



**Official Proceedings of the City Council
City of Lansing
June 26, 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 7:15 p.m. by President Wood

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

ABSENT: Council Member Garza

A quorum was present.

Council Member Brown asked people to remember Lucious Jackson, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Wood.

Special Ceremonies

Reaffirming the Appointments of Council Members Garza and Jackson as liaisons to the Lansing Planning Commission from July 1 to December 31, 2023

Comments by Council Members and the City Clerk

Council Member Jackson thanked those who attended the recent 4th Ward constituent contact meeting and he cancelled the upcoming meeting.

Council Member Kost cancelled the upcoming 1st Ward constituent contact meeting.

Council Member Hussain cancelled the upcoming 3rd Ward constituent contact meeting and thanked Tirstan Walters for his dedication as a member of the Park Board. Additionally he thanked Irene Cahill, Brett Kaschinske, Jesse Fountain, and the executive board of Churchill Downs Neighborhood for their efforts.

Council Member Wood announced the Rejuvenating South Lansing meeting cancellation.

Council Member Brown spoke about the Ethics Complaint made against him.

City Clerk Swope provided updates on the upcoming primary election specifically about absentee voting.

Community Event Announcements

Nicklas Zande spoke about an upcoming League of Women Voters of Lansing Area Meet and Greet for City Council candidates and the public.

Loretta Stanaway announced the upcoming Friends of Lansing's Historic Cemeteries picnic event.

Speaker Registration for Public Comment on Legislative Matters

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

Mayor's Comments

Mayor Schor congratulated the recent Fire Science graduates. He thanked everyone involved in the recent Juneteenth and Pride events. He thanked the Churchill Downs Neighborhood Association for their recent picnic. He expressed his gratitude to Tom and Lupe Izzo and family for the Izzo Family Medical Center through McClaren Hospital. He congratulated Lansing Human Relations and Community Services Department for their recent celebration of diversity. He thanked everyone involved in the Black History Mobile Museum. He reminded the public of recently placed speed signs in various neighborhoods of Lansing. Finally, he announced the upcoming groundbreaking of Ovation, a concert hall performing arts center, and reminded citizens of the upcoming concerts in the park and parades.

Public Comment on Legislative Matters

Legislative Matters included the following public hearings:

Ordinance to clarify solid waste, recyclable material, and/or yard waste abatement and enforcement penalties

Council Member Hussain gave an overview of the public hearing.

Public Comment on Legislative Matters:

City Clerk Swope acknowledged written communications from Jenafer Quenby regarding Claim #1970 and from Elaine Womboldt supporting the passage of the ordinance to clarify solid waste, recyclable material, and/or yard waste abatement and enforcement penalties.

Darren Tews spoke on Z-4-2023.

Nicklas Zande spoke on the resolution to support State of Michigan funding for Moore's Park Pool restoration.

Stan Shuck spoke on various legislative matters.

Mitch Rice spoke on the Community Corrections funding application.

Legislative Matters

Referral of Public Hearings

Ordinance to clarify solid waste, recyclable material, and/or yard waste abatement and enforcement penalties
To be considered for passage at this meeting.

Consent Agenda

By Council Member Hussain

To approve all items on the Consent Agenda.

Motion Carried

Resolution #2023-143

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

SNOW AND ICE REMOVAL ASSESSMENT ROLL WINTER 2022-23

WHEREAS, pursuant to Chapter 1020.06, Snow and Ice, adopted by this Council, the City Assessor has completed the assessment roll for removal of snow and/or ice adjacent to certain properties within the City; and

WHEREAS, the owners of these properties were given proper notice in accordance with Chapter 1020.06(c)(1) to remove the snow and/or ice from the public sidewalk adjacent to their property; and

WHEREAS, the City incurred costs for the removal of snow and/or ice, which it is required to recover in accordance with Chapter 1020.06(c)(2); and

WHEREAS, pursuant to Chapter 1020.06, the fees for those costs were adopted by Council; and

WHEREAS, those costs incurred between December 1, 2022 and April 30, 2023, by the City total \$6,726.00.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, July 10, 2023 at 7:00 PM, in the Tony Benavides Lansing City Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk shall give notice of hearings in special assessment proceedings to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by first class mail addressed to such owner or party at the address shown on the tax records, at least ten days before the date of such hearing. Said notices shall include the time and place of the hearing; a description of the properties determined by the Director of Public Service to have violated Chapter 1020.06 which are contained in the special assessment roll; where the special assessment roll is on file with the City Clerk and may be examined at the City Clerk's office; and

BE IT FURTHER RESOLVED, that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the removal of snow and ice, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, a written appeal of the Special Assessment may be made to the Michigan Tax Tribunal, 611 West Ottawa St., P.O. Box 30232, Lansing, MI 48909; if filed within thirty days after confirmation of the special assessment roll and if the Special Assessment was protested at this hearing.

