



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JUNE 24, 2019**

Tony Benavides Lansing City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:39 p.m. by President Wood

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

ABSENT: Council Member Washington

A quorum was present.

President Wood asked people to keep Dale Schrader in their thoughts, who recently had an accident, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Wood.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Spadafore

To approve the printed Council Proceedings of May 20, 2019, June 3, 2019, and June 10, 2019

Motion Carried

SPECIAL CEREMONIES

1. Tribute; in recognition of Cindie Alwood, Executive Director of the Women's Center of Greater Lansing upon her retirement

RESOLUTION #2019-184

**BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,
SPADAFORE, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY OF LANSING CITY COUNCIL**

WHEREAS, Cindie Alwood has been involved in the Lansing community for over 30 years, dedicating herself to the service of others and adhering to an ethos of compassion and caring; and

WHEREAS, fifteen years ago, Cindie co-founded the Women's Center of Greater Lansing, serving as the center's Executive Director from its founding until her much deserved retirement on April 1, 2019; and

WHEREAS, the Center is a private non-profit organization that provides comprehensive services to help women realize their potential, achieve economic self-sufficiency, and develop emotional and physical well-being; and

WHEREAS, the Center opened their doors in 2005, and since that time have served more than 8,700 women providing career counseling and resume preparation, individual counseling, and a wide variety of support groups and workshops; and

WHEREAS, Cindie has been at the center and the driving force behind everything which includes buying the initial building, raising money and

coordinating volunteers to renovate the space and leading it through tough economic times; and

WHEREAS, Cindie and the Center have been integral in many community events that are now part of the fabric of Lansing including "We Laugh Comedy Night", "Capital City Dragon Boat", and "In Her Cups".

NOW THEREFORE BE IT RESOLVED, the Lansing City Council does hereby recognize the years and countless hours that Cindie Alwood has dedicated to serving our community and congratulate her on her well-deserved retirement as the Executive Director of the Women's Center of Greater Lansing.

By Vice President Spadafore

Malik Brown spoke in support of the tribute.

Council Member Spadafore spoke in support of the tribute.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Dunbar provided details about the South Lansing Farmers Market and its first outdoor market of the year.

Council Member Spadafore recognized Kyle Kaminski, a City Pulse reporter who was covering his last City Council meeting as he is attending law school in the fall.

Council Member Hussain reminded everyone that there will be no 3rd Ward July Constituent Contact Meeting, discussed the withdrawal of the U-Haul rezoning application, and provided details on the 2nd annual South West Action Group (SWAG) Spaghetti Dinner.

Council Member Garza reminded everyone of his upcoming 2nd Ward Constituent Contact Meeting.

Council Member Jackson reminded everyone of his upcoming 4th Ward Constituent Contact Meeting.

President Wood provided an update on the Rejuvenating South Lansing Community Meeting.

City Clerk Swope provided an update on permanent absentee voting, encouraging everyone to sign up for the Automatic Application List, and reminded everyone that June 27th will be the last day for medical marijuana provisioning center applications.

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

Executive Assistant to Mayor Schor, Samantha Harkins, spoke about a

meeting that will be held for victims of flooding at Sycamore Creek Church, the "Know it Before you Throw it" recycling campaign, the GAP Feeding program, Habitat for Humanity's "Rock the Block" program, various Fourth of July festivities, and recognized Martha Fujita, a member of the Mayor's Office with a long history as a Lansing public servant, who is retiring at the end of June.

Martin Luther King Jr Boulevard from Pleasant Grove Road north to 550 feet south of Victor Avenue for work on weekdays and weekends during the 2019 construction season

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

SHOW CAUSE HEARINGS

1. In consideration of Orders to Make Safe or Demolish; 3005 Herrick Drive
2. In consideration of Orders to Make Safe or Demolish; 410 S. Francis

Council Member Spitzley gave an overview of the hearings.

• Comment on Scheduled Show Cause Hearings:

Tyler Houser spoke on Orders to Make Safe or Demolish of 3005 Herrick

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of Orders to Make Safe or Demolish; 3005 Herrick Drive

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of Orders to Make Safe or Demolish; 410 S. Francis

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Amending Chapter 1615; Regulation of the days and times permitting the unlicensed ignition, discharge and use of consumer fireworks and the penalties for violations

TO BE CONSIDERED AT THIS COUNCIL MEETING

2. In consideration of Noise Special Permit; rehabilitating Martin Luther King Jr Boulevard from Pleasant Grove Road north to 550 feet south of Victor Avenue for work on weekdays and weekends during the 2019 construction season

TO BE CONSIDERED AT THIS COUNCIL MEETING

President Wood gave an overview of the public hearings.

