects for the purpose of establishing their loan eligibility; and

WHEREAS, the specific construction projects presented in the Project Plan are:

- four (4) CSO Subarea Projects; 016/017 Phase II; 019, 022E, and 026;
- two (2) Downtown CSO Projects; the Cherry St. Project and the Pine/Kalamazoo Project;
- the North and South Hilliard Holmes Equalization Basin Project;
- the Tecumseh River Pump Station and Force Main Replacement Project; and
- the Lansing Ave. Pump Station Equalization Basin Project; and

WHEREAS, the estimated total project cost of these construction projects is \$127.0 Million; and

WHEREAS, the estimated additional monthly cost to a typical residential user for the associated SRF loan is \$5.91; and

WHEREAS, a public comment period for the draft Project Plan Amendment was available from April 5, 2023, through April 21, 2023, and a public hearing to receive public comment on the draft Project Plan Amendment was held on April 20, 2023; and

WHEREAS, all public comments received during the public comment period, including written comments, were considered and addressed in the development of the final Project Plan.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council formally adopts said Project Plan and agrees to implement the selected project alternatives.

BE IT FURTHER RESOLVED, that the City of Lansing Public Service Director, a position currently held by Andrew K. Kilpatrick, P.E., is designated as the authorized representative for all activities associated with the Wet Weather Control Program Projects, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of these projects.

By Council Member Spadafore

Motion Carried

Resolution #2023-100

By the Committee of the Whole

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing and Local 421 of the International Association of Fire Fighters 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 April 12, 2023; 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 Local 421 of the International Association of Fire Fighters for the period covering July 1, 2022 through June 30, 2026.

By Council Member Hussain

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 206, Section 206.16 to increase the maximum contract amount for which a Lansing-based bidder has an opportunity to match the lowest bid from a non-Lansing based business.

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

Yeas: Council Members Hussain, Jackson, Spadafore, Wood, Kost, Brown

Nays: None

By Council Member Spadafore to give the Ordinance immediate effect

Motion Carried

Ordinance #1313

An ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 206, Section 206.16 to increase the maximum contract amount for which a Lansing-based bidder has an opportunity to match the lowest bid from a non-Lansing based business.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter **206, Section 206.16** of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

206.16. - Preference for local bidders or offerors.

Lansing-based businesses may be awarded a contract as the lowest responsive and responsible bidder under the circumstances specified herein.

(1) *Definitions.*

(a) *City resident(s)* means an individual whose primary place of residence is within the corporate limits of the City of Lansing as evidenced by voter registration address, driver's license address or State identification address or affidavit form developed by the City Attorney.

(b) *Good faith effort* means those demonstrable activities supported by documentation and results that verify the bidders attempts to reach the established goal.

(c) *Implementing Department* means the City Department or Agency that has responsibility for oversight of a contract.

(d) *Joint venture* means a co-operation between two or more corporate bodies for a particular project in which they share the responsibilities and profits associated with the project.

(e) *Lansing-based business* means the physical and economic relationship to Lansing determined evidenced by a building or office physically located in the City and the payment of (1) City income taxes on the contractor's net profits, and (2) City property taxes on a plant or office and equipment such as is ordinarily required for the performance of the contract bid.

Any business physically located in Lansing which operates under a City-authorized tax abatement or forgiveness program, or any other City-authorized tax credit program, is still considered a Lansing-based business for purposes of this Section.

(f) *Subcontractor* means a person or company that assumes, by secondary contract, some or all of the obligations of an original contractor.

(2) *Purchases under \$15,000.00.* Pursuant to Section 206.03, departments purchasing supplies, services procured under bid and construction items for less than \$15,000.00, which are not purchased by use of a procurement card must solicit at least one quote from a Lansing-based business unless no Lansing-based business providing the service, supply or construction item can be identified. The procuring department will document efforts to use Lansing-based businesses.

(3) *Preference for Lansing-based businesses on contracts over \$15,000.00 and under ~~\$500,000.00~~ \$1,000,000.* When sealed bids are received under Section 206.02 for purchases, supplies and construction contracts greater than \$15,000.00 and less than ~~\$500,000.00~~ **\$1,000,000**, the following shall apply:

(a) *The person or business submitting the lowest bid shall be deemed the lowest bidder. If, however, the lowest bidder is not a Lansing-based business, any Lansing-based business with a bid within a specified percentage of the lowest bid that has been deemed responsive and responsible under the purchasing ordinance shall be deemed the lowest bidder if it agrees to reduce its bid to match the bid of the lowest bidder.*

The percentage difference shall be established by Council resolution and may be revised from time to time as Council deems appropriate.

