Via ZOOM Conferencing, Meeting ID 211 422 506

Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:08 p.m. by President Spadafore

PRESENT: Council Members Betz, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

ABSENT: Council Member Dunbar (arrived at 7:13)

A quorum was present.

Council Member Wood asked people to remember Pastor David Ford, who recently passed away, during the moment of Meditation. President Spadafore asked people to remember our first responders dealing with COVID-19 as well as those afflicted by or who have been taken by the disease. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by Council Member Wood.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Hussain

To approve the printed Council Proceedings of April 13, 2020

Motion Carried by the following roll call vote:

Yeas: Council Members Betz, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

PRESENTATIONS

1. Z-9-2019; 3440 N East Street, Conditional Rezoning from “F” Commercial District to “G-2” Wholesale District

Council Member Dunbar joined the meeting at 7:13 p.m.

Sheryl Landgraf gave a presentation.

2. Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street

Ricky Figueroa gave a presentation.

3. Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021

There was no presentation.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Betz shared that May 1 is International Workers Day.

Council Member Hussain thanked the City’s essential workers during the COVID-19 Emergency Order especially Council Staff members Sherrie Boak and Renee Richmond.

City Clerk Swope reminded voters that the City does not have a May Special Election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City Clerk Swope announced that the public needed to electronically “raise their hand” in order to speak during public comment period.

MAYOR'S COMMENTS

Mayor Schor warned citizens about stimulus check scams, and encouraged the public to donate to the United Way or volunteer through Serve Lansing if they want to help during the pandemic.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021


3. Continued Public Hearing from March 16, 2020 Council Meeting in consideration of Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street

Public Comment on Legislative Matters:

Loretta Stanaway spoke about the PILOT for Porter Senior Apartments.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Annual Consolidated Strategy and Plan Submission & Action Plan Proposed Budget for Community Development Block Grant (CDBG) Fund Resources for FY 2021

REFERRED TO THE COMMITTEE OF THE WHOLE


REFERRED TO THE COMMITTEE OF THE WHOLE

3. Continued Public Hearing from March 16, 2020 Council Meeting in consideration of Payment in Lieu of Taxes (PILOT) Porter Senior Apartments; 505 Townsend Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

CONSENT AGENDA

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

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-062
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment as stated below:

Historic District Commission:
Cassandra L. Nelson as an At-Large Member for a term to expire June 30, 2022; and

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

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment as stated below:

Historic District Commission:
Cassandra L. Nelson as an At-Large Member for a term to expire June 30, 2022; and

Adopted as part of the Consent Agenda

RESOLUTION #2020-063
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners made the reappointment of Monica Jahner as the Community Alternative Program Representative to the Ingham County/City of Lansing Community Corrections Advisory Board for a term to expire Sept 17, 2020;

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

BE IT RESOLVED, that the Lansing City Council hereby affirms the reappointment of Monica Jahner as the Community Alternative Program Representative to the Ingham County/City of Lansing Community Corrections Advisory Board for a term to expire Sept 17, 2020

Adopted as part of the Consent Agenda

RESOLUTION #2020-064
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Mike Dombrowski 213 N. Hayford Ave. Lansing, MI 48912 as a First Ward Member of the Park Board for a term to expire June 30, 2021; and

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Mike Dombrowski 213 N. Hayford Ave. Lansing, MI 48912 as a First Ward Member of the Park Board for a term to expire June 30, 2021.