Adopted as part of the Consent Agenda

Resolution #2023-144

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

WHEREAS, the City of Lansing Department of Public Service and the Lansing Board of Water & Light are partnering to construct the utility and infrastructure improvements associated with the Combined Sewer Overflow (CSO) 015South Project, a project area generally bounded by Lapeer St. on the northside, Sycamore St. on the eastside, Ottawa St. on the southside, and Verlinden St. on the westside; and

WHEREAS, timely completion of this project is specifically required by Administrative Consent Order #ACO-05153, entered Dec. 19, 2019; and

WHEREAS, the large amount of construction required for this project will encompass the rest of the 2023 construction season, all of the 2024 construction season and most of the 2025 construction season; and

WHEREAS, this project includes a significant amount of utility work and other improvements on the local neighborhood streets within the project area and on major streets, Martin Luther King, Jr. Blvd., Shiawassee St., Ottawa St., and Jenison St.; and

WHEREAS, for the periods July 8, 2023, through November 11, 2023, April 20, 2024, through October 26, 2024, and April 26, 2025, through October 25, 2025, the construction contractor, Leavitt and Starck Excavating, Inc., has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:30 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- reduce the amount of time local access for property owners is impacted;
- allow the contractor to have the ability to work some Saturdays when necessary for completion of important work activities; and
- keep the project on-schedule based on rain days.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, July 10, 2023, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan Ave., in consideration of the request for granting a waiver of the noise ordinance to Leavitt and Starck Excavating, Inc., while the company is conducting work as part of the CSO 015South Project on Saturdays from 8:00 AM to 4:30 PM for the periods July 8, 2023, through November 11, 2023, April 20, 2024, through October 26, 2024, and April 26, 2025, through October 25, 2025.

Adopted as part of the Consent Agenda

Resolution #2023-145

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

WHEREAS, the City of Lansing Parks and Recreation Department will receive a MiCorps Volunteer Stream Cleanup Program (VSCP) Grant to implement trash cleanup of rivers, streams, and creeks; and

WHEREAS, MiCorps Volunteer Stream Cleanup Program (VSCP) Grant was the result of a competitive proposal process, and a proposal was submitted by the Department of Parks and Recreation with approval notification received on April 27, 2023 and will be paid in 2023; and

WHEREAS, MiCorps Volunteer Stream Cleanup Program (VSCP) Grant is part of a the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to provide grants to local units of government to partner with volunteers for cleanups; and

WHEREAS, the MiCorps Volunteer Stream Cleanup Program (VSCP) Grant awarded \$5,000.00 to the City of Lansing Department of Parks and Recreation; and

WHEREAS, the award of \$5,000.00 does require a 25% match (\$1,250.00) from the city; and

WHEREAS, the City of Lansing will work Michigan Waterways Stewards and volunteers to organize cleanup events for the Grand and Red Cedar Rivers; and

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the MiCorps Volunteer Stream Cleanup Program (VSCP) Grant in the total amount of \$5,000.00 for the grant and 25% matching funds for the City of Lansing Parks and Recreation Department.

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

Adopted as part of the Consent Agenda

Resolution #2023-146

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

WHEREAS, the State Community Corrections Advisory Board, the Ingham County Board of Commissioners, and the City of Lansing approved the original Ingham County/City of Lansing Community Corrections Comprehensive Plan in 1991; and

WHEREAS, the Community Corrections Advisory Board approved the Funding Application and Plan for FY 2023-2024; and

WHEREAS, the FY 2023-2024 Application provides for the following CCAB Plans and Service programming: Relapse Prevention and Recovery (\$71,918) to be provided by C-E-I CMH; MRT Cognitive Change Groups (\$27,250) to be provided by Prevention and Training Services; Domestic Violence Intervention Groups (\$40,000) to be provided by Prevention and Training Services; Opioid Specific Program services (\$30,000) to be provided by Tri County Community Adjudication Program (TRI-CAP); CHOICES programming (\$40,000) to be provided by Northwest Initiative — ARRO; and, Electronic Monitoring Services for Pretrial defendants (\$9,317) to be provided by Judicial Services Group, Ltd., for a subcontracted program total of \$218,485 for the time period of October 1, 2023 through September 30, 2024; and

