



**Official Proceedings of the City Council
City of Lansing
August 28, 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 7:00 p.m. by President Wood

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

ABSENT: None

A quorum was present.

Council Member Kost asked people to remember Vernita Payne, who passed away as a result of the recent storm during the moment of Meditation. Council Member Spitzley asked people to remember victims of the storm via carbon monoxide poisoning, as well as those still without power from the recent storm during the moment of Meditation.

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

Approval of Printed Council Proceedings

By Vice President Garza

To approve the printed Council Proceedings of August 14, 2023.

Motion Carried

Special Ceremonies

Overview on Storm Damage Restoration

Fire Chief Brian Sturdivant, Board of Water and Light General Manager Dick Peffley and Public Service Director Andy Kilpatrick provided information on restoration efforts and responded to Council Member comments and questions.

Overview of the proposed Human Relations and Community Services Ordinance Amendments

Human Relations and Community Service Director Kim Coleman and City Attorney Jim Smiertka provided information about the amendments and responded to Council Member comments and questions.

Comments by Council Members and the City Clerk

Council Member Kost discussed warming/cooling centers.

President Wood requested the warming/cooling center report from the Administration included in the budget resolution. Mayor Schor and President Wood discussed the reports included in the Budget Resolution. There was additional discussion among the City Council and Mayor.

Council Member Spitzley commended Lansing residents and council members that helped their community post storm.

Council Member Jackson spoke about his 4th Ward constituent meeting.

Council Member Hussain spoke about his 3rd Ward constituent meeting, the Southwest Action Group (SWAG) upcoming meeting and he thanked first responders and administration for their help following the storm.

City Clerk Swope introduced new City Council intern, Evelyn Kuhnlein.

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 thanked first responders and residents for their aid in the storm. He thanked organizers of community events that occurred recently.

Public Comment on Legislative Matters

Legislative Matters included the following public hearings:

Amendment to Chapter 1462, Section 1462.03; bring the Neighborhood Enterprise Zone acreage percent limitation into conformity with State law

Amendment to Chapter 240; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board

Amendment to Chapter 273; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board

Amendment to Chapter 273; repeal Section 273.06, "Examination of complaints; hearings and studies" to conform with the City Charter

Amendment to Chapter 273; repeal Section 273.08 "Prohibited discrimination by city departments or employees" to conform with the City Charter

Council Members Spitzley and Garza gave overviews of the public hearings.

Public Comment on Legislative Matters:

Hameed Katawazi spoke about his Claim Appeal; Claim #1963

Nicholas Zande spoke on various City matters.

Matt Buskard spoke in support of the Bonnie's Lansing LLC request for a Class C Liquor License

Michael Lynn spoke about various City matters.

Loretta Stanaway spoke about various City matters.

Jody Washington spoke on Human Relations and Community Services Ordinances #4-7.

Erica Lynn spoke on Human Relations and Community Services Ordinances #4-7.

Saevn Kesto spoke about Z-8-2023.

Mitch Rice spoke on items SLU-2-2023 and Z-8-2023 and various City matters.

Elizabeth Rice spoke on Human Relations and Community Services Ordinances #4-7.

Legislative Matters

Referral of Public Hearings

Amendment to Chapter 1462, Section 1462.03; bring the Neighborhood Enterprise Zone acreage percent limitation into conformity with State law
Referred to the Committee on Development and Planning

Amendment to Chapter 240; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board

Amendment to Chapter 273; clarify the role of the Human Relations and Community Services (HRCS) Advisory Board

Amendment to Chapter 273; repeal Section 273.06, "Examination of complaints; hearings and studies" to conform with the City Charter

Amendment to Chapter 273; repeal Section 273.08 "Prohibited discrimination by city departments or employees" to conform with the City Charter
Referred to the Committee of the Whole

Consent Agenda

By Vice President Garza to approve all items on the Consent Agenda.

Motion Carried.