Adopted as part of the Consent Agenda

RESOLUTION #2020-065
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Kimberly Whitfield, 435 McPherson Ave. Lansing, MI 48915 as a Fourth Ward Member of the Park Board for a term to expire June 30, 2024; and

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

WHEREAS, the Committee of the Whole met on April 27, 2020 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment Kimberly Whitfield, 435 McPherson Ave. Lansing, MI 48915 as a Fourth Ward Member of the Park Board for a term to expire June 30, 2024.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2020-066
BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, on April 27, 2020 the AFL-CIO America’s Unions will adopt a resolution declaring Workers Memorial Day to be celebrated April 28, 2020 in perpetuity; and

WHEREAS, Workers Memorial Day will be an observance to remember workers killed or injured on the job and to renew the fight for strong safety and health protections; and

WHEREAS, the labor movement has trained, educated and equipped their members with the tools they need to be safe on the job for decades, and

WHEREAS, Unions and their allies have fought hard in winning protections that have made jobs safer and saved lives with new rules to protect workers and stronger anti-retaliation protections for workers who report job injuries; and

WHEREAS, in 2019 unions and their members helped pass the Workplace Violence Protection for Health Care and Social Service Workers Act as they fought and won for emergency training grants to train frontline workers; and

WHEREAS, the Workers Memorial Day theme is “Protect Our Rights. Speak Up for Safe Jobs.” Every worker has the right to a safe workplace and able to speak up against unsafe working conditions;

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council does hereby proclaim April 28, 2020 as Workers Memorial Day in the City of Lansing, and encourages City of Lansing residents to become
edicated and informed about programs, services, and opportunities to support a safe work environment.

By Council Member Garza

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-067
BY COUNCIL MEMBER BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, every April, the Office of Victims of Crime (OVC) helps lead communities throughout the country in their annual observances of National Crime Victims’ Rights Week (NCVRW) by promoting victims’ rights and remembering crime victims and those who advocate on their behalf. This year’s NCVRW is held from April 19th-25th. This year’s theme –Seek Justice. Ensures Victim’s. Inspire Hope. This theme helps to raise awareness about crime victims’ issues and rights and introduce the community to the important resources and services available. This matters to Lansing because, according to the most recent National Crime Victimization Survey from the Bureau of Justice Statistics, about 3.3 million Americans age 12 or older were victims of violent crime; and

WHEREAS, victimization and its aftermath may be one of the most difficult periods in a person’s life—and victims’ families, friends, and communities often face their own challenges as well. Loved ones may struggle to understand what kind of support victims need, or even how to talk to them about what happened. Service professionals may be uncertain how their roles intersect with victims’ own sense of what justice looks like for them. Each crime victim’s healing process will be different, but one step everyone can take is to learn what rights crime victims have. These rights will be best protected when all participants in the criminal justice process—and not only victims—are appropriately educated about victims’ rights; and

WHEREAS, recovering from crime is a complex and deeply personal process for victims, but you can help ensure they have the support they need—and inspire them to hope for future progress and healing—by making education about victims’ rights a priority for yourself and your community.

WHEREAS, victims who feel understood and supported are more likely to disclose their victimization, seek services and participate in the justice process. A multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professional, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations; and

WHEREAS, strengthening the multidisciplinary response—bring diverse skills, perspectives, and understandings together in the service of victims—also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution; and

WHEREAS, the Victims of Crime Act has supported efforts for victims of once-hidden crimes such as domestic and sexual violence. Outreach is increasingly focused on previously underserved victim populations, including victims of color, religious and ethnic minorities, LGBTQ victims, and immigrant populations to name a few. Efforts are being made to ensure that all victims, regardless of their background or the crime committed against them, receive the support they deserve.

NOW, THEREFORE, BE IT RESOLVED THAT, the Lansing City Council appreciates the unwavering commitment and tireless dedication to victims of crime throughout the Nation and especially in the Lansing community. If victims are to trust that the system will work for them, we must meet them where they are—physically, culturally, and emotionally. By serving victims, building trust, and restoring hope, the field can more effectively help victims as they rebuild their lives. While crime victims have legally protected rights, many different groups face significant barriers not only in accessing the resources they need and deserve, but also in reaching out and we must help bridge that gap. We must engage the entire community and maximize and leverage existing resources to better serve all victims of crime and provide the necessary support through their journey of today and tomorrow.