WHEREAS, the FY 2023-2024 Application also provides funding for a special part-time Pretrial Services Investigator (\$26,197) to enhance the community supervision capacity of 30th Circuit Court Pretrial Services and for CCAB Administration in the amount of \$104,000, for a Plans and Services total of \$348,682 for the time period of October 1, 2023 through September 30, 2024; and

WHEREAS, pursuant to the FY 2023-2024 Application, the County may enter into subcontracts for the purpose of implementing Plans and Services programs and services identified in the Community Corrections Plan and Application; and

WHEREAS, the Subcontractors for Plans and Services programming are willing and able to provide the services that the County requires.

THEREFORE BE IT RESOLVED, that the Lansing City Council authorizes submission of the Grant Application and, upon State approval, entering into an Agreement with the Michigan Department of Corrections for Ingham County/City of Lansing Community Corrections for FY 2023-2024 in the amount of \$348,682 in CCAB Plans and Services and Administration funds for the time period of October 1, 2023 through September 30, 2024.

BE IT FURTHER RESOLVED, that the Lansing City Council authorizes entering into subcontracts for CCAB Plans and Services programming from October 1, 2023 through September 30, 2024 with Prevention and Training Services for the cost of MRT Change Groups for a cost not to exceed \$27,250; with Prevention and Training Services for the cost of Domestic Violence Intervention Groups for a cost not to exceed \$40,000; with Tri County Community Adjudication Program (TRI-CAP) for the cost of Opioid Specific Program services not to exceed \$30,000; with CEI Community Mental Health for the cost of Relapse Prevention and Recovery services not to exceed \$71,918; with Northwest Initiative - ARRO for the cost of CHOICES program services not to exceed \$40,000; and with Judicial Services Group, Ltd. for the cost of electronic monitoring services for Pretrial defendants not to exceed \$9,317.

BE IT FURTHER RESOLVED, that the Lansing City Council authorizes the continued funding of a special part-time (19 hours per week) Pretrial Services Investigator position at the ICEA PR006 salary grade not to exceed \$26,197.

BE IT FURTHER RESOLVED, that entering into the subcontracts and maintaining the Pretrial Services Investigator position are contingent upon entering into the Agreement with the State.

BE IT FURTHER RESOLVED, that the subcontracts and Pretrial Services Investigator position are contingent throughout the subcontract period on the availability of grant funds from the State of Michigan for these purposes.

Adopted as part of the Consent Agenda

Resolutions

Resolution #2023-147

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

WHEREAS, Kings Property LLC sought to eliminate a special assessment of \$360 for grass fees, associated penalties, and interest, on the property tax bill for 2306 E Michigan Avenue, Lansing, MI 48912 (ID #33-01-01-14-305-422); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on June 12, 2023, and denied the claim in the amount of \$360.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$360 for grass fees, associated penalties, and interest on the property tax bill for 2306 E Michigan Avenue, Lansing, MI 48912 (Tax ID #33-01-01-14-305-422).

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

By Council Member Spadafore

Motion Carried

Resolution #2023-148

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

WHEREAS, Eulanda Wilson sought to eliminate a special assessment of \$7,190 for trash removal fees, associated penalties, and interest, on the property tax bill for 1017 N Larch Street, Lansing, MI 48906 (ID #33-01-01-09-430-272); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on June 12, 2023, and denied the claim in the amount of \$7,190.

THEREFORE, BE IT RESOLVED, the City Council, hereby denied the claim in the amount of \$7,190 for trash removal fees, associated penalties, and interest on the property tax bill for 1017 N Larch Street, Lansing, MI 48906 (Tax ID #33-01-01-09-430-272).

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

By Council Member Spadafore

Motion Carried

Resolution #2023-149

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

WHEREAS, Jenafer Quenby sought to eliminate a special assessment of \$7,558 for trash removal fees, associated penalties, and interest, on the property tax bill for 3517 Pleasant Grove Road, Lansing, MI 48910 (ID #33-01-01-32-101-071); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on June 12, 2023, and denied the claim in the amount of \$7,558.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$7,558 for trash removal fees, associated penalties, and interest on the property tax bill for 3517 Pleasant Grove Road, Lansing, MI 48910 (Tax ID #33-01-01-32-101-071).

