



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
OCTOBER 22, 2018**

the form(s) will be permitted to speak.

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:03 p.m. by President Wood

PRESENT: Council Members Dunbar, Garza, Hussain, Spadafore, Spitzley, Washington, Wood

ABSENT: Council Member Jackson

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 Washington

To approve the printed Council Proceedings of September 24, 2018

Motion Carried

By Council Member Spitzley

To approve the printed Council Proceedings of October 8, 2018

Motion Carried

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Vice President Washington announced her next constituent contact meeting.

Council Member Spitzley announced she is hosting Council Member Brian Jackson's next constituent contact meeting.

President Wood announced the anniversary of Rejuvenating South Lansing.

City Clerk Swope reminded voters that there is still time to vote absentee for the November 6, 2018 General Election.

COMMUNITY EVENT ANNOUNCEMENTS

Dave Wiener announced the ground breaking ceremony of the new Southwest Lansing Town Square.

Jennifer Cox announced a neighborhood clean-up day in Southwest Lansing.

**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

MAYOR'S COMMENTS

Executive Assistant to Mayor Schor, Samantha Harkins, spoke about an announcement from the Mayor at Cooley Law School Stadium, Trick-or-Treat on the Square in Downtown Lansing, and the hours of Trick-or-Treating for the City.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Plan #74; 930 W. Holmes LLC, 930 W. Holmes Rd.
2. In consideration of An Ordinance to amend the Purchasing, Contracts, and Sales Ordinance, Chapter 206 by adding sexual orientation and gender identity to Nondiscrimination Provision, Section 206.20(b)

Council Member Hussain gave an overview of public hearing #1.

Council Member Spitzley gave an overview of public hearing #2.

- Public Comment on Legislative Matters:

Kathy Miles spoke about various city matters.

Loretta Stanaway spoke in support of Brownfield Plan #74.

Elaine Womboldt spoke about various legislative matters.

JoAnn Baumann spoke about various legislative matters.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Plan #74; 930 W. Holmes LLC, 930 W. Holmes Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of An Ordinance to amend the Purchasing, Contracts, and Sales Ordinance, Chapter 206 by adding sexual orientation and gender identity to Nondiscrimination Provision, Section 206.20(b)

REFERRED TO THE AD HOC COMMITTEE ON DIVERSITY AND INCLUSION

CONSENT AGENDA

Vice President Washington asked that all items be removed from the Consent Agenda.

There were no items remaining on the Consent Agenda.

RESOLUTIONS

RESOLUTION #2018-259

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION OBJECTING TO THE TRANSFER OF ALL UNSOLD
TAX REVERTED PROPERTIES FROM THE INGHAM COUNTY
TREASURER TO THE CITY OF LANSING

WHEREAS, Public Act 123 of 1999, hereinafter referred to as the "Act," established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Treasurer of Ingham, (hereinafter referred to as the "Treasurer"), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which the taxes have not been paid in Ingham County; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vest in the Treasurer effective on the March 31st immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases; and

WHEREAS, the Act prescribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of the City of Lansing which list shall contain all the property in that city on which the Treasurer has foreclosed that has not been sold prior to December 1st of the year in which it is foreclosed upon; and

WHEREAS, unless the City of Lansing objects in writing, the Act requires the Treasurer to transfer to that city fee simple title to the property on that list; and

WHEREAS, the City has received from the Treasurer a list of property that may be transferred to it if it does not object; and

WHEREAS, the City of Lansing does not wish to obtain from the Treasurer any property upon which the Treasurer has foreclosed but not sold because of the cost of maintaining such property will exceed any benefit that will be obtained.

NOW, THEREFORE, BE IT RESOLVED, the City of Lansing hereby objects to the transfer of property foreclosed upon by the Treasurer but not sold that are contained on the list thereof filed with the City of Lansing Clerk and said transfers are, therefore, refused.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-260

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #70
735 HAZEL STREET REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #70 – 735 Hazel Street Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on October 8, 2018 and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on October 8, 2018 reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$14,547,537.00
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on August 10, 2018, unanimously recommended approval of the Plan, for this Project; and

WHEREAS, the City of Lansing Department of Economic Development and Planning has determined the proposed Project is consistent with local development and redevelopment plans and zoning ordinances, and

WHEREAS, the Lansing Economic Development Corporation (the 'LEDC'), the Authority and 735 Hazel, LLC, (the 'Developer') have entered into a Secured Loan Agreement (Attachment A).

