



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
NOVEMBER 26, 2018**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:26 p.m. by President Wood

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

ABSENT: Council Member Spitzley

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 November 19, 2018

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Washington

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

Motion Carried

The following item was added to the agenda:

Emergency Ordinance to allow alcohol sales at South Washington Office Complex on November 29, 2018.

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

Vice President Washington announced her next constituent contact meeting.

Council Member Garza announced his next constituent contact meeting.

Council Member Dunbar announced the 2018 Holiday Market hosted by the South Lansing Farmers Market.

City Clerk Swope thanked everyone who participated in the November 6th, General Election.

COMMUNITY EVENT ANNOUNCEMENTS

Tashmica Torok announced the Soulfire Gala hosted by the Firecracker Foundation.

**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 spoke about an eBay Partnership Event, the closing of the General Motors Plant in Detroit, and Neighborhood Grant Eligibility Guidelines.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Kathy Miles spoke in opposition to the Emergency Ordinance to allow alcohol sales at South Washington Office Complex on November 29, 2018.

Loretta Stanaway spoke about various legislative matters.

Julie Lawton-Essa spoke about Brownfield Plan #54.

Elaine Womboldt spoke about various legislative matters.

LEGISLATIVE MATTERS

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 #2018-299

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

WHEREAS, the Mayor made the appointment of David Lenz of 1825 Vassar Drive, Lansing, MI 48912 as a 1ST Ward Member of the Lansing Board of Water and Light for a term to expire June 30, 2021; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of David Lenz of 1825 Vassar Drive, Lansing, MI 48912 as a 1ST Ward Member of the Lansing Board of Water and Light for a term to expire June 30, 2021.

By Vice President Washington

Motion Carried

City Clerk Swope administered the Oath of Office to David Lenz.

RESOLUTION #2018-300

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #75
CAPITAL CITY MARKET 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 #75 – Capital City Market Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 19, 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 19, 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 \$41.5 million.
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 October 5, 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 Brownfield Redevelopment Authority (the 'Authority'), and 600 East Michigan-Lansing, 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 in consideration of Developer's obligations in the Secure Loan Agreement, the Lansing City Council commits to repayment of Michigan Department of Environmental Quality funds loaned to the Authority 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 #75 – Capital City Market Redevelopment Project'.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-301

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING AMENDED BROWNFIELD PLAN #54
METRO PLACE PARK BROWNFIELD 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 Amended Brownfield Plan #54 – Metro Place Park Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on November 19, 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 November 19, 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 \$25,000,000,
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 October 5, 2018, unanimously recommended approval of the Plan, for this Project;

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.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the Amended Brownfield Plan #54 – Metro Place Park Brownfield Redevelopment Project’.

By Council Member Hussain

Motion Carried

RESOLUTION #2018-302

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:

Michigan Avenue Corridor Improvement Authority:
Joseph Ruth as a Member for a term to expire June 30, 2022; and
Jonathan Lum as a Resident Member for a term to expire June 30, 2020;
and

Human Relations and Community Services Advisory Board:
Julie Rowe as an At-Large Member for a term to expire June 30, 2022;
and

WHEREAS, the Mayor’s office has vetted the nominees and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee of the Whole took affirmative action on November 19, 2019.

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

Michigan Avenue Corridor Improvement Authority:
Joseph Ruth as a Member for a term to expire June 30, 2022.
Jonathan Lum as a Resident Member for a term to expire June 30, 2020.

Human Relations and Community Services Advisory Board:
Julie Rowe as an At-Large Member for a term to expire June 30, 2022.

By Vice President Washington

Motion Carried

RESOLUTION #2018-303

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

WHEREAS, City Clerk Chris Swope submitted a recommended list of dates for the Lansing City Council meetings for 2019 to the Lansing City Council; and

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

WHEREAS, the Committee of the Whole will meet at 5:30 p.m. on Monday, January 7, 2019; and

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

WHEREAS, the Committee of the Whole has reviewed the City Clerk’s recommendations for the meeting dates for 2019.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Lansing City Council meeting dates for 2019 as follows:

Monday, January 7, 2019; Annual Organizational - 1st meeting of year
Monday, January 14, 2019
Monday, January 28, 2019
Monday, February 11, 2019
Monday, February 25, 2019; Board List - prior to first meeting in March
Monday, March 11, 2019
Monday, March 25, 2019; Mayor’s Budget - on or before 4th Monday in March
Monday, April 8, 2019
Monday, April 22, 2019
Monday, April 29, 2019; Budget Public Hearing; Mayor’s Board Appointments - prior to first meeting in May
Monday, May 13, 2019
Monday, May 20, 2019; Adopt Budget - not later than 3rd Monday in May
Monday, June 10, 2019; Council Act on Appointments - at or before 1st meeting in June
Monday, June 24, 2019
Monday, July 8, 2019
Monday, July 22, 2019
Monday, July 29, 2019
Monday, August 12, 2019
Monday, August 26, 2019
Monday, September 9, 2019
Monday, September 23, 2019
Monday, September 30, 2019; Budget Priorities - no later than October 1
Monday, October 14, 2019
Monday, October 28, 2019
Monday, November 18, 2019
Monday, November 25, 2019
Monday, December 9, 2019

Except as otherwise noted, all meetings will be on a Monday at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall.

BE IT FURTHER RESOLVED that the Council shall meet as a Committee of the Whole on Monday, January 7, 2019 at 5:30 p.m.

By Vice President Washington

Motion Carried

RESOLUTION #2018-304

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

WHEREAS, the City of Lansing and the Local No. 421 of the International Association of Fire Fighters (AFL-CIO), have negotiated to establish an Emergency Medical Services Operations Chief and adjust the work week schedule in the existing collective bargaining agreement (the "agreement") for the period covering July 1, 2016 through June 30, 2019, which is summarized in the agreement approved by the parties; and

WHEREAS, the Union membership ratified this agreement on October 22, 2018; and

WHEREAS, the Mayor recommends the agreement be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the agreement of the parties for the establishment of an Emergency Medical Services Operations Chief and adjusted work week schedule between the City of Lansing and the Local No. 421 of the International Association of Fire Fighters (AFL-CIO).

By Vice President Washington

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

Council Member Spadafore introduced:

An ordinance of the City of Lansing, Michigan, to amend Chapter 872 of the Lansing Codified Ordinances by amending Sections 872.01 through 872.07 to create licensing and regulation for dockless electric scooter companies to park on and utilize the public rights-of-way; to set licensing fees for such companies that wish to use the public rights-of-way; to provide for regulation of how such electric scooters may be parked and operated consistent with public health, safety, and welfare, including speed, manner, and location.

The Ordinance is referred to the Committee on Public Service

RESOLUTION #2018-305 RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

RESOLVED by the City Council, City of Lansing, that a public hearing be set for Monday, December 10, 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 amendment Chapter 872 of the Lansing Codified Ordinances by amending Sections 872.01 through 872.07 to create licensing and regulation for dockless electric scooter companies to park on and utilize the public rights-of-way; to set licensing fees for such companies that wish to use the public rights-of-way; to provide for regulation of how such electric scooters may be parked and operated consistent with public health, safety, and welfare, including speed, manner, and location.

Interested Persons are invited to attend this Public Hearing

By Council Member Spadafore

Motion Carried

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing to Amend Chapter 404, Section 404.01 to provide for the impoundment of vehicles or other transportation devices that are improperly parked or abandoned

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: None

By Council Member Spadafore to give the Ordinance immediate effect

Motion Carried

ORDINANCE NO. 1240

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404, SECTION 404.01 OF THE LANSING CODIFIED ORDINANCES TO PROVIDE FOR THE IMPOUNDMENT OF VEHICLES OR OTHER TRANSPORTATION DEVICES, INCLUDING BUT NOT LIMITED TO BICYCLES, ELECTRIC BICYCLES, SCOOTERS, ELECTRIC SCOOTERS, SKATEBOARDS, AND ELECTRIC SKATEBOARDS, THAT ARE IMPROPERLY PARKED OR ABANDONED.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 404.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

404.01 – ADOPTION OF THE UTC

For the purpose of supplementing the regulations contained in the MVC, the Uniform Traffic Code for Cities, Townships, and Villages, promulgated by the Michigan State Police in 2003 ("UTC"), 2009 AC, R 28.1001 et seq., copies of which are available in the City Clerk's Office, is adopted by reference, as though set forth herein in full, with the following additions and alterations:

- a) Where the UTC uses "this Governmental Unit" or "the Governmental Unit," it shall mean "the City."
- b) Where the UTC uses "the ordinance making body," it shall mean "council."
- c) Subsection (1) of Rule 125 shall read: The Office of Traffic Engineer is hereby established. The Traffic Engineer shall exercise the powers and duties of the office in a manner that is consistent with prevailing traffic engineering and safety practices and in the best interests of the City. If a traffic engineer is not appointed, then the authority of the traffic engineer shall be vested in the Director of Public Service or his or her designee.
- d) The following language is added to the end of Rule 140: The fee for such a permit shall be established by council resolution.
- e) The following language is added to the end of Rule 141: The operating hours for all metered parking in the Lansing Municipal Parking System are 8:00 a.m. through 6:00 p.m., Monday through Friday.
- f) The following language is added after Rule 151:

(1) The Traffic Engineer or his or her designee may establish truck routes within the City and designate which of the truck routes are subject to springtime restrictions. The Traffic Engineer shall maintain and make available, for a fee established by council resolution, maps displaying the truck routes and indicating which of the truck routes are subject to springtime restrictions.

(2) No person shall operate a truck on a street not designated as part of a truck route, except for either of the following purposes:

(A) Travelling directly from a truck route to a destination where freight is being picked up or delivered, or

(B) Travelling directly to a truck route from a point of origin.

g) The following language is added to the end of Rule 153:
All permanent traffic control orders in effect on the effective date of this ordinance and not inconsistent with the provisions of this ordinance shall remain in effect until rescinded or modified by traffic control order.

h) The following language is added to the end of Rules 155 and 156: The fees for these permits shall be set by council resolution.

i) The following language is added after Rule 618:

1. The Police Department may impound any ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE, INCLUDING BUT NOT LIMITED TO BICYCLES, ELECTRIC BICYCLES, SCOOTERS, ELECTRIC SCOOTERS, SKATEBOARDS, AND ELECTRIC SKATEBOARDS from a public way or public property when it is (A) improperly parked and ~~creating a hazard~~CONTRARY TO SECTION 674 OF THE MICHIGAN VEHICLE CODE, MCL 257.674, UNLESS OTHERWISE LAWFULLY PERMITTED, or (B) abandoned.

2. Upon impounding a ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE, the Police Department shall give notice to the owner in any manner reasonably calculated to inform the owner that the ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE was impounded and how to retrieve the ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE. Unless a manner more likely to notify the owner is available, notice may be given in the form of a newspaper announcement or posting on the Police Department's website describing the provisions of this subsection.

3. Upon payment of any storage fees incurred by the City, the ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE shall be returned to its owner.

4. Any ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE not claimed within six months of its impoundment may be donated, upon approval by council, to a State licensed charitable organization.

5. State licensed charitable organizations may apply to participate in the City's ~~bicycle~~VEHICLE OR TRANSPORTATION DEVICE donation program by submitting the following to the City Clerk: (A) Proof of State licensure as a charitable organization; (B) A mission statement or other description of the organization's purpose; (C) A description of the intended use of the ~~bicycles~~VEHICLES OR TRANSPORTATION DEVICES, including any method and eligibility criteria for distribution; (D) An agreement to indemnify and hold harmless the City for any damages resulting from donation of the ~~bicycles~~VEHICLES OR TRANSPORTATION DEVICES; and (E) An agreement to provide, upon request, a list of the names and addresses of any recipients of the ~~bicycles~~VEHICLES

OR TRANSPORTATION DEVICES. The City Clerk shall submit any such applications to council for referral to the appropriate committee.

6. The City will attempt to donate ~~bicycles~~VEHICLES OR TRANSPORTATION DEVICES on a rotating basis to all approved organizations in roughly equal numbers. Donated ~~bicycles~~VEHICLES OR TRANSPORTATION DEVICES must be picked up from the quartermaster unit by the recipient organization. Any donated ~~bicycles~~VEHICLES OR TRANSPORTATION DEVICES that are not picked up by the recipient organization may be donated to another approved organization in the discretion of the quartermaster unit.

j) The following language is added after Rule 822:
No person shall park any vehicle on either side of any street between 2:00 a.m. and 5:00 a.m. of any day.

k) The following language is added after Rule 822:
(1) No detached trailer shall be parked in any street or alley.
(2) No truck with three or more axles on the power unit shall be parked in any street for more than one hour.
(3) No vehicle shall project more than 20 feet from the curb when parked.

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 null and 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 to Amend Chapter 812, Section 812.04 to include within the prohibited transportation devices on sidewalks in the Principal Shopping District for electric scooters and other similar devices

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: None

By Council Member Spadafore to give the Ordinance immediate effect

Motion Carried

ORDINANCE NO. 1241

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 812, SECTION 812.04 OF THE LANSING CODIFIED ORDINANCES TO INCLUDE WITHIN THE PROHIBITED TRANSPORTATION DEVICES ON SIDEWALKS IN THE PRINCIPAL SHOPPING DISTRICT ELECTRIC BICYCLES, ELECTRIC SKATEBOARDS, SCOOTERS, ELECTRIC SCOOTERS, AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES; AND TO REQUIRE SIGNS TO THIS EFFECT BE ERECTED.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 812.04 of the Lansing Code of Ordinances

of the City of Lansing is hereby amended as follows:

812.04. – Prohibited Activities.