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

By Council Member Spadafore

Motion Carried

Resolution #2023-150

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

WHEREAS, at any time during the fiscal year, the City Council may consider appropriations which modify the previously adopted annual appropriation to transfer an unencumbered balance in whole or in part from any account; provide for the expenditure of revenues in excess of those in the budget; or meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, the City of Lansing has received additional revenue from the Opioid settlement; and

WHEREAS, these additional revenues will be set aside by the administration for the Police, Fire, and Human Relations and Community Services (HRCS) departments; and

WHEREAS, the revised appropriations below result in a targeted unrestricted fund balance that falls within the minimum 12% and maximum of 15% of general fund expenditures as required by the City's General Fund Reserve Policy such that combined reserves of the General Fund are not projected to exceed 15% of General Fund revenues or fall below 12% of General Fund expenditures;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2022/2023 and FY 2023/2024 budget amendment is approved:

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriation accounts and to make the necessary operating transfers for the expenditure and control of the balance of the carryforwards and appropriations:

FY2022/2023

<u>Appropriation</u>	<u>Description</u>	<u>Amount</u>
General Fund	Opioid Settlement	\$368,245.43
General Fund	Use of (Contribution to) Fund Balance	\$1,126,686.00
Total General Fund Revenue Appropriation		<u>\$1,494,931.43</u>
Police	Operating	\$122,748.48
Fire Department	Operating	\$122,748.48
HRCS	Operating	<u>\$122,748.47</u>
Total Opioid Appropriation		<u>\$368,245.43</u>
Human Service Agencies	Operating	\$728,521.00
Racial Justice and Equity	Operating	\$135,000.00
Total Human Services Carryforward		<u>\$863,521.00</u>
City Supported Agencies	Operating	\$262,165.00
Total City Supported Agency Carryforward		<u>\$262,165.00</u>
Internal Audit	Personnel	(\$50,000)
Assessing	Personnel	(\$125,000)
Treasury	Personnel	(\$75,000)

Human Resources	Personnel	(\$150,000)
Human Resources	Operating	(\$100,000)
City Attorney	Personnel	(\$100,000)
Police	Personnel	(\$50,000)
Fire	Personnel	(\$50,000)
Vacancy Factor		\$700,000
Library Building Rental	Operating	\$1,000
Total General Fund Expenditure Appropriation		<u>\$1,494,931.43</u>

BUILDING DEPARTMENT FUND	FROM/(TO) FUND BALANCE	\$55,000
Total Building Safety Fund Revenue Appropriation		<u>\$55,000</u>
BLDG SAFETY / CODE COMPLIANCE	Operating	\$55,000
Total Building Safety Expenditure Appropriation		<u>\$55,000</u>

DLI Fund	GRANTS	\$2,500,000
DLI Fund	MISCELLANEOUS	\$500,000
DLI Fund	FROM/(TO) FUND BALANCE	(\$1,900,000)
Total DLI Revenue Appropriation		<u>\$1,100,000</u>

DLI Fund	Operating	\$1,000,000
DLI Fund	Personnel	\$100,000
Total DLI Expenditure Appropriation		<u>\$1,100,000</u>

FY2023/2024

<u>Appropriation</u>	<u>Description</u>	<u>Amount</u>
General Fund	Use of (Contribution to) Fund Balance	\$15,000
Total General Fund Revenue Appropriation		<u>\$15,000</u>

City Council	Operating	\$15,000
Total General Fund Expenditure Appropriation		<u>\$15,000</u>

By Council Member Hussain

Motion Carried

Resolution #2023-151

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

WHEREAS, the City of Lansing (the "City") and the City of East Lansing ("East Lansing") established a Local Development and Finance Authority (the "LDFA") in 2005, and renewed the same in 2022 pursuant to Act 57 of 2018 (the "Act"); and

WHEREAS the City and East Lansing entered into an Amendment and Restated Agreement Regarding the Operation of the Local Development Finance Authority of the Cities of Lansing and East Lansing (the "Agreement") in 2022; and

WHEREAS, the Agreement, consistent with the Act, requires that the City and East Lansing both approve the annual budget of the LDFA adopts the same; and

WHEREAS, the LDFA has preliminarily approved its budget for Fiscal Year Ending 2024 (the "Budget") and submitted it to the City for approval, attached hereto; and

WHEREAS, upon review the Lansing Economic Development Corporation finds that the Budget reflects no capture of City taxes or use of City funds.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the adoption of the Budget by the LDFA.

