AGENDA
Committee on Public Services
Tuesday, November 5, 2019 @ 4:00 p.m.
City Council Conference Room, City Hall 10th Floor

Council Member Peter Spadafore, Chair
Council Member Kathie Dunbar, Vice Chair
Council Member Jeremy Garza, Member

1) Call to Order

2) Public Comment on Agenda Items

3) Minutes
   • October 1, 2019

4) Discussion/Action:
   A.) RESOLUTION – ACT-15-2019; Parks & Recreation
      Acquire Parcel # 33-01-01-09-179-081 (East of Edmore Park) as a park extension

   B.) DISCUSSION – Solid Waste Policy for Registered Rentals

5) Other

6) Adjourn
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Purpose for Attending</th>
<th>Email Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andy Kilpatrick</td>
<td></td>
<td>Public Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brett Kuschenske</td>
<td></td>
<td>Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lisa Hagen</td>
<td></td>
<td>OCA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greg Venke</td>
<td></td>
<td>OCA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MINUTES
Committee on Public Service
Tuesday, October 1, 2019 @ 4:00 p.m.
City Hall, Conference Room, 10th Floor

CALL TO ORDER
The meeting was called to order at 4:00 p.m.

ROLL CALL
Council Member Peter Spadafore, Chair
Council Member Kathie Dunbar, Vice Chair
Council Member Jeremy Garza, Member

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Sean Hammond
Andy Kilpatrick, Public Service Director
Lisa Hagen, Assistant City Attorney/Council Research Assistant
Greg Venker, Assistant City Attorney - arrived at 4:09 p.m.

Public Comments
No public comments at this time.

Minutes
MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM SEPTEMBER 3, 2019 AS PRESENTED. MOTION CARRIED 3-0.

Discussion
RESOLUTION – Appointment; Sean Hammond; Park Board-4th Ward Member; Term to Expire June 30, 2020
Mr. Hammond introduced himself and acknowledged he currently sits on the Saginaw Corridor Authority, but referenced his application, which listed the Park Board as his first choice, if a vacancy became available. He then proceed with a brief history of his experience and what roles he has taken on with the Corridor Authority. Council Member Spadafore asked if he was choosing to continue his appointment on the Saginaw Corridor Authority, and stated that they will not meet again until October, then not again until March, 2020 and at that time his term would have expired, so he intends to resign from that Board after their October meeting.

MOTION BY COUNCIL MEMBER DUBNAR TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF SEAN HAMMOND TO THE PARK BOARD. MOTION CARRIED 3-0.
RESOLUTION – Support Resolution to the State of Michigan for a Significant Investment into the Transportation Infrastructure
Council Member Spadafore recapped the last meeting where the Council was encouraged to provide a brief resolution to the State on funding for the State infrastructure.

MOTION BY COUNCIL MEMBER DUNBAR TO APPROVE THE RESOLUTION SUPPORTING ENCOURAGEMENT ON STATE INFRASTRUCTURE. MOTION CARRIED 3-0.

DISCUSSION – Traffic Calming Update from Public Service
Council Member Spadafore mentioned the discussions at the past meetings, and asked for an update from Mr. Kilpatrick. Mr. Kilpatrick confirmed he was aware of the streets where people expressed concern on speeding, but they are not sure if they are actually interested in “traffic calming” mechanisms. Currently a number of those streets have traffic volume and speed surveys, will look at the areas that have gone through traffic calming and find out where things were addressed and not addressed. He did present a map of what they have done so far, and stated he would forward that to Committee. His office will evaluate the study that has been done on traffic calming, parking regulations and priorities which might come back in a budget amendment. Mr. Kilpatrick was asked to provide examples of traffic calming options. Those included were speed humps, which are most cost effective; curb extensions, bump outs, and median islands. Another unique alternative he added was alternate parking within block to block. Council Member Garza asked what the cost of a speed bump would be and what determines if one is needed, and was told it would be roughly $5,000 and the process includes a determination of at least 500 vehicles/day and 85th percentile of 35 mph. These are installed only on straight sections not on curves, nor steep hills over 5% grade. They can also not go on primary or secondary fire routes or major streets. Council Member Garza asked for a study on Deveonshire and Alpha, and was told there was one done, but Mr. Kilpatrick was not sure when it was presented back to the neighborhood for their input on the plan. If the neighborhood approves of a plan, then it goes before the Traffic Board and Public Service Board for final approval. Council Member Spadafore asked if Council could see in the 2020/2021 budget funds for areas, particularly one area a year, which could roughly cost $100,000. Mr. Kilpatrick confirmed it could depend on the Administration’s plan. Council Member Garza asked for speed bump on Ellendale, and Mr. Kilpatrick stated they would have to look at the speed data first.

Council Member Spadafore asked about the status of the bike traffic calming that was discussed and confirmed at an earlier Committee meeting, with its initial location of Saginaw. Mr. Kilpatrick acknowledged the discussion and the supply in stock, but stated he would have to check on the status with MDOT since it is their road.