- (a) No person shall do any of the following in the Principal Shopping District without first obtaining a permit to do so, in addition to any permit issued by the City Clerk for the same activity throughout the City:
- (1) Engage in the business of a peddler, solicitor, canvasser, transient merchant, itinerant merchant, or itinerant vendor, as those terms are defined in Article I of Chapter 844 of the Lansing Codified Ordinances;
 - (2) Engage in the business of selling ice cream, ice cream products or confections, as that term is defined in Article II of Chapter 844;
 - (3) Engage in the activities of a street performer;
 - (4) Engage in the activities of a charitable solicitor;
 - (5) Maintain a temporary encroachment.
- (b) No person shall use a bicycle, ELECTRIC BICYCLE, skateboard, ELECTRIC SKATEBOARD, SCOOTER, ELECTRIC SCOOTER, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE, or in-line skates on the sidewalk in Zone A without first obtaining a permit to do so. SIGNS TO THIS EFFECT SHALL BE ERECTED IN COMPLIANCE WITH SECTION 660 OF THE MICHIGAN MOTOR VEHICLE CODE, MCL 257.660.

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 null and 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 to Amend Chapter 608, Section 608.04 by allowing sale and consumption of alcohol at the South Washington Office Complex (SWOC) on a single date, subject to restrictions on sale and consumption of alcohol in parks

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: None

By Vice President Washington to give the Ordinance immediate effect

Motion Carried

ORDINANCE NO. 1242

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 608, SECTION 608.04 OF THE LANSING CODIFIED ORDINANCES BY ALLOWING SALE AND CONSUMPTION OF ALCOHOL AT THE SOUTH WASHINGTON OFFICE COMPLEX (SWOC) ON A SINGLE DATE, SUBJECT TO RESTRICTIONS ON

SALE AND CONSUMPTION OF ALCOHOL IN PARKS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 608.04 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

608.04. Restrictions on sale and consumption on public property.

- (a) No person shall:
- (1) Sell, consume or possess in an open container alcoholic beverages in the public streets, public places, parks, alleys, sidewalks, City-owned parking facilities or the Turner-Dodge House, except as provided in this section; or
 - (2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or facility, including, but not limited to, shopping center parking lots or parking areas adjacent to commercial establishments which are utilized by patrons of the commercial establishment, unless such person has in his or her possession, in writing, the express permission or consent of the owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph shall not apply to any event sponsored or authorized in writing by the owner or lessee of such premises.
- (b) Beer or wine may be sold and/or consumed in City parks, upon approval of the Mayor, if:
- (1) For sales of beer and wine, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City-approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or
 - (2) For consumption only, where no sales occur, approval is granted for the consumption of beer and wine at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of beer and wine, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met.
 - (3) Prior Mayoral approval shall not be required for the sale and/or consumption of beer and wine at the Turner-Dodge House, Scott Park, Cooley Gardens, South Washington Office Complex, and Fenner Nature Center, however, with regard to the South Washington Office Complex such sale and/or consumption of beer and wine may only occur at non-profit events held on May 8, 2018 AND NOVEMBER 29, 2018.
- (c) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of beer and wine at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h), and (i) hereof are met.

(d) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott Park, OR Cooley Gardens, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the requirements set forth in subsections (g), (h), and (i) hereof are met. Rental fees for the Turner-Dodge House, the Scott Park, OR Cooley Gardens, shall be set by resolution of Council. Use of the Turner-Dodge House, Scott Park, OR Cooley Gardens in conjunction with the sale of beer or wine for consumption shall not be limited to public events, but may also include private events.

(e) Sale and consumption of alcoholic beverages is allowable within the concession area or any other area within the perimeter of the Groesbeck Golf Course and Hope Soccer Complex, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restrictions as the Department may establish.