Public Comment on Legislative Matters:

Zach Frazier spoke about the proposed fireworks ordinance.

JoAnn Baumann spoke about the proposed fireworks ordinance.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Amending Chapter 1615; Regulation of the days and times permitting the unlicensed ignition, discharge and use of consumer fireworks and the penalties for violations

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. In consideration of Noise Special Permit; rehabilitating

CONSENT AGENDA

Vice President Spadafore asked that items all items be removed from the Consent Agenda except for items 1b and 1c.

Motion Carried

RESOLUTION #2019-185

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1953 a few baptized believers anchored in Christ came together and formed a Bible Band, believing and moving forward in faith that one day a church would be formed. In 1954 the mission was organized as a church and given the name of Paradise Missionary Baptist Church; and

WHEREAS, Palm Sunday April 15, 1984 groundbreaking services were held, the initial service was held December 2, 1984 followed with the dedication service on December 30, 1984 with a sermon from Pastor Reverend Joel L. King, and Pastor Reverend Elvin Smit; and

WHEREAS, the church mortgage was paid in full June 17, 1987, and a mortgage burning service was held August 8, 1987 with the greater Lansing community celebrating, rejoicing and praising God for the accomplishment by faith in God's master plan; and

WHEREAS, during the past sixty-five years of moving forward by faith, several auxiliaries, committees, and the Sons of Paradise were established. As well as the founding of, the Paradise Missionary Baptist Church Education Fund. Charitable work includes contributions to the Lansing Food Bank, Michigan Red Cross, and the Salvation Army to name a few; and

NOW, THEREFORE, BE IT RESOLVED, the City of Lansing City Council wishes to recognize Paradise Missionary Baptist Church for 65 years of services to the Lord and its members. We thank you for your continued service, and dedication to the residents of the City of Lansing. May you continues to celebrate the life and love of the Lord at Paradise Missionary Baptist Church for many more years to come.

Adopted as part of the Consent Agenda

RESOLUTION #2019-186

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WASHINGTON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, National Scoliosis Awareness Month takes place in June with the goal of highlighting the growing need for education, early detection and awareness to the public about scoliosis and its prevalence within the community; and

WHEREAS, scoliosis is a sideways curve of the spine with no known cause, it affects two to three percent of the population, or an estimated six to nine million people in the United States; and

WHEREAS, there are different types of scoliosis including Idiopathic, Neuromuscular, Congenital, and Early Onset. However eighty-five percent of all cases are idiopathic scoliosis which tends to run in families; and

WHEREAS, evidence suggest genetics is a factor for some children who have scoliosis. However it is not cause by bad posture, limb-length differences or heavy backpacks; and

WHEREAS, there are different options to treat scoliosis, which include bracing, surgery, spinal fusion surgery, magnetically drive growing rods, or vertical expandable prosthetic titanium rib (VEPTR) surgery.

THEREFORE BE IT RESOLVED, the Lansing City Council encourages the citizens of Lansing to raise awareness of scoliosis, and recognize the need for increased research and funding to reduce the pain and suffering it causes.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2019-187

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

WHEREAS, the Mayor made the appointment of Aaron I. Milton of 2914 Woodview Drive, Lansing, MI 48911 as an At-Large Member of the Board of Police Commissioners for a term to expire June 30, 2023; and

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

WHEREAS, the Committee on Public Safety took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Aaron I. Milton of 2914 Woodview Drive, Lansing, MI 48911 as an At-Large Member of the Board of Police Commissioners for a term to expire June 30, 2023.

By Council Member Spitzley

Motion Carried

RESOLUTION #2019-188

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

WHEREAS, the Mayor made the appointment of Joseph Graves of 3114 S. Deerfield Avenue, Lansing, MI 48911 as a Third Ward Member of the Lansing Board of Water & Light Board for a term to expire June 30, 2023; 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 June 24, 2019 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Joseph Graves of 3114 S. Deerfield Avenue, Lansing, MI 48911 as a Third Ward Member of the Lansing Board of Water & Light Board for a term to expire June 30, 2023.