Resolution #2023-204

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

WHEREAS, Steven Lonzo has spent 26 years as an educator, starting his journey in 1997 at Coloma High School and then moving to Lansing in 1999 as the Language Arts Teacher at Dwight Rich Middle School; and

WHEREAS, Steven has touched the lives of students at Dwight Rich Middle School, Eastern High School, Everett High School, Harry Hill Vocational Center, Sexton High School and finished as Principal of Willow Elementary School; and

WHEREAS, Steven has always been a person that has given back to his community, including organizing the donations & purchase of over 200 pairs of boots, Annual Community Thanksgiving Feast, Annual Literacy Day, Annual Community Luau & Whole Hog Roast Hawaiian Style, and partnership with Shop-With-A-Cop all for Willow Elementary Students and Families; and

WHEREAS, Steven has received many awards and honors to name a few, Certificate of Excellence from Lansing School District (2), Business Excellence Award and Frederick Douglass Award from Greater Lansing Area Club (GLAC), Vernon D. Ebersole Environmental Education & Conference Center Certificate of Achievement; and

WHEREAS, Steven enjoys spending time with his wife Re'Shane Lonzo, children David, DeAnne, Sydney, Skyler, and grandchildren Teighn, Julian, and Daizy.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council congratulates Steven Lonzo on his retirement and thank him for his 26 years of educational service.

Adopted as part of the Consent Agenda.

Resolution #2023-205

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

WHEREAS, Rodolfo Perez sought to eliminate a special assessment of \$307.50 for trash removal fees, associated penalties, and interest, on the property tax bill for 810 McKinley Street (ID #33-01-01-10-106-211); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on August 14, 2023, and denied the claim in the amount of \$307.50.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$307.50 for trash removal fees, associated penalties, and interest on the property tax bill for 810 McKinley Street (Tax ID #33-01-01-10-106-211).

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

Adopted as part of the Consent Agenda.

Resolution #2023-206

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

WHEREAS, AFT Realty LLC sought to eliminate a special assessment of \$810.20 for board up fees, associated penalties, and interest, on the property tax bill for 3700 S. Waverly Road (ID #23-50-40-36-226-123); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on August 24, 2023, and denied the claim in the amount of \$810.20.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$810.20 for board up fees, associated penalties, and interest on the property tax bill for 3700 S. Waverly Road (Tax ID #23-50-40-36-226-123).

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

Adopted as part of the Consent Agenda.

Resolution #2023-207

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department conducted a Traffic Signal Removal Study of the intersection of North Grand River Avenue and Willow Street to determine if the traffic volumes currently meet the Michigan Manual of Uniform of Traffic Control Devices (MMUTCD) Traffic Signal Warrants; and

WHEREAS, the Transportation and Non-Motorized Section study was conducted to determine if the signal should be modernized or removed; and

WHEREAS, based on field observations, the Transportation and Non-Motorized Section recommend removing the traffic signal at North Grand River Avenue and Willow Street due to the fact that the intersection no longer met any of the requirements for signalization; and

WHEREAS, the entering vehicular volumes on Willow Street at North Grand River Avenue currently meets the Multi-Way Stop application warrant; and

WHEREAS, the signal has been in an all red flash operation since May 10, 2022 with no issues reported or observed; and

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

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

WHEREAS, the Committee on City Operations met on August 28, 2023, and reviewed the report and concurs with the recommendation of the Public Service Board.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 23-17, thereby authorizing the Transportation Engineer to remove the traffic signal at North Grand River Avenue and Willow Street and install all way stop signs at the intersection of North Grand River Avenue and Willow Street;

BE IT FINALLY RESOLVED that Traffic Control Order No. 23-17 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate stop signs are installed.

Adopted as part of the Consent Agenda.

Resolution #2023-208

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

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Liquor License; Bonnie's Lansing LLC request for a Class C License, Specially Designated Merchant ("SDM") a Sunday Sales (AM/PM), Entertainment, Outdoor Service, SDM Sunday Sales (PM) Permits at 637 E Michigan Avenue; and

WHEREAS, the Committee on City Operations met on August 28, 2023, and reviewed the request with affirmative action taken.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves Bonnie's Lansing LLC request for a Class C License, Specially Designated Merchant ("SDM") a Sunday Sales (AM/PM), Entertainment, Outdoor Service, SDM Sunday Sales (PM) Permits at 637 E Michigan Avenue.

Adopted as part of the Consent Agenda.