OTHER
Council Member Spadafore asked for an update from Mr. Kilpatrick on “wheel-free zones” signage in the downtown area. Mr. Kilpatrick stated he would follow up on the status.

Council Member Spadafore discussed changing the rental license requirements so that the landlord have to provide trash service as part of the licensing process. The OCA will continue to research and work on an ordinance amendment to address that.

Council Member Garza recapped calls he had been getting about the change to trash carts instead of bags. Mr. Kilpatrick asked for Council to find out who at the City is telling the residents it was Council and the Mayor that made the decision because he had spoken to staff about providing the correct information. The request for the change came directly from the
CART group. He concluded the explanation by stating there will be a “soft roll out” bi-weekly mid December.

DISCUSSION – Capital Area Disability Network AARP Age-Friendly Parks Report
Mr. Kilpatrick relayed information from the Parks Director that to address each item in the report would be costly, but they could look at age friendly changes. Council Member Dunbar asked if they have looked into grants, but Mr. Kilpatrick was not able to provide information on that. Council Member Spadafore stated he would speak to Mr. Kaschinske about the long-term ADA compliance items.

ADJOURN
The meeting was adjourned at 4:38 p.m.
Submitted by Sherrie Boak,
Recording Secretary
Lansing City Council
Approved: _____________________
An Act 33 Review is a planning level review of the location, character and extent of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT AND PROPOSAL: The Parks and Recreation Department proposes to acquire parcel no. 33-01-01-09-179-081, just east of Edmore Park, as an expansion to the park. Specifically, the proposal is to acquire this vacant property from the Ingham County Land Bank, and combine it with Edmore Park to west, and a vacant City-owned parcel immediately to the east. Edmore Park would grow from its current 17,514 SF to 27,343 SF (approx. 0.63 acres), and extend eastward to Walnut Street. All three parcels have frontage on the Grand River.

LOCATION: The site is located on the north side of Edmore St., south of the Grand River, east of Edmore Park.

CURRENT OWNER(S): Ingham County Land Bank, 3024 Turner Rd, Lansing, MI 48906


PROPERTY SIZE AND SHAPE: Quadrilateral, 4,815 SF

SURROUNDING LAND USE & ZONING: North: The Grand River
West: Edmore Park (Zoned “A” and “B” Residential District.)
South and East: Residential (Zoned “B” Residential District.)

AGENCY REFERRAL

The Park Board, on September 11, 2019 voted unanimously to recommend approval of this acquisition proposal.

ANALYSIS

LOCATION: The subject property is located on the south edge of the Grand River, east of and adjacent to Edmore Park, and immediately west of a 5,014 SF City-owned parcel on the NW corner of Edmore and Walnut Streets. Both Edmore and Walnut are narrow one-way streets at this location (Edmore going east, Walnut going south).

CHARACTER: The property is currently vacant and undeveloped. Its use as a park will have a negligible effect.

EXTENT: The proposed acquisition is limited to parcel no. 33-01-01-09-179-081.

STAFF RECOMMENDATION

Staff recommends approval as proposed.
EDMORE ST  LANSING, MI 48906  (Property Address)
Parcel Number: 33-01-01-09-179-081

Property Owner:  INGHAM COUNTY LAND BANK

Summary Information
- Residential Building Summary  - Assessed Value: $0 | Taxable Value: $0
  - Year Built: N/A  - Bedrooms: 0
  - Full Baths: 1  - Half Baths: 0
  - Sq. Feet: N/A  - Acres: 0.110
- Property Tax information found
- 3 Building Department records found

Owner and Taxpayer Information

Owner  INGHAM COUNTY LAND BANK  Taxpayer  SEE OWNER INFORMATION
FAST TRACK AUTHORITY
3024 TURNER ST
LANSING, MI 48906

General Information for Tax Year 2019

Property Class  RESIDENTIAL – VACANT  Unit  33 CITY OF LANSING - INGHAM
School District  LANSING  Assessed Value  $0
MAP #  AP-0015 -0016  Taxable Value  $0
TOP TEN  Not Available  State Equalized Value  $0
NEW PERMITS  Not Available  Date of Last Name Change  01/03/2017
USER ALPHA 3  Not Available  Notes  Not Available
Historical District  Not Available  Census Block Group  Not Available
TYPE CODE  Not Available  Exemption  No Data to Display

Principal Residence Exemption Information

Homestead Date  12/30/1997

Principal Residence Exemption  June 1st  Final
2019  0.0000 %  0.0000 %

Previous Year Information

<table>
<thead>
<tr>
<th>Year</th>
<th>MBOR Assessed</th>
<th>Final SEV</th>
<th>Final Taxable</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>2017</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>2016</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

Land Information

Zoning Code  Not Available  Total Acres  0.110
Land Value  $0  Land Improvements  $0
Renaissance Zone  No  Renaissance Zone Expiration Date  No Data to Display
ECF Neighborhood  KNOLLWOOD PK, GLENDALE PL, Mortgage Code  No Data to Display
ASSESSOR NO 15
Lot Dimensions/Comments  No Data to Display  Neighborhood Enterprise Zone  No
Lot(s)  Frontage  Depth
Lot 1  38.00 ft  126.00 ft