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

- The proposed project is consistent with local development and redevelopment plans and zoning ordinances as has also been determined by the City of Lansing Department of Economic Development and Planning.

BE IT FURTHER RESOLVED that consistent with and conditioned upon the Developer honoring its obligations in the Secure Loan Agreement, the Lansing City Council commits to repayment of Michigan Department of Environmental Quality funds loaned to the LEDC and Developer pursuant to Section 196 of Michigan Act 451 of 1994 (the Natural Resources and Environmental Protection Act)

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #70 – 735 Hazel LLC; 735 Hazel Street Redevelopment Project'.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-261

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lilas Grace Smyth, sought to eliminate a special assessment of \$2,494.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 1009 Cady Court (Tax ID #33-01-01-10-329-061); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$2,494.00 was denied on October 9, 2018.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of in the amount of \$2,494.00 for trash and debris removal fees, and all associated penalties and interest on the property tax bill for 1009 Cady Court (Tax ID #33-01-01-10-329-061).

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

By Council Member Spitzley

Motion Carried

RESOLUTION #2018-262

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department conducted an investigation to determine sight distance and traffic control requirements at the intersection of Hanover Drive and Wellesley Drive; and

WHEREAS, based on the results of the study, the Transportation and Non-Motorized Section recommends the installation of yield signs on Hanover Drive at Wellesley Drive; 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 Public Safety 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. 18-003, thereby authorizing the Transportation Engineer to install yield signs on Hanover Drive at

Wellesley Drive;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-003 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Council Member Garza

Motion Carried

RESOLUTION #2018-263

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department received a request from the staff at Wexford School to evaluate the parking regulations along Wexford Road, and to alter traffic operations along Wexford Road;

WHEREAS, the Transportation and Non-Motorized Section conducted a study of existing traffic operations and sign placements along Wexford Road;

WHEREAS, based on the study and input from Wexford School, the Transportation and Non-Motorized Section recommends that parking be prohibited along the east side of Wexford Road in the vicinity of the school Driveways;

WHEREAS, The Transportation and Non-Motorized Section also recommends that all vehicular traffic on Wexford Road between Viola Drive and Jolly Road be required to travel one-way northbound on school days Monday, Tuesday, Thursday, and Friday between 8:00 a.m. and 9:00 a.m., Wednesday between 10:00 a.m. and 11:00 a.m., and Monday through Friday between 3:30 p.m. and 4:30 p.m., School Days;

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

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

WHEREAS, the Committee on Public Safety 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. 18-008 and 18-009, thereby authorizing the Transportation Engineer to regulate traffic operations and parking along Wexford Road between Viola Drive and Jolly Road;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-008 and 18-009 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Council Member Garza

Motion Carried

RESOLUTION #2018-264

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

WHEREAS, the Transportation and Non-Motorized Section received a request to evaluate the parking regulations along Shiawassee Street from Verlinden Avenue to Memphis Street. Staff conducted a field check of the existing conditions; and

WHEREAS, the Transportation and Non-Motorized Section staff conducted a field check of the existing conditions and mailed a survey to property owners and occupants along Shiawassee Street; and

WHEREAS, based on survey results and the street width the Transportation and Non-Motorized Section recommends removing the parking prohibition along the north side of Shiawassee Street from Verlinden Avenue to Memphis Street; and

WHEREAS, this change has been implemented on a trial basis and no complaints have been received to date; and

WHEREAS, Public Service Board concurred with the recommendation as the minutes 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 Public Safety 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. 18-019, thereby authorizing the Transportation Engineer to remove parking restrictions along the north side of Shiawassee Street from Verlinden Avenue to Memphis Street;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-019 shall become effective when signed by the Transportation Engineer and filed with the City Clerk.