By Vice President Spadafore

Motion Carried

RESOLUTION #2019-189

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:

Lansing Board of Water and Light:
Ken Ross as an At-Large Member for a term to expire June 30, 2023; and;

Fire Board:
Wyatt Ludman as an At-Large Member for a term to expire June 30, 2023; and

Board of Police Commissioners:
Sandra Thompson-Kowalk as a Third Ward Member for a term to expire June 30, 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 June 24, 2019 and took affirmative action;

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

Lansing Board of Water and Light:
Ken Ross as an At-Large Member for a term to expire June 30, 2023.

Board of Fire Commissioners:
Wyatt Ludman as an At-Large Member for a term to expire June 30, 2023

Board of Police Commissioners:
Sandra Thompson-Kowalk as a Third Ward Member for a term to expire June 30, 2023.

By Vice President Spadafore

Motion Carried

RESOLUTION #2019-190

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

WHEREAS, the City Clerk has forwarded an application for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

Lansing Lugnuts/Melrose Pyrotechnics Inc. for a public display of fireworks in the City of Lansing at 505 E Michigan Ave., to be held on July 5, 2019

By President Wood

Motion Carried

RESOLUTION #2019-191

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

WHEREAS, Tarik Abbawi sought to eliminate a special assessment of \$455.00 for board up fees, and all associated penalties and interest, on

the property tax bill for 730 N. Pine Street (Tax ID #33-01-01-09-363-001); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on June 24, 2019 and denied the claim in the amount of \$455.00.

THEREFORE, BE IT RESOLVED, the City Council, hereby, denied the claim in the amount of \$455.00 for the board up fees, and all associated penalties and interest on the property tax bill for 730 N. Pine Street (Tax ID #33-01-01-09-363-001).

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

By President Wood

Motion Carried

RESOLUTION #2019-175

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

WHEREAS, the City of Lansing Department of Public Service will be resurfacing Miller Road from Cedar Street to Aurelius Road and Turner Street from Douglas Avenue to Randolph Street during the 2019 construction season; and

WHEREAS, on Miller Road, for the period of four weeks between July 8, 2019, through August 4, 2019, City of Lansing Public Service Department, has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 8:00 PM; and

WHEREAS, on Turner Street, for the period of five weeks between July 15, 2019, through August 18, 2019, the City of Lansing Public Service Department, has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 8:00 PM

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to keep the project on-schedule and minimize traffic impacts.

WHEREAS, Notice of the public meeting was mailed to all residential properties within 500 feet of these projects.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, July 8, 2019, 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 PM to 8:00 PM and weekends for four weeks on Miller Road and five weeks on Turner street.

By President Wood to reconsider the vote by which Resolution 2019-175 was adopted

Motion Carried

By President Wood to adopt a substitute for the Resolution

Motion Carried

The question being adoption of the Resolution as amended

Motion Carried

RESOLUTION #2019-192

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

WHEREAS, the City of Lansing City Council, under Resolution 2019-087, agreed with the Code Compliance Manager who determined that

the building located at 3815 Marion, Parcel # 33-01-01-32-203-191 legally described as: N ½ OF E ½ LOT 45 EXC W 11 FT SUPERVISORS PLAT OF HILLCREST FARMS 3815 MARIONS is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, an inspection was done on May 22, 2019 per the request of the owners, by Code Compliance who determined that enough progress was being made, and contracts with licensed contractors to complete the work required to bring the property below the 50% threshold for demolition under the State Code.

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within 60 days from the original deadline of May 28, 2019.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Council Member Spitzley

Motion Carried

RESOLUTION #2019-193

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

WHEREAS, a public hearing was held on Monday, June 10th and Monday, June 24th, 2019, in consideration of the request by Michigan Department of Transportation (MDOT) for issuance of a waiver of the noise ordinance, for construction noise, from July 5, 2019 to November 31, 2019, to permit the contractor to work extended hours Monday through Friday from 8:00 PM to 7:00 AM, Saturdays and Sundays from 7:00 AM to 5:00 PM to minimize impacts to business owners and residents in the area of Martin Luther King, Jr. Blvd. (M-99/MLK) from Pleasant Grove Road north to 550 feet south of Victor Avenue; and

WHEREAS, the Michigan Department of Transportation (MDOT) will be rehabilitating M-99/MLK from Pleasant Grove Road north to 550 feet south of Victor Avenue during the 2019 construction season; and

WHEREAS, this construction project involves an asphalt inlay of the outside two lanes and a single course mill and overlay of the inside three lanes; and

WHEREAS, MDOT, has requested a waiver of the noise ordinance on weekdays and weekends to minimize impacts to business owners and residents, increase production and reduce time while conduct milling and paving operations; and