(f) Sale and consumption of alcoholic beverages may occur within the concession area or any other area within the City Market or its environs, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission and the sale and for consumption occurs within a clearly demarcated area in compliance with the license, and provided, further, that any such sales for consumption shall be contingent upon approval by the Lansing Entertainment and Public Facilities Authority (LEPFA) and subject to such rules or restrictions as LEPFA may establish. Notwithstanding section (i) herein, any such applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of alcoholic beverages, and naming the City and LEPFA as additional insureds. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for the payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. This requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(g) Beer or wine may be sold for consumption within the streets, alleys, sidewalks and public places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01 of the Business Regulation and Taxation Code, provided that the following conditions are satisfied:

- (1) The request has been approved by the Mayor.
- (2) The individual, group or organization making the application obtains a special license for such sale and consumption from the Michigan Liquor Control Commission.
- (3) The individual, group or organization has complied with subsections (g), (h), (i) and (j) hereof.
- (4) Any other conditions which the Mayor may require have been met.

(h) The City Clerk shall provide a form on which the applicant shall provide the following information:

- (1) The name and address of the applicant;
- (2) The name of the organization, if applicable;
- (3) The type of event;
- (4) The date of the application;
- (5) The date and time of the event planned;
- (6) The purpose of the event;
- (7) The estimated number of persons attending;
- (8) The name of the insurance company, if applicable, from which the necessary public liability policy will be or has been obtained;
- (9) Proof that the proper rental fee has been paid, if applicable; and
- (10) The security measures which the applicant proposes to utilize.

Upon the applicant's payment of an application fee, as determined by resolution of Council, the City Clerk shall forward the completed application form to the Police Department and to the Department of Parks and Recreation for review.

(i) Whenever a special license for the sale and/or consumption of beer or wine in City parks, or within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott Park, Cooley Gardens, or Fenner Nature Center is required, the applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of beer or wine. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. Such policy shall have a provision to the effect that the insurance company shall notify the City Clerk at least ten days prior to the expiration of such policy. However, this requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(j) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.

(k) No person shall sell or dispense beer or wine for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense beer or wine for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of Parks and Recreation.

(l) (1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, beer or wine may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:

a. Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;

b. No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;

c. For sales of beer or wine for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral

approval is required, which approval shall only be granted in conjunction with a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;

d. Intoxicating liquors (i.e. distilled rather than fermented alcoholic beverages) may not be sold on the premises.

(2) Commencing July 1, 2001, rental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council.

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 automatically expire 60 days from the date of enactment.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

Section 6. This ordinance is enacted pursuant to Charter Section 3-308 to address the emergency posed to health and property by the inability to raise funds for survivors of childhood sexual abuse, as set forth on the record at the meeting of the Committee of the Whole on November 26, 2018.

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. Elected Officers Compensation Commission (EOCC); setting first meeting for 2019 Session
 REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter(s) from the Mayor re:
 - a. Appointment; Jessica Yorke as a Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2021
 REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Z-5-2018; 136 E. Malcolm X Street and Vacant Parcel to its East, Rezoning from "DM-4" Residential & "J" Parking Districts to "G-1" Business District
 REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Z-6-2018; 522 Leshner Place, Rezoning from "DM-3" Residential District to "D-1" Professional Office District
 REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Z-7-2018; 2 Vacant Lots at the Northwest Corner of W. Cavanaugh Road & Lowcroft Avenue, Rezoning from "A" Residential District to "C" Residential District
 REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

Communications and Petitions, and Other City Related Matters:

1. Notice from the Liquor Control Commission; Transfer stock interest by adding new stockholder Amarjit Singh; in conjunction with 2018 SOD and SOM licensed corporation with Sunday Sales Permits (AM & PM), Surinder C-Store, Inc. at 800-806 Baker St., Lansing
REFERRED TO THE COMMITTEE ON GENERAL SERVICES
2. Claim Appeal; Claim #1597, BreeAnn Barnhill Hooker for \$1,400.00 in trash fees at 534 Irvington Ave.
REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Vice President Washington to excuse Council Member Spitzley from tonight's proceedings.

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Dunbar spoke about survivors of sexual assault and rape and the Soulfire Gala hosted by the Firecracker Foundation.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Kathy Miles spoke about Neighborhood Grant Eligibility Guidelines.

Loretta Stanaway spoke about public comment.

Elaine Womboldt spoke about various City matters.

Tashmica Torok spoke about various City matters.

Liz Abdnour spoke about various City matters.

Claudia Rodgers spoke about the Soulfire Gala hosted by the Firecracker Foundation.

Tyler Dyke spoke about the Soulfire Gala hosted by the Firecracker Foundation.

ADJOURNED TIME 8:35 P.M.

CHRIS SWOPE, CITY CLERK