By Council Member Garza

Motion Carried

RESOLUTION #2018-265

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department evaluated sight distance requirements at the intersection of Walnut Street and Allegan Street; and

WHEREAS, the Transportation and Non-Motorized Section identified the need to increase the parking prohibition at the corner of Walnut Street and Allegan Street to improve sight distance for Allegan Street traffic turning left on red at this intersection; and

WHEREAS, based on results of the survey, the Transportation and Non-Motorized Section recommends increasing the parking prohibition on the west side of Walnut Street from Allegan Street to 77 feet south of Allegan Street, which will result in the removal of parking meter #4655; 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 Public Safety 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. 18-029, thereby authorizing the Transportation Engineer to regulate parking along the west side of the 200 block of South Walnut Street;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-029 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signage is installed.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-266

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department received a request from the Parking Services Office to review the existing parking regulations along Pere Marquette Drive; and

WHEREAS, the Transportation and Non-Motorized Section conducted a field check of the existing sign placements, and sent a survey to the area property owners to gather their input on parking needs along Pere Marquette Drive; and

WHEREAS, based on the results of the survey, the Transportation and Non-Motorized Section recommends that parking meters 1319 and 1320 in the middle of the block on the west side be changed from one hour to ten hour metered parking 8am - 6pm Monday through Friday and meters 1311 through 1318 near the south end of the block on the west side be changed from one hour to two hour metered parking 8am - 6pm Monday through Friday; 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 Public Safety 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. 18-030, thereby authorizing the Transportation Engineer to regulate parking along Pere Marquette Drive between Shiawassee Street and Michigan Ave;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-030 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Council Member Garza

Motion Carried

RESOLUTION #2018-267

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department received a request from the facilities manager at the Veterans Memorial Courthouse to remove one parking meter located north of the courthouse parking garage driveway to improve visibility; and

WHEREAS, the Transportation and Non-Motorized Section reviewed the parking meter locations along the 400 block of Townsend Street to evaluate the sight distance at the courthouse driveway and Townsend Street; and

WHEREAS, based on the results of a field review, the Transportation and Non-Motorized Section removed parking meter #5275 to improve sight distance for vehicles exiting the driveway at this location and recommends that this removal be made permanent; 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 Public Safety 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. 18-031, thereby authorizing the Transportation Engineer to regulate parking along the 400 block of Townsend St;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-031 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate parking meter is removed.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-268

BY THE COMMITTEE ON PUBLIC SAFETY
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 Barnes Avenue and Washington Avenue 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 in conjunction with the Washington Avenue construction project scheduled for the 2012 construction season; and

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

WHEREAS, the Public Service Board recommended that an updated pedestrian volume and gap study be conducted; and

WHEREAS, a pedestrian field investigation was conducted in 2015, which indicated low pedestrian volumes and sufficient gaps in traffic; and

WHEREAS, the signal has been in flash since 2011 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 Public Safety 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. 18-040, thereby authorizing the Transportation Engineer to remove the traffic signal at Barnes Avenue and Washington Avenue and install stop signs on Barnes Avenue at Washington Avenue;

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-040 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate stop signs are installed.

By Council Member Garza

Motion Carried

RESOLUTION #2018-269

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

WHEREAS, the Transportation and Non-Motorized Section of the Public Service Department received a request from the Michigan Senate to restrict parking around its new office at the southeast corner of Allegan and Townsend due to security and operational concerns; and

WHEREAS, The Transportation and Non-Motorized Section recommends that the Senate's request to eliminate parking on the south side of Allegan adjacent to the building be approved; and

WHEREAS, the Transportation and Non-Motorized Section also recommends removing 5 metered parking spaces on a trial basis; 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 Public Safety 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. 18-041 thereby authorizing the Transportation Engineer to change the parking regulations on Allegan Street.

BE IT FINALLY RESOLVED that Traffic Control Order No. 18-041 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-270

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointments to various Boards as stated below:

Capital Region Airport Authority: John Shaski as a City of Lansing Member for a term to expire September 30, 2022; and

Economic Development Corporation: Andrea Ragan for an At-Large Member for a term to expire February 28, 2023.