By Council Member Spadafore

Motion Carried

Resolution #2023-152

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

WHEREAS, a public hearing was held on Monday, June 12, 2023, in consideration of the request by E.T. MacKenzie Co., the construction contractor for the Combined Sewer Overflow (CSO) 034E Project, for issuance of a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:30 PM for the periods June 24, 2023, through November 11, 2023, and April 13, 2024, through June 29, 2024; and

WHEREAS, timely completion of this project is specifically required by Administrative Consent Order #ACO-05153, entered Dec. 19, 2019; and

WHEREAS, the large amount of construction required for this project will encompass the rest of the 2023 construction season and continue for the first few months of the 2024 construction season; and

WHEREAS, this project includes a significant amount of utility work and other improvements on the local neighborhood streets within the project area and on major street, Greenlawn Ave.; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- reduce the amount of time local access for property owners is impacted;
- allow the contractor to have the ability to work some Saturdays when necessary for completion of important work activities; and
- keep the project on-schedule.

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that the City Council grant a waiver of the noise ordinance to E.T. MacKenzie Co., while the company is conducting work as part of the CSO 034E Project on Saturdays from 8:00 AM to 4:30 PM for the periods June 24, 2023, through November 11, 2023, and April 13, 2024, through June 29, 2024.

By Council Member Spadafore

Motion Carried

Resolution #2023-153

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 3421 N CEDAR ST., Parcel # 33-01-01-04-226-101 legally described as LOT 27 SUPERVISORS PLAT OF SCHWORERS BLOOMFIELD FARMS., 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 March 27, 2018; and

WHEREAS, a hearing was held by the Lansing Demolition Board on February 23, 2023, at which the Hearing Officer determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by April 23, 2023; 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 June 12, 2023, 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 3421 N. Cedar Street, as legally described above, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 30 days from the date of this resolution, June 26, 2023.

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

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

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

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

By Council Member Hussain

Motion Carried

Resolution #2023-154

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 131 W. JACKSON ST., Parcel # 33-01-01-04-401-271 legally described as LOT 70 & W ½ LOT 71 MORNINGSIDE 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 June 5, 2020; and

WHEREAS, a hearing was held by the Lansing Demolition Board on February 23, 2023, at which the Hearing Officer determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by April 23, 2023; 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 June 12, 2023, 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 131 W. Jackson Street, 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, June 26 2023.

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 Hussain

Motion Carried

Resolution #2023-155

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 1722 DONORA ST., Parcel # 33-01-01-22-352-591 legally described as ASSESORS PLAT NO 28 REC L 10 P 33, 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 22, 2006; and

WHEREAS, a hearing was held by the Lansing Demolition Board on February 23, 2023, at which the Hearing Officer determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by April 23, 2023; 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 June 12, 2023, 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 1722 Donora Street, 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, June 26 2023.

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 Hussain

Motion Carried

Resolution #2023-156

By the Committee of the Whole

Resolved by the City Council of the City of Lansing

WHEREAS, the Lansing City Council Strongly urges the Michigan State Legislature to support appropriations that would fund Moores Park Pool restoration; and

WHEREAS, Moores Park Pool is 101 years old and was the prototype of the oval pool designed by Wesley Bintz; and

WHEREAS, Wesley Bintz pools were built all over the country, and Wesley was a City of Lansing Engineer in the early 1900s. There are fewer than a handful out of hundreds of pools left today, all bearing plaques with Lansing, Michigan at the bottom. Saving Moores Park Pool is a priority to save a National historical site; and

WHEREAS, generations of Lansing Residents spent their summers climbing the classic rock stairs, swimming in the pool, and making lifelong friends there. The pool has been closed since 2019 and must be repaired as it is in Lansing's DNA as much as the smokestacks or the Capitol are.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council urges the Michigan State Legislature to support appropriations that would save Moores Park Pool and our heritage.

BE IT FINALLY RESOLVED that the City Clerk transmit a copy of this Resolution to the State Legislature and the Governor's Office upon adoption by City Council.