Resolution #2023-209

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

WHEREAS, in Resolution 2023-168, the City of Lansing established the Red Cedar/South Frandor Social District within the City; and

WHEREAS, CP LANSING-RED CEDAR LLC, a North Carolina Limited Liability Company, 3150-3160-3170 E. Michigan Ave., Lansing, MI 48912 is located within the previously established commons area of the Red Cedar/South Frandor Social District; and

WHEREAS, CP LANSING-RED CEDAR LLC has requested that the City of Lansing approve it as a qualified entity that may apply for a social district permit issued by the Michigan Liquor Control Commission; and

WHEREAS, the Committee on City Operations met on August 28, 2023, and reviewed the request with affirmative action taken.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Lansing City Council, hereby, approves the request from CP LANSING-RED CEDAR LLC, a North Carolina Limited Liability Company, 3150-3160-3170 E. Michigan Ave., Lansing, MI 48912 to be added as a qualified licensee to the Red Cedar/South Frandor Social District.

BE IT FINALLY RESOLVED, the City Clerk shall notify the Michigan Liquor Control Commission of the addition of CP LANSING-RED CEDAR LLC as a qualified licensee who may apply for a social district permit.

Adopted as part of the Consent Agenda.

Resolution #2023-210

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

Resolution to Establish an Obsolete Property Rehabilitation Act District at 230 S. Holmes St., Lansing, MI

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the "Act"), the City of Lansing has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Lansing, and

WHEREAS, Homes on Holmes, LLC, hereinafter called the "Developer" has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by the Act, for the property commonly known as 230 S. Holmes St., Lansing, Michigan, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District.

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on August 14, 2023.

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

E 179.77 FT LOT 11 & W 79.77 FT OF E 179.77 FT OF S 33 FT LOT 9, ALSO COM SE COR LOT 11, TH E 8.25 FT , N 66 FT, W 8.25 FT AND S 66 FT TO POB, BLOCK 11 GREEN OAK ADD SPLIT/COMBINED ON 09/18/2017 FROM 33-01-01-15-331-121, 33-01-01-15-331-131; Parcel Number: 33-01-01-15-331-132; and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

Adopted as part of the Consent Agenda.

Resolution #2023-211

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

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
230 S. Holmes St. Lansing, MI

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Homes on Holmes, LLC, has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 230 S. Holmes St. Lansing, Michigan (Obsolete Property); and

WHEREAS, Homes on Holmes, LLC (the Applicant) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted August 28, 2023 after a public hearing was held on August 14, 2023, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on August 14, 2023 in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, Homes on Holmes, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 5 years and an extension of the exemption will be considered if financial need is demonstrated, subject to Council approval; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Homes on Holmes, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by March 15, 2024; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, revitalize urban areas, create employment, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for 5 years for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 230 S. Holmes St. Lansing, Michigan, legally

described as E 179.77 FT LOT 11 & W 79.77 FT OF E 179.77 FT OF S 33 FT LOT 9, ALSO COM SE COR LOT 11, TH E 8.25 FT , N 66 FT, W 8.25 FT AND S 66 FT TO POB, BLOCK 11 GREEN OAK ADD SPLIT/COMBINED ON 09/18/2017 FROM 33-01-01-15-331-121, 33-01-01-15-331-131; Parcel Number: 33-01-01-15-331-132.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

Adopted as part of the Consent Agenda.

Resolution #2023-212

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

Resolution to Revoke an Obsolete Property Rehabilitation Exemption Certificate
700 May St.

WHEREAS, on September 26th, 2022, the Lansing City Council adopted Resolution #2022-241 to approve an application filed by Summit Street Development, LLC requesting an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) for a period of 12 years on property legally described as COM AT THE SW CORNER OF SECTION 10, TH N00D31'32"W 390.58 FT (RECORDED AS N00D35'41"W 392.72 FT) TO POB: TH N00D31'32"W 121.20 FT; TH N82D26'00"E 86.98 FT; NO 82D58'07"E 15.01 FT; S89D51'56"E 140.63 FT; S89D44'56"E 55.83FT; S00D28'26"W ALONG A BLDG WALL LINE 398.36 FT TO NORTH LINE OF MOTOR WHEEL LOFTS; TH N89D39'09"W 14.74 FT, S00D20'51"W 3.70 FT, N89D39'09"W 120.70 FT, N00D20'51"E 182.13 FT AND N89D39'09"W 50.84 FT; N00D20'51"E 84.23 FT; N89D39'09"W 108.50 FT TO POB, CONTAINING 1.83 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS, IF ANY. SPLIT/COMBINED ON 02/01/2018 FROM 33-01-01-10-353-006, Parcel Number: 33-01-01-10-353-008, commonly known as 700 May St, Lansing, Michigan (Property) pursuant to Public Act 146 of 2000, as amended (the OPRA Act); and