WHEREAS, the Mayor's office has verified that the nominees has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole met on October 22, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointments to various Boards as stated below:

Capital Region Airport Authority: John Shaski as a City of Lansing Member for a term to expire September 30, 2022; and

Economic Development Corporation: Andrea Ragan for an At-Large Member for a term to expire February 28, 2023.

By Vice President Washington

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

President Wood introduced:

An ordinance of the City of Lansing, Michigan, to amend the purchasing, contracts, and sales ordinance, Chapter 206 of the Lansing Codified Ordinances, by adding sexual orientation and gender identity to nondiscrimination provision, Section 206.20(b).

The Ordinance is referred to the Ad Hoc Committee On Diversity and Inclusion

RESOLUTION #2018-258 RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

RESOLVED by the City Council, City of Lansing, that a public hearing be set for Monday, October 22, 2018 at 7:00 p.m. in the City Council Chambers, 10th floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an ordinance to amend the purchasing, contracts, and sales ordinance, Chapter 206 of the Lansing Codified Ordinances, by adding sexual orientation and gender identity to nondiscrimination provision, Section 206.20(b).

Interested Persons are invited to attend this Public Hearing

By Council Member Spitzley

Motion Carried

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing Amending Chapter 1284, Section 1284.20, of the Lansing Codified Ordinances by providing further guidelines, requirements, and exemptions for lighting in areas of off-street parking

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

Yeas: Council Members Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Washington, Wood

Nays: None

By Council Member Hussain to give the Ordinance immediate effect.

Motion Carried.

ORDINANCE NO. 1236

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1284, SECTION 1284.20, OF THE LANSING CODIFIED ORDINANCES BY PROVIDING FURTHER GUIDELINES, REQUIREMENTS, AND EXEMPTIONS FOR LIGHTING IN AREAS OF OFF-STREET PARKING.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1284, SECTION 1284.20, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1284.20. – Lighting.

All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only: UNLESS OTHERWISE EXEMPTED BY THIS SECTION, ALL LIGHTING MUST COMPLY WITH THE FOLLOWING STANDARDS:

(a) MINIMUM LIGHTING STANDARDS:

- (1) EXTERIOR LIGHTING, IN COMPLIANCE WITH THE STANDARDS OF THIS SECTION, MUST BE PROVIDED IN ALL PARKING LOTS DESIGNED FOR THE PARKING OF MORE THAN FIVE (5) VEHICLES AND FOR ALL LOADING AND UNLOADING AREAS ON COMMERCIAL OR INDUSTRIAL SITES.
- (2) ADEQUATE LIGHTING SHOULD BE PROVIDED TO COVER THE ENTIRE PARKING LOT, AND APPLICABLE LOADING AND UNLOADING AREAS. LIGHTING SHALL BE EVEN, AND "HOT" AND "COLD" SPOTS ARE TO BE AVOIDED. SUCH LIGHTING MAY NOT EXCEED THE LIMITATIONS SET FORTH IN SUB-SECTION (b), AND MUST BE PROVIDED, EVEN IF THE SITE IS NOT CURRENTLY OCCUPIED. SHOULD AN OCCUPANCY SENSOR BE INSTALLED, THE MINIMUM DURATION OF ILLUMINATION FOR EACH SUCH SENSOR SHALL BE TEN (10) CONTINUOUS MINUTES WITHOUT SENSING MOTION AND THE MAXIMUM DURATION OF ILLUMINATION SHALL NOT EXCEED THIRTY (30) CONTINUOUS MINUTES WITHOUT SENSING MOTION. A SENSOR MUST DETECT HUMAN FIGURE MOTION.