WHEREAS, MDOT anticipates three to four nonconsecutive weeks when work will require waiver of the noise ordinance; and

WHEREAS, the City of Lansing Public Service Department recommends that this waiver of the noise ordinance be granted in order to minimize disruption to business owners, residents and maintain progress schedule as needed; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that City Council grant a waiver of the noise ordinance from July 5, 2019, to November 31, 2019, to permit MDOT and/or its contractor to work extended hours Monday through Friday from 8:00 PM to 7:00 AM, Saturdays and Sundays from 7:00 AM to 5:00 PM, while conducting milling and paving operations in the area of M-99/MLK from Pleasant Grove Road north to 550 feet south of Victor Avenue.

By President Wood

Motion Carried

RESOLUTION #2019-194

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

WHEREAS, the City of Lansing is named as a defendant in Deanna Ray, and all others similarly situated, a Certified Class v. City of Lansing, Ingham County Circuit Court Case No. 13-1242-NZ, currently pending before Ingham County Circuit Court, Honorable James S. Jamo; and

WHEREAS, it is proposed that the lawsuit be resolved as to the City of Lansing by settlement agreement with all parties to the action, in which the City agrees to pay the Class Plaintiffs the total sum of One Million Two Hundred Fifty Thousand and 00/100 Dollars (\$1,250,000.00) in exchange for a dismissal of the lawsuit and a complete release of liability from all parties to the action; and

WHEREAS, the proposed settlement is without admission of liability and is subject to approval by the Ingham County Circuit Court pursuant to the class action procedures of the Michigan Court Rules; and

WHEREAS, the proposed settlement payments from Defendant City of Lansing would be as follows:

City of Lansing to pay \$950,000 to Class Plaintiffs and their counsel as approved by the Ingham County Circuit Court.

City of Lansing to pay \$300,000 into its sewer fund for the Class Plaintiffs on a first come, first served basis to be able to employ the City's Backflow Prevention Program to their affected properties.

WHEREAS, the proposed settlement is recommended by the Director of Public Service and the City Attorney.

NOW, THEREFORE, BE IT RESOLVED THAT, subject to the Approval of the Ingham County Circuit Court, Lansing City Council hereby approves payment of One Million Two Hundred Fifty Thousand

and 00/100 Dollars (\$1,250,000.00) pursuant to said proposed settlement as a full and final settlement of the case Deanna Ray, and all others similarly situated, a Certified Class v. City of Lansing, Ingham County Circuit Court Case No. 13-1242-NZ.

BE IT FURTHER RESOLVED that the administration is authorized to make all necessary transfers and appropriations to fulfill the requirements of this resolution.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of said action in exchange for dismissal of the lawsuit including all claims and a complete release of liability from all parties to the action.

Council Member Jackson sought the advice of the City Attorney on whether to recuse himself on account of him working for the Office of the City Attorney at the time of this court case.

City Attorney Smiertka stated that he did not see a conflict of interest.

By Vice President Spadafore

Motion Carried with Council Members Spitzley and Wood voting "nay."

RESOLUTION #2019-195

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

WHEREAS, adjustments are needed in the fiscal year 2018/2019 budget to allocate the budgeted vacancy factor; and

WHEREAS, additional costs from what was anticipated have been incurred for elections, frontloading of police officers, and

WHEREAS, the new Lansing Ignite contract requires reimbursement for field conversions;

WHEREAS, reimbursement is anticipated for special election costs;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2018/2019 year-end budget amendment be approved:

	Increase/ (Reduction)
GENERAL FUND	
<u>General Fund Revenues</u>	
Special Election Revenue	<u>\$75,000</u>
Change in General Fund Revenues	<u>\$75,000</u>
<u>General Fund Expenditures</u>	
Non-Departmental - Vacancy Factor	500,000
Finance Department - Personnel (vacancies)	(200,000)
City Attorney's Office - Personnel (vacancies)	(200,000)
Economic Development & Planning (vacancies)	(100,000)
Subtotal – Vacancy Factor Adjustments	<u>\$0</u>
Police Department – Personnel (officer frontloading)	\$250,000
City Clerk – Personnel (elections)	60,000
City Clerk – Operating (elections)	125,000
Stadium Fund - Transfer (soccer field conversions)	25,000
District Court – Personnel (vacancies)	(200,000)
Finance Department - Personnel (vacancies)	(185,000)
Subtotal - Transfers for Extra Needs	<u>75,000</u>
Change in General Fund Expenditures	<u>\$75,000</u>
STADIUM FUND	
<u>Stadium Fund Revenues</u>	
General Fund Transfer	<u>\$25,000</u>
<u>Stadium Fund Expenditures</u>	
Stadium Fund – Operating (field conversions)	<u>\$25,000</u>