By Council Member Hussain

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-068
BY COUNCIL MEMBER BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council does hereby proclaim May, 2020 as Prisoner Family Month in the City of Lansing.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-068
BY COUNCIL MEMBER BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council appreciates the unwavering commitment and tireless dedication to victims of crime throughout the Nation and especially in the Lansing community. If victims are to trust that the system will work for them, we must meet them where they are—physically, culturally, and emotionally. By serving victims, building trust, and restoring hope, the field can more effectively help victims as they rebuild their lives. White crime victims have legally protected rights, many different groups face significant barriers not only in accessing the resources they need and deserve, but also in reaching out and we must help bridge that gap. We must engage the entire community and maximize and leverage existing resources to better serve all victims of crime and provide the necessary support through their journey of today and tomorrow.

By Council Member Hussain

Motion Carried by the following roll call vote:
Yeas: Council Members Betz, Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Wood

Nays: None

RESOLUTION #2020-069
BY COUNCIL MEMBERS BETZ, DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on March 16, 2020 under Resolution 2020-053, City Council approved Mayor Schor’s Declaration of Emergency through April 10, 2020; and

WHEREAS, on April 13, 2020 under Resolution 2020-053, City Council approved Mayor Schor’s Declaration of Emergency through April 30, 2020; and

WHEREAS, the Resolutions emphasized the fact that the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, and affected state and local governments have also declared states of emergency; and

WHEREAS, on March 23, 2020 Governor Whitmer signed a “Stay Safe, Stay Home” Executive Order in response to the severe health and concerns relating to the COVID-19 outbreak in the State of Michigan, and under the authority granted under Chapter 234.05, the Lansing Emergency Management Ordinance, the Mayor declared a local state of emergency on March 16, 2020 taking effect March 17, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds that the circumstances warrant an extension of the Mayor’s emergency declaration and continuation of the emergency response plan to ensure that public health is protected; and

BE IT FINALLY RESOLVED that the City Council approves an extension of the declaration of emergency, through and including May 15, 2020, and authorizes such powers and duties as provided by Chapter 234.05, the Lansing Emergency Management Ordinance, together with those powers provided by statute, including those set forth in MCL § 30.401 et seq.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-070
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council of the City Lansing previously approved the sale of the former Red Cedar Golf Course containing approximately 32.29 acres of land, to Continental/Ferguson Lansing, LLC (the “Developer”) pursuant to the Amended and Restated Real Estate Purchase Agreement (the “Agreement”), in Resolution 2018-204, passed on July 23, 2018, and subsequent substantive amendments to the Agreement were also approved by City Council in Resolution 2019-111, passed on April 22, 2019; and

WHEREAS, the sale of the Red Cedar Golf Course closed, pursuant to the terms of the approved Agreement as amended, on October 4, 2019; and

WHEREAS, in light of economic changes as well as subsequent discussions between the Developer, the City, and the Michigan Economic Development Corporation a certain Eleventh Amendment to the Agreement has been proposed that contains substantive changes to the duties and obligations of both parties, including: the elimination of an Integrated Parking Structure with significant savings to both public and private infrastructure costs, as well as a reduction in total number of student housing capacity on the project site; and

WHEREAS, the Eleventh Amendment to the Amended and Restated Real Estate Purchase And Development Agreement is attached to this Resolution; and

WHEREAS, the terms of the Agreement require the consideration and approval of the City Council of the City of Lansing, even though the sale of City land has already closed.

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves the Eleventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement for the Red Cedar Property.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the amendment, subject to prior approval as to content and form by the City Attorney.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: Council Members Betz, Spadafore

RESOLUTION #2020-071
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service will be partnering with McLaren Greater Lansing and the Lansing Board of Water & Light to construct underground utility improvements in the Forest Road right-of-way; and

WHEREAS, these utility improvements, including new potable watermain and new sanitary sewer, are necessary to support and serve the forthcoming, new McLaren Greater Lansing Hospital Development; and

WHEREAS, this sanitary sewer work is atypically deep (i.e., an average of approximately 18 feet deep) resulting in complete removal of the roadway and the full closure to vehicular traffic of this City major street, Forest Road; and

WHEREAS, in accordance with the construction contract, the contractor, E.T. MacKenzie Company, is required to complete a large amount of work in a short timeframe prior to the mid-September completion date; and

WHEREAS, for the period May 12, 2020, through September 19, 2020, E.T. MacKenzie Company has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:00 PM; and
WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, May 11, 2020, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for granting a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:00 PM for the period May 12, 2020, through September 19, 2020.