WHEREAS, on November 15, 2022, the State Tax Commission approved the OPRA Certificate #3-22-0027 for Summit Street Development, LLC for the Property, beginning December 31, 2022, and ending December 31, 2034; and

WHEREAS, Section 12 of the OPRA Act states that upon receipt of a request by certified mail to the legislative body of the qualified local governmental unit by the holder of an OPRA Certificate requesting revocation of the Certificate, the legislative body of the qualified local governmental unit may, by resolution, revoke the Certificate; and

WHEREAS, the legislative body of the City of Lansing has received a request by certified mail from Summit Street Development, LLC, the holder of OPRA Certificate #3-22-0027, requesting revocation of the OPRA Certificate; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby revokes OPRA Certificate #3-22-0027 previously granted to Summit Street Development, LLC for property located at 700 May St, Lansing, Michigan.

BE IT FINALLY RESOLVED that the City Clerk shall immediately cause a certified copy of this resolution to be filed with the Michigan State Tax Commission.

Adopted as part of the Consent Agenda.

Resolutions

Resolution #2023-213

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

WHEREAS, Hameed Katawazi sought to eliminate a special assessment of \$493.40 for board up fees, associated penalties, and interest, on the property tax bill for 1017 W. Hillsdale Street (ID #33-01-01-17-480-291); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on August 14, 2023, and denied the claim in the amount of \$493.40.

THEREFORE, BE IT RESOLVED, the City Council, hereby grants the claim in the amount of \$493.40 for board up fees, associated penalties, and interest on the property tax bill for 1017 W. Hillsdale Street (Tax ID #33-01-01-17-480-291).

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

By Council Member Spadafore to place an affirmative roll on the Resolution

By Council Member Spadafore amend the Resolution to grant the claim

Motion Carried by Unanimous Consent

The question being adoption of the Resolution as amended

Motion Carried

Resolution #2023-214

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

WHEREAS, two public hearings were held; July 10, 2023 and August 14, 2023, in consideration of the request by Leavitt and Starck Excavating, Inc., the construction contractor for the Combined Sewer Overflow (CSO) 015South Project, for issuance of a waiver of the noise ordinance 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; 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, 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 the City Council grant 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.

By Council Member Spadafore to place an affirmative roll on the Resolution

By Council Member Spadafore to adopt the committee substitute

Motion Carried

By President Wood moved to amend the resolution in the Resolved clause by striking all text after "November 11, 2023"

Motion Carried by Unanimous Consent

The question being adoption of the Resolution as amended

Motion Carried with Council Members Kost and Jackson voting "nay"

Resolution #2023-215

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 1616 GLENROSE AVE., Parcel # 33-01-01-08-201-111 legally described as LOT 2 GREENWOOD 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 January 30, 2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on May 25, 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 (MCL 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 June 22, 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, September 11, 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 1616 Glenrose 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 #2023-216

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Code Enforcement Division has declared the building at 1232 POMPTON CIRCLE, Parcel # 33-01-01-32-202-141, legally described as: LOT 15 PLAT OF MONTCLAIR, to be unsafe and dangerous as defined in Section 108.1 of the Lansing Housing Code and the applicable laws of the State of Michigan and thus, ordered the building to be red tagged on June 21, 2019 as unsafe to occupy; and

WHEREAS, the Lansing Demolition Board, at its meeting held on APRIL 27, 2023 declared the building to be unsafe and dangerous as defined in the Lansing Housing Code (1460.09) and the applicable laws of the State of Michigan (MCLA 125.539) and ordered the property to be made safe or demolished by MAY 25, 2023; and