By Council Member Kost

Motion Carried

Resolution #2023-157

By the Committee on City Operations

Resolved by the City Council of the City of Lansing

WHEREAS, DeAndre Thomas applied for a Transient Merchant License for DT's Grill; and;

WHEREAS, after a background investigation pursuant to City of Lansing Codified Ordinance 844.04, the license was denied;

WHEREAS, Ordinance Chapter 844, Peddlers, Solicitors and Transient Merchants, Section 844.14 License Revocation and 844.15 Appeals, provides that a person aggrieved by the denial of a license may appeal, and City Council shall set a hearing on the appeal.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Lansing will set a public hearing be set for Monday, July 10, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of allowing the applicant an opportunity to be heard on appeal of the denial of the Transient Business License.

By Council Member Spadafore

Motion Carried

Resolution #2023-158

By the Committee on City Operations

Resolved by the City Council of the City of Lansing

WHEREAS, Eugenio Trujillo applied for a Transient Merchant License for Irma's Cuban Food; and

WHEREAS, after a background investigation pursuant to City of Lansing Codified Ordinance 844.04, the license was denied;

WHEREAS, Ordinance Chapter 844, Peddlers, Solicitors and Transient Merchants, Section 844.14 License Revocation and 844.15 Appeals, provides that a person aggrieved by the denial of a license may appeal, and City Council shall set a hearing on the appeal.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Lansing will set a public hearing be set for Monday, July 10, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of allowing the applicant an opportunity to be heard on appeal of the denial of the Transient Business License.

By Council Member Spadafore

Motion Carried

Ordinances for Introduction

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 1460.01(m), and the International Property Maintenance Code, adopted by reference, to clarify the parties responsible for prohibiting the occupancy and maintaining the vacancy of placarded equipment and structures.

The Ordinance was read a first time by its title and referred to the Committee on Public Safety.

Resolution #2023-159

By the Committee on Public Safety

Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for July 10, 2023, at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 1460.01(m), and the International Property Maintenance Code, adopted by reference, to clarify the parties responsible for prohibiting the occupancy and maintaining the vacancy of placarded equipment and structures.

By Council Member Hussain

Motion Carried

Ordinances for Passage

Passage of Ordinance

An Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of the City of Lansing.

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

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

Nays: None

By Council Member Hussain to give the ordinance Immediate effect

Motion Carried

Ordinance #1315

An Ordinance of the City of Lansing, Michigan, Re-Adopting the Codified Ordinances of the City of Lansing.

THE CITY OF LANSING ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Lansing, Michigan, as amended and republished by municipal code corporation through Supplement 58, and all general and permanent legislation of the City from the date of entry through December 31, 2022, except any ordinance repealed as provided by law, as revised, codified, arranged, numbered, edited, and consolidated into component codes, titles, chapters, and sections are hereby approved and readopted as the Codified Ordinances of Lansing, Michigan 2022, complete to December 31, 2022.

SECTION 2. The readoption of Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such readoption or an action or proceeding for the enforcement of such right or liability. Such readoption shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution thereof. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal

for the purpose of revision and codification.

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 other than the part so declared to be invalid.

Section 4. All ordinance or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

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, 2032.

FAIL VOTE Z-4-2023

An Ordinance of the City of Lansing, Michigan, providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1242.02 of the Code of Ordinances.

Z-4-2023	6 vacant lots along the west side of the 3300 block of the unimproved N. Larch Street right-of-way from "R-3" Suburban Detached Residential to "S-C" Suburban Commercial
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Was read a second time by its title and failed by the following roll call vote:

Yeas: Council Members Jackson, Kost, Spadafore

Nays: Council Members Brown, Hussain, Spitzley, Wood

Passage of Ordinance

An Ordinance of the City of Lansing, Michigan, providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1242.02 of the Code of Ordinances.

Z-5-2023	1906 E. Miller Road and the vacant parcel at the southwest corner of E. Miller Road and Aurelius Road from "R-3" Suburban Detached Residential to "R-MX" Residential Mix
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Was read a second time by its title and adopted by the following roll call vote:

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

Nays: None

Ordinance #2630

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1242.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

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

Case Number:	Z-5-2023
Parcel Number's:	33-01-05-10-226-140 & 33-01-05-10-226-151
Addresses:	1906 E. Miller Road and the vacant parcel at the southwest corner of E. Miller Road and Aurelius Road
Legal Descriptions:	1906 E. Miller Road: Commencing 627 feet West of the Northeast Corner of Section 10, thence South 825 feet, East 100 feet, North 825 feet, West 100 feet to the point of beginning; Vacant parcel: North 825 feet of the East 527 feet of the Northeast 1/4 of Section 10, T3N, R2W, except the North 147 feet of the West 83.5 feet of the East 459.5 feet thereof, from "R-3" Suburban Detached Residential to "R-MX" Residential Mix.