(b) MAXIMUM LIGHTING STANDARDS:

- (1) ALL LIGHTING, INCLUDING LIGHTS VISIBLE THROUGH A WINDOW, SHALL BE FULLY SHIELDED AND DIRECTED DOWNWARD TO PREVENT OFF-SITE GLARE.
- (2) THE INTENSITY OF LIGHTS SHALL NOT EXCEED 5 FOOTCANDLES WITHIN ANY SITE, EXCEPT A MAXIMUM OF 10 FOOTCANDLES IS PERMITTED WITHIN SITES USED AS GASOLINE STATIONS OR AUTOMOBILE DEALERSHIPS AS LONG AS THE LIGHT INTENSITY DOES NOT EXCEED THE ALLOWABLE INTENSITIES AT THE PROPERTY LINE.
- (3) FOR SITES ABUTTING A RESIDENTIAL ZONE OR USE, THE INTENSITY OF LIGHT CANNOT EXCEED 0.5 FOOTCANDLES AT THE PROPERTY LINE.
- (4) THE MAXIMUM HEIGHT OF PARKING LOT LIGHT FIXTURES SHALL BE 35 FEET.
- (5) LUMINOUS-TUBE AND EXPOSED-BULB FLUORESCENT LIGHTING IS PROHIBITED AS AN ARCHITECTURAL DETAIL ON ALL BUILDINGS, E.G. ALONG THE ROOF LINE AND EAVES, AROUND WINDOWS, ETC.

(c) EXEMPTIONS.

THE FOLLOWING ARE EXEMPT FROM THE LIGHTING REQUIREMENTS OF THIS SECTION, EXCEPT THAT THE ZONING ADMINISTRATOR MAY TAKE STEPS TO ELIMINATE THE IMPACT OF LIGHTS FOR THE EXEMPTED USES WHEN DEEMED NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC:

- (1) SPORTS FIELD LIGHTING, IN USE NO LATER THAN 11:00 P.M., PROVIDED SUCH LIGHTING IS LOCATED AT LEAST 1,000 FEET AWAY FROM ANY EXISTING RESIDENTIAL ZONE OR USE. OTHER SPORTS FIELD LIGHTING MAY BE APPROVED BY THE PLANNING OFFICE AFTER A DETERMINATION THAT COMPLIANCE WITH THE STANDARDS IN THIS SECTION HAVE BEEN MET TO THE GREATEST EXTENT POSSIBLE, AND THAT ALL EFFORTS POSSIBLE WERE MADE TO MINIMIZE ANY NEGATIVE IMPACTS TO SURROUNDING USES.
- (2) SHIELDED PEDESTRIAN WALKWAY LIGHTING.
- (3) STREET LIGHTS.
- (4) PUBLIC RECREATIONAL FACILITIES, NOT INCLUDING THE PARKING LOTS FOR PUBLIC RECREATIONAL FACILITIES.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules, inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no effect.

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 ON DECEMBER 31, 2027.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing Amending the Lansing Codified Ordinances by Amending Chapter 1060, Section 05, Section 07, Section 08, and Section 99, to broaden and clarify enforcement of collection bin requirements

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

Yeas: Council Members Dunbar, Garza, Hussain, Jackson, Spadafore, Washington, Wood

Nays: Council Member Spitzley

By Council Member Hussain to give the Ordinance immediate effect.

Motion Carried

ORDINANCE NO.1237

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1060, SECTION 05, SECTION 07, SECTION 08, AND SECTION 99, TO BROADEN AND CLARIFY ENFORCEMENT OF COLLECTION BIN REQUIREMENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1060, Section 05, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

(a) Between each collection period, the owner, tenant, lessee or occupant of any property shall provide a suitable place on the premises to store solid waste and/or recyclable materials. Solid waste and/or recycling and/or yard waste containers shall be placed and protected so that they cannot be easily disturbed by animals and in a place which, if possible, is not visible from the street and away from places occupied by other persons.

(b) Solid waste and/or recycling containers and/or yard waste containers, which will be picked up **FROM THE SIDE OF THE STREET by Public Service Department employees** from residential sites of generation, shall be set out in the right-of-way (adjacent to the street) on designated collection days, as specified **in the rules and regulations prepared** by the Public Service Director and approved by Council. The schedule shall provide **FOR A MAXIMUM OF** one collection weekly. The solid waste and/or recycling containers shall not be placed between the sidewalk and the curb (adjacent to the street) prior to 4:00 p.m. of the day preceding the scheduled collection day. No later than 7:00 a.m. on the day following the collection day, the solid waste and/or recycling containers shall be promptly removed from between the right-of-way (locations adjacent to the street) by the owner, resident, tenant, lessee or occupant.