WHEREAS, the Code Enforcement Division has determined that compliance with the order of the Demolition Board has not occurred; and

WHEREAS, the Lansing Housing Code and the applicable laws of the State of Michigan require that the City hold a hearing to give the property owner an opportunity to show cause as to why the building should not be demolished or otherwise made safe;

NOW THEREFORE, BE IT RESOLVED that a show cause hearing will be held during the City Council meeting on Monday, September 11, 2023, at 7:00 p.m. in consideration of issuing an order requiring the building at 1232 POMPTON. to be made safe or demolished within a specific period of time.

BE IT FINALLY RESOLVED that the Lansing City Council directs the Code Enforcement Division to notify the owner of 1232 POMPTON CIRCLE of the opportunity to appear and present testimony at the hearing.

By Council Member Hussain

Motion Carried

Resolution #2023-217

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 1402 MARQUETTE ST., Parcel # 33-01-01-05-252-081, legally described as: LOT 159 M MITSHKUN S OAK GROVE SUB NO 2, 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 January 12, 2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on April 27, 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 May 25, 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, September 11, 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 1402 Marquette 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 #2023-218

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 5016 CONNERS AVE., Parcel # 33-01-01-31-351-161, legally described as: LOT 664 CHURCHILL DOWNS NO 3 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 December 22, 2019, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on April 27, 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 (MCL 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 June 25, 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, September 11, 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 5016 Conners 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 #2023-219

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 3301 TURNER ST., Parcel # 33-01-01-04-105-151, legally described as: LOT 84 FAIRFIELD GARDENS 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 January 18, 2017, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on May 25, 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 June 25, 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, September 11, 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 3301 Turner 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 #2023-220

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

WHEREAS, the City Council of the City of Lansing (the "City") deems it advisable and necessary to improve the funding status of the City of Lansing Employees' Retirement System (the "System"); and

WHEREAS, Section 979a(1) of Public Act 166 of 2022 directs the Michigan department of treasury ("Treasury") to establish a municipal pension principal payment grant program to help underfunded municipal pension systems meeting certain qualifications; and

WHEREAS, pursuant to Article 5 part 1 Section 108(15) & Article 5 part 2 Section 979a(1) of Public Act 166 of 2022, the State of Michigan has earmarked seven hundred and fifty million dollars (\$750,000,000.00) for a grant fund to aid the retirement systems of municipalities considered underfunded according to Section 5 of the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, MCL 38.2805; and

WHEREAS, Treasury established such a program under Section 979a of Public Act 166 of 2022, deemed the Protecting MI Pension Grant (any award amount thereunder, the "Grant"); and

WHEREAS, the System's funded ratio report, reported to Treasury dated as of December 31, 2021 shows a funding ratio below 60 percent and the System is considered underfunded according to Section 5 of the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, MCL 38.2805; and

WHEREAS, the Mayor of the City is the City's chief administrative officer, as the term is defined in Section 2b of the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, MCL 141.422b; and

WHEREAS, Treasury has reviewed the city's grant application submission and approved the grant application in the amount of \$11,551,892 for the General Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the Protecting MI Pension Grant for the purposes of funding the General Employees' Retirement System.

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

By Council Member Spadafore

Motion Carried

Resolution #2023-221

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

WHEREAS, the Public Service Department received a grant award in the amount of \$1.0 million through the Michigan Public Service Commission for its 2023 Low Carbon Grants Program; and

WHEREAS; the grant would provide funds to be used to install solar arrays at the City's Wastewater Treatment Plant and up to two pump stations; and

WHEREAS; up to 40% in reimbursement is anticipated from the federal government through the Solar Investment Tax Credit which is part of the Inflation Reduction Act; and

WHEREAS; the remaining funds will come from the City's Sanitary Sewer Fund; and

WHEREAS, the solar arrays will pay for themselves within the expected life of the arrays through energy savings;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves acceptance of this funding for installation of solar arrays at City wastewater facilities.

BE IT FURTHER RESOLVED the Wastewater Superintendent, is authorized to act as the City's representative during project development and Mayor Schor will sign the project grant agreement.