Legal Description

LOT 11 ASSESSORS PLAT NO 15 REC L 10 P 18

Sale History
Building Information - 0 sq ft 1 STY (Residential)

**General**

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Garage Area</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Foundation Size</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Year Built</td>
<td>Not Available</td>
</tr>
<tr>
<td>Year Remodeled</td>
<td>Not Available</td>
</tr>
<tr>
<td>Effective Age</td>
<td>14 yrs</td>
</tr>
<tr>
<td>Percent Complete</td>
<td>100%</td>
</tr>
<tr>
<td>Heat</td>
<td>Forced Air w/ Ducts</td>
</tr>
<tr>
<td>Basement Rooms</td>
<td>0</td>
</tr>
<tr>
<td>1st Floor Rooms</td>
<td>0</td>
</tr>
<tr>
<td>2nd Floor Rooms</td>
<td>0</td>
</tr>
<tr>
<td>Bedrooms</td>
<td>0</td>
</tr>
<tr>
<td>Recreation</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Recreation % Good</td>
<td>0%</td>
</tr>
<tr>
<td>Living Area</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Living Area % Good</td>
<td>0%</td>
</tr>
<tr>
<td>Walk Out Doors</td>
<td>0</td>
</tr>
<tr>
<td>No Concrete Floor Area</td>
<td>0 sq ft</td>
</tr>
</tbody>
</table>

**Basement Finish**

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Recreation % Good</td>
<td>0%</td>
</tr>
<tr>
<td>Living Area</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>Living Area % Good</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Plumbing Information**

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Fixture Bath</td>
<td>1</td>
</tr>
</tbody>
</table>

**Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

Copyright © 2019 BS&A Software, Inc.
BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-15-2019, Addition to Edmore Park

WHEREAS, the Parks and Recreation Department proposes to acquire parcel no. 33-01-01-09-179-081, just east of Edmore Park, as an expansion to the park;

WHEREAS, specifically, the proposal is to acquire this vacant property from the Ingham County Land Bank, and combine it with Edmore Park to west, and a vacant City-owned parcel (PPN 33-01-01-09-179-091) immediately to the east;

WHEREAS, all three parcels have frontage on the Grand River;

WHEREAS, Edmore Park would grow from its current 17,514 SF to 27,343 SF (approx. 0.63 acres), and extend eastward to Walnut Street;

WHEREAS, the Park Board, on September 11, 2019 voted unanimously to recommend approval of this acquisition proposal;

WHEREAS, the Planning Board, at its meeting on October 1, 2019, reviewed the acquisition proposal in accordance with its Act 33 Review procedures, and voted unanimously (6-0) to recommend approval of Act-15-2019, the acquisition of parcel no. 33-01-01-09-179-081, and the consolidation of properties to expand Edmore Park;

WHEREAS, the Committee on Public Service reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the acquisition of parcel no. 33-01-01-09-179-081, adjacent to Edmore Park, legally described as:

    LOT 11 ASSESSORS PLAT NO 15 REC L 10 P 18

from the Ingham County Land Bank, for the sum of One Dollar ($1.00), plus closing costs.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate this transaction, subject to prior approval as to content and form by the City Attorney.
TO: Peter Spadafore, Council Vice President  
FROM: Lisa K. Hagen, Assistant City Attorney  
DATE: November 4, 2019  
SUBJECT: Solid Waste Policy for Registered Rentals

You requested that the Office of the City Attorney draft an ordinance that requires all landowners of registered rental property to provide trash service for their tenants and that the trash service provided would be Lansing CARTS. After research of same, we have found the following issues:

- Currently, Landowners are already required to provide trash services, and are responsible for the removal of trash. The 2015 International Property Maintenance Code (IMPC) provides that, “308.2.1: Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.” The City of Lansing adopted the IMPC on March 25, 2019. Therefore, owners of rental properties are required to supply a trash container, and are responsible for the removal of trash.

- Requiring landowners to provide CART service, when other trash haulers are licensed and operate in the city, would be unconstitutional. The City of Lansing has a mechanism by which to license trash haulers, such as Granger or Waste Management. Currently, the City of Lansing authorizes other trash hauling companies by way of a yearly license. By
requiring all rental property owners provide only Lansing’s trash service to their tenants, it could be deemed as violating antitrust laws, and the Commerce Clause. For example, in *National Solid Wastes Management Association v. the City of Dallas*, an ordinance requiring franchisees to transport solid waste to city-owned landfills, rather than franchisee-owned landfills violated the Contracts clause, as well as the Texas constitution, and the City’s Charter. 903 F. Supp.2d 446 (2012). In addition, *C & A Carbone, Inc., et al. v. Town of Clarkston New York* held that an ordinance requiring that solid waste processed or handled within the town be processed at the town’s transfer station impermissibly discriminated against interstate commerce. 114 S. Ct. 1677 (1994). Therefore, requiring owners of rental properties to use only Lansing CART service, would be unconstitutional as it impermissibly discriminates against the other licensed trash haulers in the City.