By Vice President Spadafore

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An Ordinance of the City of Lansing, Michigan, to Amend the Lansing Codified Ordinances By Amending Chapter 664, Section 664.01 to make violation of subsection (c), which prohibits language that would tend to cause an immediate breach of the peace, a Municipal Civil Infraction.

The Ordinance was read a first time by its title and referred to the Committee on Public Safety

RESOLUTION #2019-196
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, July 8, 2019 at 7 p.m. in 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 the Lansing Codified Ordinances By Amending Chapter 664, Section 664.01 to make violation of subsection (c), which prohibits language that would tend to cause an immediate breach of the peace, a Municipal Civil Infraction.

Interested Persons are invited to attend this Public Hearing

By Council Member Spitzley

Motion Carried

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 658, Section 658.04 to clarify the places where crowding, obstructing or blocking of passage is prohibited; and providing for warning by a law enforcement officer to cease such behavior.

The Ordinance was read a first time by its title and referred to the Committee on Public Safety

RESOLUTION #2019-197
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, July 8, 2019 at 7 p.m. in 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 the Lansing Codified Ordinances by amending Chapter 658, Section 658.04 to clarify the places where crowding, obstructing or blocking of passage is prohibited; and providing for warning by a law enforcement officer to cease such behavior.

Interested Persons are invited to attend this Public Hearing

By Council Member Spitzley

Motion Carried

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Telephone Harassment Ordinance in its entirety, section 658.05 of the Lansing Codified Ordinances, by defining and regulating the conduct of telecommunications access device harassment, and to provide penalties thereof.

The Ordinance was read a first time by its title and referred to the Committee on Public Safety

RESOLUTION #2019-198
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, July 8, 2019 at 7 p.m. in 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 the Telephone Harassment Ordinance in its entirety, section 658.05 of the Lansing Codified Ordinances, by defining and regulating the conduct of telecommunications access device harassment, and to provide penalties thereof.

Interested Persons are invited to attend this Public Hearing

By Council Member Spitzley

Motion Carried

INTRODUCTION OF ORDINANCE

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances. Property located at:

11907 Jolly Highway to the "A" Residential zoning district

4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road from "F" Commercial district to "E-2" Local Shopping District

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

RESOLUTION #2019-199
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 22, 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

11907 Jolly Highway to the "A" Residential zoning district

4820, 4848, 4880, 4902, 5030, 5050 & 5058 S. Waverly Road from "F" Commercial district to "E-2" Local Shopping District

By Council Member Hussain

Motion Carried

INTRODUCTION OF ORDINANCE

Council Member Spadafore introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 606 Section 606.03 to require signs or advertisements to include on the sign, contact information of the person or organization conducting the sale.

The Ordinance was read a first time by its title and referred to the Committee on Public Service

RESOLUTION #2019-200
RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

RESOLVED by the City Council, City of Lansing, that a public hearing be set for Monday, July 8, 2019 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 of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 606 Section 606.03 to require signs or advertisements to include on the sign, contact information of the person or organization conducting the sale.

Interested Persons are invited to attend this Public Hearing

By Vice President Spadafore

Motion Carried

ORDINANCES FOR PASSAGE

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1615, Sections 1615.02 and 1615.06 to provide for the regulation of the days and times permitting the unlicensed ignition, discharge and use of consumer fireworks and the penalties for violation of the regulations; and to conform the regulations and penalties to the requirements of Michigan 2018 P.A. 635 regarding local government ordinances.