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

By Council Member Spadafore to place an affirmative roll on the Resolution

By Council Member Spadafore to adopt a substitute for the Resolution

Motion Carried

The question being adoption of the Resolution as substituted

Motion Carried

Resolution #2023-222

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 18, 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 approving and/or opposing the following request for a Special Land Use Permit:

SLU-2-2023: 415 & 421 W. Kalamazoo Street, Special Land Use Permit for a Sheltered Care Facility

By Council Member Spitzley

Motion Carried

Ordinances for Introduction

Introduction of Ordinance

The following ordinance of the City of Lansing, Michigan, for amending the Code of Ordinances by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1242.02 of the Zoning Ordinance for property located at:

Z-8-2023: 415 & 421 W. Kalamazoo Street, Rezoning from "DT-3" Urban Core to 'R-AR' Residential Adaptive Reuse

was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2023-223

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 18, 2023, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2023: 415 & 421 W. Kalamazoo Street, Rezoning from "DT-3" Urban Core to 'R-AR' Residential Adaptive Reuse

By Council Member Spitzley

Motion Carried

Council Member Wood Introduced:

An ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Chapter 288 Section 288.21 Chief Strategy Officer. Define duties and reporting timelines to the City Council at a public meeting.

The Ordinance was read a first time by its title and referred to the Committee of the Whole

Resolution #2023-224

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

Resolved by the City Council of the City of Lansing that a public hearing be set for September 11, 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 amending the Lansing Codified Ordinances by amending Chapter 288 Section 288.21 Chief Strategy Officer. Define duties and reporting timelines to the City Council at a public meeting.

By Council Member Garza

Motion Carried

Ordinances for Passage

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-7-2023: 3712 S. Cedar Street, from "MX-C" Mixed-Use Center to "S-C" Suburban Commercial

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

Yeas: Council Member Spitzley, Garza, Spadafore, Jackson, Hussain, Kost, Wood,

Nays: Council Member Brown

Ordinance #2631

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-7-2023
Parcel Number's:	33-01-01-33-252-172
Addresses:	3712 S. Cedar Street
Legal Descriptions:	Lots 8 & 9, Jessops Home Gardens Subdivision, from "MX-C" Mixed-Use Center to "S-C" Suburban Commercial

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 August 28, 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 210, Section 210.02 of the Lansing Codified Ordinances to amend the uses of the tenth floor Council Chambers and Conference Room.

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

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

Nays: None

By Vice President Garza to give the Ordinance immediate effect

Motion Carried

Ordinance #1318

An ordinance of the City of Lansing, Michigan, to amend Chapter 210 of the Lansing Codified Ordinances Section 210.02 to update language regarding the use of the tenth floor Council Chambers and Conference Room.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 210 Section 210.02 of the Codified Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

210.02- Use of **Tony Benavides Lansing City Council Chambers** council-chambers and conference room.

The following comprehensive policy on the use of the **Tony Benavides Lansing City Council Chambers** Tenth Floor Council Chambers and Conference Room ("**Council Facilities**") is hereby adopted:

(a) Priorities for Scheduling Use of Facilities.

- (1) Council functions, including **CityTV** Channel 28;
- (2) Other City functions, including citizen boards; and
- (3) All outside functions, as approved in advance by Council **leadership in conjunction with the Council Office Manager**.

Scheduling the use of the **Council Facilities** Chambers and Conference Room shall be done in consultation with the Council Staff and shall include time for pre-event set-up and post-event clean-up. Council Staff shall maintain a master calendar, primarily based on a first-come, first-served schedule for the **Council Facilities** Chambers and Conference Room. However, in extraordinary circumstances, Council may need to pre-empt a scheduled use of **Council Facilities** Tenth Floor facilities for Council business.

(b) Conditions for Use of **Council** Facilities by Non-City Groups.

(1) Any non-City individual or group desiring use of the **Council Facilities** Council Chambers or Conference Room for a governmental purpose shall request permission from Council at least 30 days in advance of the event. Such request shall be considered as soon as possible by the Committee of the Whole. The Chambers and Conference Room **Council Facilities** shall not be made available to non-City individuals or groups for private, nongovernmental events.