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

Section 3. This ordinance was duly adopted by the Lansing City Council on June 26, 2023, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

Passage of Ordinance

An Ordinance of the City of Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 1060, Section 1060.08 and Section 1060.99 to clarify abatement and enforcement penalties.

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

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

Nays: Council Members Spadafore, Spitzley

By Council Member Hussain to give the ordinance immediate effect

Motion Carried with Council Member Jackson voting nay

Ordinance #1316

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1060, Section 1060.08 and Section 1060.99 to clarify abatement and enforcement penalties.

The City of Lansing Ordains:

Section 1. That Chapter 1060, Section 1060.08, of the Codified Ordinances of the City of Lansing, Michigan, be and hereby is amended to read as follows:

- (a) Removal or abatement. **Independent of and in addition to any other violations of this Chapter, Any**any solid waste, recyclable material and/or yard waste accumulated in a manner which is a public nuisance; any scattered solid waste, rejected items, recyclable material and/or yard waste; broken or open collection containers; yard waste collection or recyclable material containers in excess of 30 pounds; collection containers containing unacceptable materials; or collection containers placed in front of a residential site of generation contrary to any collection procedure referred to in Section 1060.05; or any bulk item accumulated beyond the time frame identified in Section 1060.12, or unacceptable bulk item or bulk item placed in front of a residential site of generation contrary to collection procedures referred to in Sections 1060.14 and 1060.15, is hereby declared to be a public nuisance and is subject to removal or abatement. If a violation of this chapter is not corrected within seven days after notice is given in the manner provided in Section 1060.07 or 1060.16, respectively, then the City, through its Public Service Director or authorized city official, agent or designee, may remove or abate the nuisance.
- (b) Expenses.
 - (1) The complete expense, including the administration costs to the City, incurred in the removal, abatement or preparation of materials for recycling shall be the sole responsibility of the owner or party in interest of the property on which or in front of which the condition existed, and shall be paid by the owner or party in interest in whose name the property appears on the City's latest real property tax assessment records. The expense shall be a penalty for income tax purposes.
 - (2) The complete expense incurred shall be a lien against the real property and shall be reported to the City Assessor, who shall assess the same against the property on which or in front of which the nuisance was located.
 - (3) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he or she fails to pay the same within 30 days after mailing, by the City Assessor, of a notice of the amount thereof, the City Assessor shall add the same to the next tax roll of the City, and such amount shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.

Section 2. That Chapter 1060, Section 1060.99, of the Codified Ordinances of the City of Lansing, Michigan, be and hereby is amended to read as follows:

- (a) Any violation of this Chapter 1060 shall be deemed to be a civil infraction pursuant to Code Chapter 203.
- (b) The following schedule of civil fines payable to the Municipal Ordinance Violations Bureau for admissions of responsibility to civil infraction violation notices is established under this chapter:
 - First offense **per calendar year**. \$25.00
 - Second offense **per calendar year**. \$50.00
 - Third (or any subsequent) offense **per calendar year**. \$250.00
 These ticketed fees could be changed from time to time by Council resolution.
- (c) The Director of the Public Service Department or the Director's designee is hereby named as an authorized city official to issue municipal civil infraction citations or municipal civil infraction violation notices pursuant to Section 203.01.

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 other than the part so declared to be invalid.

Section 4. All ordinance or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

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, 2032.