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

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

Nays: None

Council Member Jackson was not in the chambers at the time of the vote

By President Wood that the Ordinance be given immediate effect

Motion Carried

ORDINANCE #1250

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1615, SECTIONS 1615.02 AND 1615.06 TO PROVIDE FOR THE REGULATION OF THE DAYS AND TIMES PERMITTING THE UNLICENSED IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS AND THE PENALTIES FOR VIOLATION OF THE REGULATIONS; AND TO CONFORM THE REGULATIONS

AND PENALTIES TO THE REQUIREMENTS OF MICHIGAN 2018 P.A. 635 REGARDING LOCAL GOVERNMENT ORDINANCES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1615, Sections 1615.02 and 1615.06, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1615.02. - Prohibitions

(a) Fireworks shall not be manufactured in the City.
 (b) Consumer fireworks shall not be used in the City without a license NO PERSON SHALL IGNITE, DISCHARGE, OR USE CONSUMER FIREWORKS IN THE CITY WITHOUT A LICENSE, EXCEPT: AFTER 11:00 A.M. ON THE FOLLOWING DAYS AND IN COMPLIANCE WITH 2018 PUBLIC ACT 635, BEING MCL 28.457:

(1) On any day except the day preceding, day of, or day after a national holiday DECEMBER 31 UNTIL 1 A.M. ON JANUARY 1.

(2) Between the hours of 12:00 midnight and 8:00 a.m. on the day preceding, day of, or day after a national holiday, or between the hours of 1:00 a.m. and 8:00 a.m. on New Year's Day THE SATURDAY AND SUNDAY IMMEDIATELY PRECEDING MEMORIAL DAY UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

(3) JUNE 29 TO JULY 4 UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

(4) JULY 5, IF THAT DATE IS A FRIDAY OR SATURDAY, UNTIL 11:45 P.M.

(5) THE SATURDAY AND SUNDAY IMMEDIATELY PRECEDING LABOR DAY UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

1615.06. – Penalty

Unless otherwise provided by law, any person who violates any provision of this Chapter or a provision of any license issued under this Chapter is responsible for a municipal civil infraction and subject to a fine not exceeding \$500.00, plus costs of prosecution for each violation, EXCEPT ANY PERSON WHO VIOLATES SUBSECTION 1615.02(B) SHALL BE SUBJECT TO A FINE OF \$1,000, FOR EACH VIOLATION, AND FROM THE FINE COLLECTED, \$500.00 SHALL BE REMITTED TO THE LANSING POLICE DEPARTMENT BUDGET FOR ENFORCING THE ORDINANCE.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire May 21, 2029.

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 Spadafore 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. Fireworks Display License; Lansing Lugnuts & Melrose Pyrotechnics, Inc. at Thomas M. Cooley Law School Stadium, 505 E. Michigan Avenue on July 5, 2019

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter(s) from the Mayor re:
 - a. Z-3-2019; 835 W. Genesee Street, Rezoning from "C" Residential District to "DM-1" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Z-4-2019; 213 W. Malcolm X Street, Rezoning from "C" Residential District to "F" Commercial District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. SLU-2-2019; Special Land Use Permit for a Neighborhood Community Center in the "DM-1" Residential District, 835 W. Genesee Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Act-16-2015; Acquisition of Boat Club property

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Obsolete Property Rehabilitation Act (OPRA) Certificate; Summit Street Development, LLC. for property located at 700 May St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- f. Act-13-2019; Granting Easement, 600 block East Michigan Avenue Public Right of Way to 600 E Michigan Lansing LLC Easement

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- g. Appointment; Paul G. Connors as an At-Large Member of the Board of Review for a term to expire June 30, 2020

REFERRED TO THE COMMITTEE OF THE WHOLE

- h. Reappointments; Karl R. Dorshimer as a City Representative of Downtown Lansing Inc., James Stajos as an At-Large Member of Lansing Entertainment & Public Facility Authority, Joan M. Nelson as a Member of Michigan Avenue Corridor Improvement Authority, and Jonathan Lukco as a Member of Saginaw Street Corridor Improvement Authority

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letter(s) from the City Attorney re:
 - a. Approval of Payment in Proposed Settlement as Full and Final Settlement in the case of Deanna Ray and all others similarly situated, a Certified Class v. City of Lansing, Ingham County Circuit Court Case No. 13-1242-NZ.

REFERRED TO THE COMMITTEE OF THE WHOLE

• Communications and Petitions, and Other City Related Matters:

1. Claim Appeal, Claim #1676, Faitha Clark for \$744 in trash fees at 811 N. Jenison Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND

TO THE INTERNAL AUDITOR

2. Claim Appeal, Claim #1695, Edgar Rivera-Perez for \$489 in trash fees at 1412 N. Jenison Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND TO THE INTERNAL AUDITOR

3. Tri-County Office on Aging's FY2020-22 Multi-Year Plan Summary

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

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

Motion Carried

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

There was no public comment.

ADJOURNED TIME 8:52 P.M.

CHRIS SWOPE, CITY CLERK