(2) Non-City individuals or groups granted permission by Council **Leadership** for use of the **Council Facilities** Chambers or Conference Room shall sign a statement acknowledging responsibility for the conduct of their event within the following restrictions:

- A. Councilmember and Staff offices, desks, telephones and supplies shall not be used by event organizers or participants, including media representatives.
- B. Refreshments shall be the responsibility of event organizers.
- C. Requests for use of the Tenth-Floor sound system, audio recording equipment, video equipment or other logistical arrangements shall be made **directly with CityTV** at the time permission to schedule the facility is requested.
- D. The movement of tables, chairs and other equipment shall be done by event organizers under the direction of the Council Staff.
- E. No event shall be allowed to interfere with regular Tenth Floor activities.

- F. No event shall be allowed during times when City Hall is closed unless the organizers receive written permission from the Mayor prior to Council consideration of the request to schedule use of Tenth Floor facilities.
- G. Event participants shall not congregate anywhere on the Tenth Floor outside the **Council Facilities Chambers or Conference Room** for the purpose of caucuses or continuation of event discussions.
- H. Event organizers shall clean up the **Council Facilities Chambers and/or Conference Room** and move equipment to original locations after the event.
- I. Event organizers shall be responsible for any City costs, including Staff overtime, **security and maintenance** incurred due to their event, as determined by Council.
- J. Event organizers shall indemnify and hold the City harmless from all liability for any damage suffered by event participants.
- K. Event organizers unable to conduct their event and control their participants within these restrictions and conditions shall be barred from future use of **Council Facilities Tenth Floor facilities**.

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

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

Section 4. This ordinance 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 Vice President Garza 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

Authorization for Early Voting in non-statewide elections.

Referred to the Committee of the Whole

Notification of Real Estate Purchase Agreement, City of Lansing and Boji Group, LLC, Parking Lot #1 located at 425 South Grand Avenue.

Referred to the Committee of the Whole and to the Internal Auditor

Letter(s) from the Mayor re:

Grant Acceptance; US Department of Transportation Safe Streets for All (SS4A) Grant.

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

Grant Acceptance; MPSC 2023 Low Carbon Grant.

Referred to the Committee on Ways and Means and Placed on File

Budget Amendment; Fiscal Year 2023-2024

Referred to the Committee of the Whole and to the Internal Auditor

- Communications and Petitions, and Other City Related Matters:

Claim Appeal; Claim #1962, Mark Parker for \$661 in trash violation fees at 711 Irvington Ave.

Referred to the Committee on City Operations

Affidavit of Disclosure; Jaime Montemayor, Lansing Police Department

Referred to the Board of Ethics

Affidavit of Disclosure; Sean Mills, Lansing Police Department

Referred to the Board of Ethics

Notice from the Michigan Liquor Control Commission; Dil & Sons, Inc. request for CONDITIONAL LICENSE, Transfer Ownership 2023 SDM license from L.M. C-Store, Inc.; new Sunday Sale Permit (AM) and Sunday Sales Permit (PM) Mixed Spirit Drink at 2200 W Holmes Rd, Lansing 48911

Referred to the Committee on City Operations

Remarks by the Mayor or Executive Assistant

Mayor Schor thanked the Michigan Legislature and Governor Whitmer for establishing increased funds to City Staff retirement/pension plans.

Public Comment on City Government Related Matters

David Ellis spoke in support of the Safe Streets for All Grant (SS4A) and on various City matters.

Mark Criss spoke in support of expanding City warming/cooling centers.

Scott Cobb spoke about various City matters.

Linda Appling spoke about issues with storm response and various City matters.

Mike Lynn spoke about storm response issues, administration ethics, and various City matters.

Nick Zande spoke about Human Relations and Community Services changes and the City Charter.

Norma Bauer spoke about Council Member attendance at Committee Meetings.

Mitch Rice spoke about the City's form of government.

Stan Schuck spoke about use of funds.

Viol Trice spoke in support of youth mental health centers and tree stump refurbishment.

Jay West spoke about community support following recent tornado damage and thanked Council Member Brown and Hussain for their storm response support.

Adjourned Time 10:31 P.M.

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

Chris Swope, City Clerk