(b) *If a Lansing-based business refuses to reduce its bid to match the lowest bid, then the next lowest responsible Lansing-based business with a bid within the established percentage of the lowest bid shall be given the opportunity to reduce its bid to match the bid of the lowest bidder. If the Lansing bidder agrees to reduce its bid to match the bid of the lowest non-Lansing bidder, it will be deemed the lowest bidder and awarded the contract.*

(c) *If no responsive and responsible Lansing-based business within the established percentage of the lowest bid agrees to reduce its bid to that of the lowest bidder, then the contract shall be awarded to the person or business with the lowest, most responsive and responsible bid.*

(d) *Except for construction contracts, no contract awarded pursuant to this Section shall be sublet in any manner that permits 50 percent or more of the dollar value of the contract to be performed by a subcontractor or subcontractors who do not meet the definition of Lansing-based.*

(e) *Any Lansing-based business awarded a contract pursuant to this Section shall agree to make available to the City all records necessary to establish its eligibility and compliance with all City, State and local laws.*

(4) *Affirmative measures for enhancing Lansing-based businesses.*

(a) The City may eliminate bid, performance, and payment bonding requirements when it deems appropriate for Lansing-based businesses, except for contracts for construction, alterations or repairs exceeding ~~\$30,000-00~~ **\$50,000**, subject to the requirements of MCL 129.201.

(b) The City may allow for joint ventures or other documented business arrangements to enable Lansing-based businesses to meet bonding requirements for contracts greater than \$15,000.00.

Section 2. If any portion of this Ordinance is held invalid for any reason, that holding will not affect the validity of the remaining portions of this Ordinance, which will continue in full force and effect.

Section 3. Any ordinances in conflict with this Ordinance are repealed, but only to the extent necessary to give this Ordinance full force and effect.

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

Passage of Ordinance

An ordinance of the City of Lansing, Michigan, to amend Chapter 812, Section 812.02 of the Lansing Codified Ordinances to increase the number of members of the Principal Shopping District Board from eight to nine and clarify the requirements for board composition.

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

Yeas: Council Members Hussain, Jackson, Spadafore, Wood, Kost, Brown

Nays: None

By Council Member Brown to give the Ordinance immediate effect

Motion Carried

Ordinance #1314

An ordinance of the City of Lansing, Michigan, to amend Chapter 812, Section 812.02 of the Lansing Codified Ordinances to increase the number of members of the Principal Shopping District Board from eight to nine and clarify the requirements for board composition.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 812, Section 812.02 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

812.02. - Principal Shopping District Board.

(a) For the purpose of managing the activities permitted by PA 120 of 1961, being MCL 125.981 et seq., as amended, a Principal Shopping District Board is hereby established and authorized to do business as "Downtown Lansing, Inc.". The Board shall be composed of ~~the following eight~~ **nine** members appointed by the Mayor with Council confirmation, **subject to the following requirements:**

- (1) **One Member is a** City Government Representative;
- (2) **One Member is a** resident of the residential area adjacent to the Principal Shopping District; and
- (3) **No fewer than five Members are** nominees of businesses located in the Principal Shopping District.
- (b) Members of the Principal Shopping District Board shall serve overlapping four year terms.
- (c) The Board shall meet at least once a month.
- (d) The affirmative vote of five board members shall be necessary for the Board to take action.
- (e) The Board shall be responsible for the following:
 - (1) Developing a program for the promotion of economic activity in the Principal Shopping District by conducting market research, public relations campaigns, retail and institutional promotions, special events, and other similar activities;
 - (2) Developing a written program for the maintenance, security, and operation of the public outdoor spaces within Zone A;
 - (3) Issuing permits required by Section 812.04;
 - (4) Advising the Mayor and Council on methods for financing its operations;
 - (5) Filing with the City Clerk, the Mayor, and Council, prior to January 30 of each year, a written report detailing its activities;
 - (6) Filing with the City Clerk, the Mayor, and Council, prior to August 15 of each year, an independent audit of all accounts, made by a certified public accountant at the close of the fiscal year ending on June 30;
 - (7) Filing with the City Clerk, the Mayor, and Council, prior to June 30 of every year, its budget for the next fiscal years commencing on July 1;
 - (8) Filing with the City Clerk, the Mayor, and Council, prior to June 30 of every third year starting in 2011, documentation necessary for the Council to make a special assessment for purposes of developing the Principal Shopping District in accordance with PA 120 OF 1961, being MCL 125.981 et seq., as amended, for the succeeding three years;
 - (9) Making available to the public information regarding the activities identified in this subsection and copies of the written program identified in subsection (e)(2).