BE IT FURTHER RESOLVED, due to COVID -19, the public hearing may be held electronically in accordance with the Open Meetings Act in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website and phone number and Meeting ID provided on the May 11, 2020 meeting agenda. Michigan Executive Order 2020-48 provides for temporary authorization of remote participation in public meetings and hearings.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: None

RESOLUTION #2020-072

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the COVID-19 crisis the Lansing Police Department and Lansing Fire Department have continued responding to emergencies for Lansing residents every day; and

WHEREAS, the George F. Eye Company recognizes this dedication and coordinated donations from area restaurants in the amount of $1,000; and

WHEREAS, the George F. Eye Company requests for those donations to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments to show their gratitude for the work of first responders; and

WHEREAS, the City Charter requires such donations to be accepted by the Lansing City Council and the contribution appropriated;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments and thanks the George F. Eye Company for their donation to Lansing; and

BE IT FINALLY RESOLVED that the Administration is authorized to create appropriation accounts and to make the necessary operating transfers for control of the expenditures in connection with the donation.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: None

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The Committee of the Whole introduced:

An Ordinance of the City of Lansing, Michigan, to: amend Section 260.05 of the Lansing Codified Ordinances to allow for the Lansing Housing Commission to own and transact real property in its own name, and remove certain approvals by the City as to selection and compensation of officers and employees of the Commission; and amend Section 260.07 of the Lansing Codified Ordinances to clarify insurance requirements, and remove certain approvals by the City related to the Commission’s annual audit.

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

RESOLUTION #2020-073

RESOLUTION SETTING PUBLIC HEARING

BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 11, 2020 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an Ordinance of the City of Lansing, Michigan, to: amend Section 260.05 of the Lansing Codified Ordinances to allow for the Lansing Housing Commission to own and transact real property in its own name, and remove certain approvals by the city as to selection and compensation of officers and employees of the commission; and amend section 260.07 of the Lansing Codified Ordinances to clarify insurance requirements, and remove certain approvals by the City related to the Commission’s annual audit.

By Vice President Hussain

Motion Carried by the following roll call vote:

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

Nays: None

SPEAKER REGISTRATION FOR PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public needed to electronically “raise their hand” in order to speak during public comment period.

REPORTS FROM CITY OFFICERS, BOARDS, AND

COMMISSIONS; COMMUNICATIONS AND

PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Hussain that all items be considered as being read in full and that President Spadafore make the appropriate referrals
Motion Carried by the following roll call vote:

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

Nays: None

- 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
  2. Letter(s) from the Mayor re:
     a. Donation Acceptance; $1,000 donation to the City of Lansing to be distributed to the Lansing Police Department and Lansing Fire Department for meals and refreshments
        PLACED ON FILE
     b. Authorization of Tax Anticipation Notes for Cash Flow Borrowing Purposes
        REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:
  1. Affidavit of Disclosure; Jane Bidwell, Lansing Police Department
     REFERRED TO THE BOARD OF ETHICS
  2. Notice from the Michigan Liquor Control Commission; Request ID: RQ-2004-06122, new Micro Brewer License; new Beer and Wine Tasting Permit at 523 E Shiawassee St, Lansing, MI 48912-1213 in Lansing City in Ingham County by Mash Mavericks, Inc.
     REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Loretta Stanaway spoke about various City matters.

Mitch Rice spoke about the PILOT for Porter Senior Apartments.

ADJOURNED TIME 8:25 P.M.

CHRIS SWOPE, CITY CLERK