Section 2. That Chapter 1060, Section 07, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

(a) The owner or occupant of a residential site of generation unit shall promptly clean up and remove any scattered solid waste, rejected items, recyclable material and/or yard waste resulting from the breakage or opening of any **City** collection bag, can or other container or refuse bag intended for collection from the residential site of generation unit within twenty-four hours after the same has been scattered.

(b) Within twenty-four hours after written notification by the City, the owner or occupant of a residential site of generation unit shall, in accordance with this chapter, properly dispose of any such scattered refuse, rejected items, any **City** collection bag (and the contents thereof), intended for collection which is either broken or otherwise open, any **City** collection bag which weighs in excess of thirty pounds, any **City** collection bag which contains unacceptable materials for collection or any **City** collection bag which was placed on the curb in front of the residence prior to 4:00 p.m. of the day preceding the collection day, or later than 7:00 a.m. of the day of collection.

(c) Notification shall be in writing and sent by first class mail to the owner or party in interest of the property on which or in front of which the violation of this chapter exists. The name and address of the owner or party in interest of the residential site of generation shall be determined from the last local tax assessment record for the property. Notice shall also be given to the occupant of the property on which or in front of which the violation exists, by either giving a copy of the notice personally to a person at the residence or by sending a copy of the notice by first class mail to the "occupant," as addressee, addressed to the property, if there is a residential site of generation thereon, and by posting a copy of the notice in a conspicuous place at the property or on a building thereon.

Section 3. That Chapter 1060, Section 08, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

(a) *Removal or Abatement.* 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 **City** collection containers; yard

waste collection or recyclable material containers in excess of thirty pounds; ~~City or private~~ collection containers containing unacceptable materials; or ~~City or private~~ 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 ~~a~~**Authorized CITY OFFICIAL representative**, 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 thirty 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 4. That Chapter 1060, Section 99, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby 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 ~~\$20.00~~ **\$25.00**

First-repeat ~~SECOND~~ offense ~~40.00~~ **\$50.00**

Second ~~THIRD~~ (or any subsequent) repeat offense ~~60.00~~ **\$250.00**

THESE TICKETED FEES COULD BE CHANGED FROM TIME TO TIME BY COUNCIL RESOLUTION.

(c) ~~All THE DIRECTOR OF Public Service Department personnel OR THE DIRECTOR'S DESIGNEE~~ are is hereby named designated as ~~a~~**Authorized City eOfficials** to issue municipal civil infraction citations or municipal civil infraction violation notices pursuant to Code Section 203.01.

Section 5. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 6. 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 7. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

The Council returned to the order of:

RESOLUTIONS

RESOLUTION #2018-274

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

WHEREAS, pursuant to City Charter, Chapter 3, Section 3-206.1, "The City Council may make investigations into the affairs of the City . . ."; and

WHEREAS, the Public Safety Committee has devoted many hours of time receiving, discussing, and analyzing complaints of public nuisance issues at the Pleasant Grove/Holmes Plaza ("Plaza") and the immediate surrounding area; and

WHEREAS, the Public Safety Committee now recommends that the full City Council make an investigation into such alleged nuisance activities at the Plaza and the immediate surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the City Council make an investigation pursuant to City Charter 3-206.1 into the alleged public nuisance activities at the Pleasant Grove/Holmes Plaza and the immediate surrounding area.

BE IT FINALLY RESOLVE THAT prior to the opening of such investigation the City Attorney shall invite the owner of the Plaza to meet with the City Attorney and the Public Safety Committee within two weeks concerning alleged nuisance activities. Failing such meeting, or a lack of a satisfactory result of such meeting, and upon recommendation of the Public Safety Committee, the investigation shall commence.

By President Wood to adopt a substitute.