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

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

Section 4. This ordinance shall take effect 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 Hussain that all items be considered as being read in full and that 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

Liquor License Transfer; Padsinab, LLC request for a Class C License and a Sunday Sales (AM/PM), Social District, Dance, Entertainment, Extended Hours, SDM Permits at 221 South Washington Ave.

Referred to the Committee on City Operations

Letter(s) from the Mayor re:

Reappointments; Arts and Culture Commission: Diane Gardin, Kevin Bonds, Mary Toshach; Board of Fire Commissioners: Kathleen Tobe, Mallory Wallis; Board of Police Commissioners: Damon Milton, Guillermo Lopez; Board of Public Service: Jason Wilkes, Thomas Hickson Jr.; Board of Zoning Appeals: Jordan Leaming, Kurt Berryman; Capital Area Transportation Authority Board: Darlene Fancher; Downtown Lansing, Inc. Board: Karl Dorshimer; Historic District Commission: James Bell; Lansing Entertainment and Public Facilities Authority Board of Commissioners: Danielle Lenz, Larry Leatherwood, Maureen Saxton; Lansing Gateway Corridor Improvement Authority Board of Directors (North Grand River): Dianne Hartwell; Michigan Avenue Corridor Improvement Authority Board of Directors: Elaine Barr, Joan Nelson; Park Board: Isaac Francisco; Planning Commission: Monte Jackson

Referred to the Committee of the Whole

Street Decertification; portions of Jerome Street, Holmes Street, Malcolm X Street, Aurelius/Main Connector, Regent Street, Schoolcraft Drive totaling 4,780 feet

Referred to the Committee on City Operations

Workers Compensation Settlement; WC 2062876-01922-001

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

Workers Compensation Settlement; WC 2062876-01409

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

Grant Acceptance; Michigan Department of Environment, Great Lakes, and Energy (EGLE) Rural Electronics Recycle Grant

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

Collective Bargaining Agreement; ratification of International Association of Fire Fighters Local 421 Supervisory Unit Contract

Referred to the Committee of the Whole/Place on File

Bylaws; Lansing Gateway Corridor Improvement Authority

Referred to the Committee on Development and Planning

- Communications and Petitions, and Other City Related Matters:

Communication from Michael Lynn Jr. concerning actions of the City Attorney's Office

Referred to the Committee of the Whole/Place on File

Motion of Excused Absence

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

Motion Carried

Remarks by Council Members

Council Member Wood announced the Committee on Public Safety Committee red tag report.

Remarks by the Mayor Or Executive Assistant

Chief of Staff to the Mayor announced the upcoming Love Lansing celebration. She also spoke about the approval of multiple positions available.

Public Comment on City Government Related Matters

Mara Tomic-Bobas spoke about fees.

Stan Shuck spoke about chip sealing on streets.

Loretta Stanaway spoke about the City budget.

Elaine Womboldt spoke about various city issues.

Elizabeth Rice spoke about code compliance.

Nicklas Zande spoke about various city issues.

Daniel Arnold spoke about community connections.

Ashia Wilson spoke about Fair Chance Housing.

Alyssa Turcsak spoke about accessible city council meetings.

April 24, 2023

Council Proceedings

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Rachel Diskin spoke about accessible council meetings.

Erica Lynn spoke about various city issues.

Mike Lynn spoke about various city issues.

Farhan Sheikh-Omar spoke about various city issues.

Adjourned Time 9:01 P.M.

A handwritten signature in black ink that reads "Chris Swope". The signature is written in a cursive, flowing style. Below the signature is a solid black horizontal line.

Chris Swope, City Clerk