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

Executive Directive 2023-01; Juneteenth as a City of Lansing Holiday
Placed on File

Executive Directive 2023-02; Citizen Complaint Oversight Committee (CCOC) and Commission Investigator (CI)
Referred to the Committee of the Whole

Board and Water and Light Budget for Fiscal Year Ending June 30, 2024 and the Capital Forecast for Fiscal Years 2024-2029
Referred to the Committee of the Whole

Letter(s) from the Mayor re:

Grant Acceptance; HOME Investment Partnership Program American Rescue Plan (HOME ARP) FOR Homelessness Prevention Program (HPP)
Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; Michigan State Housing Development Authority, Shelter Diversion Pilot
Referred to the Committee on Ways and Means and to the Internal Auditor

Grant Acceptance; HOME-ARP funds awarded by the Michigan State Housing Development Authority for Housing Navigation Program (HNP)
Referred to the Committee on Ways and Means and to the Internal Auditor

Setting a Public Hearing on Z-7-2023; 3712 S. Cedar Street, Rezoning from "MX-C" Mixed Use Center District to "S-C" Suburban Commercial District
Referred to the Committee on Development and Planning

Z-7-2023; 3712 S. Cedar Street, Rezoning from "MX-C" Mixed Use Center District to "S-C" Suburban Commercial District
Referred to the Committee on Development and Planning

LS-10-2023; 2024 Ferrol Street, lot split request for 2024 Ferrol Street for construction of 2 single-family homes
Referred to the Committee on Development and Planning

Set Public Hearing; Obsolete Property Rehabilitation Act (OPRA) District; Homes on Holmes, LLC for property located at 230 S. Holmes St.
Referred to the Committee on Development and Planning

Setting a Public Hearing on Obsolete Property Rehabilitation Act (OPRA) Certificate; Homes on Holmes, LLC for property located at 230 S. Holmes St.
Referred to the Committee on Development and Planning

Appointment; Jesus Flores, Jr. as a Business Representative member of the Downtown Lansing, Inc. Board for a term to expire June 30, 2024
Referred to the Committee on Development and Planning

Appointment; P. Shane Muchmore as the 2nd Ward member of the Planning Commission for a term to expire June 30, 2026
Referred to the Committee on Development and Planning

Appointment; Traci Riehl as a City of Lansing member of the Local Development Finance Authority Board for a term to expire June 30, 2027
Referred to the Committee on Development and Planning

Appointment; Ben Kohrman as an At-Large member of the Elected Officers Compensation Commission for a term to expire October 1, 2029
Tabled until additional information is provided by administration

Grant Acceptance; Priority Health and National Fitness Campaign Grant for the City of Lansing Parks and Recreation Department.
Referred to the Committee on Ways and Means and to the Internal Auditor

Letter(s) from Council President Wood re:

Ordinance to amend uses of Council Chambers and Conference Room
Referred to the Committee of the Whole and City Attorney

Setting a Public Hearing on an Ordinance to amend uses of Council Chambers and Conference Room
Referred to the Committee of the Whole and City Attorney

Ordinance to itemize Chief Strategy Officer duties
Referred to the Committee of the Whole and City Attorney

Setting a Public Hearing on an Ordinance to itemize Chief Strategy Officer duties

Referred to the Committee of the Whole and City Attorney

Ordinance prohibiting collection bins on City owned property
Referred to the Committee on Public Safety and City Attorney

Setting a Public Hearing on an Ordinance prohibiting collection bins on City owned property
Referred to the Committee on Public Safety and City Attorney

- Communications and Petitions, and Other City Related Matters:

Notice from the Michigan Liquor Control Commission; Bonnie's Lansing, LLC request for transfer ownership escrowed 2023 Class C & SDM license with Sunday Sales permit (AM/PM), Outdoor Service (1 Area) and Specific Purpose permit (Food) from Cur, LLC; New Entertainment permit; New Sunday Sales permit (PM) for the SDM license - Mixed Spirit Drink; Cancel existing Specific Purpose permit (Food) at 637 E. Michigan Ave
Referred to the Committee on City Operations

Claim Appeal; Claim #1954, Trei Mititei LLC for \$835 in trash fees at 500 W. Willow St.
Referred to the Committee on City Operations

Claim Appeal; Claim #1955, Silly Goose LLC for \$625 in trash fees at 1506 Robertson Ave.
Referred to the Committee on City Operations

Claim Appeal; Claim #1967, Rahim Alikheil for \$715 in trash fees at 1611 Lansing Ave.
Referred to the Committee on City Operations

Motion of Excused Absence

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

Motion Carried

Public Comment on City Government Related Matters

Viol Trice thanked the Parks and Recreation Department and City for tree removal.

Mitch Rice spoke on various City matters.

Stan Shuck spoke on various City matters.

Nicklas Zande spoke on various City matters.

Jody Washington spoke on various City matters.

Adjourned Time 8:41 P.M.



Chris Swope, City Clerk