Motion Carried

By President Wood to adopt the resolution as substituted

Motion Carried

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 Washington 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:

1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on

file in the Clerk's Office
PLACED ON FILE

b. 2019 City Council Meeting Calendar
REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter(s) from the Mayor re:

- a. Sole Source Purchase; Lansing Police Department request for Shaheen Chevrolet of Lansing Inc. as the vendor for the purchase of a vehicle

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

- b. Sole Source Purchase; Public Service Department request for Eng Inc. as the vendor for the purchase of engineering services for Frandora Hills Sanitary Sewer Rehabilitation

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

- c. Claim Settlement; Worker Compensation Claim #2062876-00684

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

- d. Sale Property; Miller Road Center, 6025 Curry Lane

REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Appointment; David Lenz to the Lansing Board of Water and Light for a term to expire June 30, 2021

REFERRED TO THE COMMITTEE OF THE WHOLE

- f. Brownfield Plan #75, 600 E. Michigan-Lansing LLC, 600 E. Michigan Avenue

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- g. Brownfield Plan #54 Amendment 1, Y-Site LLC, 301 W. Lenawee Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- h. Traffic Control Order No. 18-002; parking regulations along the south side of Bridgeport Drive in front of 4035 Bridgeport Drive

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- i. Traffic Control Order No. 18-004 and 18-005; parking regulations along Maplehill Avenue and Fenton Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- j. Traffic Control Order No. 18-010; traffic control at the intersection of Wilson Avenue and Young Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- k. Traffic Control Order No. 18-011, 18-017, and 18-018; parking regulations along Dodge River Drive, James Street, and Black Court

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- l. Traffic Control Order No. 18-012; parking regulations along Shiawassee Street from west of Cedar Street to east of Larch Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- m. Traffic Control Order No. 18-013 and 18-014; parking regulations along the 600 block of West Hillsdale Street and the 600 block of South Sycamore Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- n. Traffic Control Order No. 18-015; parking regulations along Eureka Street between Bingham Street and Jones Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

o. Traffic Control Order No. 18-032; parking regulations along Hosmer Street between Jerome Street and Vine Street
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- p. Traffic Control Order No. 18-033, 18-034, 18-035, 18-036, 18-037, and 18-038; traffic operations and parking regulations along Attwood Drive near Attwood School, along Gier Street, Polly Avenue and Winston Avenue near Gier Park School, and along Pleasant Grove Road near Pleasant View School

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- q. Traffic Control Order No. 18-039; parking regulations along the west side of Stafford Avenue in front of 4614 Stafford Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Letter from the Lansing Medical Marihuana Commission; Recommendations to the Lansing City Council regarding Medical Marihuana Establishments Ordinance 1300

REFERRED TO THE COMMITTEE OF THE WHOLE AND PLACED ON FILE

• Communications and Petitions, and Other City Related Matters:

1. Affidavit of Disclosure from Shannon Thielen, Lansing Police Department

REFERRED TO THE BOARD OF ETHICS

2. Claim Appeal; Claim #1592, Odasi Hamenyimana for \$395.00 for grass mowing fee at 915 Vine Street

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Council Member Spitzley to excuse Council Member Jackson from tonight's proceedings.

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Spitzley informed the members of City Council that Lilas Smyth was present to speak on Claim #1581.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Timothy Pendarvis spoke about public housing conditions in the City.

Kathy Miles spoke in opposition to the City Proposal regarding the proposed annexation of certain territory in Delta Charter Township to the City of Lansing and to Marihuana grow operations within the City.

Loretta Stanaway expressed concerns about the Downtown Roundabout Sculpture.

Chad Swan-Badgero spoke about the sale of the Miller Road Center.

Blake Bowen spoke about the sale of the Miller Road Center.

Suzanne Elms spoke in opposition to State Proposal 18-1.

Elaine Womboldt spoke about various city matters.

Willy Williams spoke about various city matters.

Lilas G. Smyth spoke about Claim #1581.

Cynthia Ward introduced herself as a candidate for Lansing 54-A District Court.

Scott Dane spoke about the Capital Area Soccer League and the groundbreaking of Beacon Soccer field Southwest.

Oscar Castaneda spoke about the Capital Area Soccer League and the groundbreaking of Beacon Soccer field Southwest.

Mary Reynolds spoke about various city matters.

ADJOURNED TIME 9:40 P.M.

CHRIS SWOPE, CITY CLERK