

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE



AGENDA FOR MAY 12, 2008

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office by 4:00 p.m. on Thursday, May 8, 2008, in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, May 12, 2008 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

- I. ROLL CALL
- II. MEDITATION AND PLEDGE OF ALLEGIANCE
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS
Approval of the Printed Council Proceedings of May 5, 2008
- IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule # 11 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)
- V. TABLED ITEMS (Tabled items will be considered as part of the regular portion of the meeting to which they relate.)
- VI. SPECIAL CEREMONIES
 1. Tribute; Recognizing Comcast for their 7th Annual Comcast Cares Day
 2. Tribute; Recognizing Clinton-Eaton-Ingham Community Mental Health Authority for their efforts to provide mental health wellness awareness and on the Walk a Mile in my Shoes event
 3. Presentation; Recognizing the 5th Anniversary of the Capitol Bancorp 5K Run for Junior Achievement
- VII. COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS
- VIII. SPEAKER REGISTRATION FOR PUBLIC COMMENT
- IX. MAYOR'S COMMENTS
- X. SHOW CAUSE HEARINGS (Only persons who have received notice from the City as an interested party or the interested party's agent with written permission may speak for up to a total of 3 minutes. Speakers must sign up on green form.)

- A. SCHEDULED SHOW CAUSE HEARINGS
- XI. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)
- A. SCHEDULED PUBLIC HEARINGS
 - 1. In consideration of Z-1-2008; 1038 E. Oakland Ave, a request filed by Richard Wilkins to rezone the property at 1038 E. Oakland Ave. from "C" Residential to "E-2" Local Shopping District to permit the building to be used for a barber/beauty shop or some other type of commercial use that would draw its primary customer base from the surrounding neighborhood
- XII. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)
- XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS
- A. REFERRAL OF PUBLIC HEARINGS
 - B. RESOLUTIONS FOR ACTION
 - 1. BY COUNCILMEMBER SANDY ALLEN
 - a. Setting a Show Cause Hearing for May 19, 2008 in consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 429 Hylewood Ave.
 - 2. BY COUNCILMEMBER KATHIE DUNBAR
 - a. Recognizing Clinton-Eaton-Ingham Community Mental Health Authority for their efforts to provide mental health wellness awareness and on the Walk a Mile in my Shoes event
 - 3. BY COUNCILMEMBER ERIC HEWITT
 - a. Recognizing Comcast for their 7th Annual Comcast Cares Day
 - 4. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Establishment of an Obsolete Property Rehabilitation Act (OPRA) District filed by AnnaBelle & Associates, Inc. for property located at 600 S. Capitol Ave.

- b. Approval of Brownfield Redevelopment Plan #41; AnnaBelle's Pet Station located at 600 S. Capitol Ave.
- c. Neighborhood Enterprise Zone (NEZ) Certificate to Infinity Companies, LLC for property located at 110 E. Allegan St.
- d. Setting a Public Hearing for June 9, 2008 in consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate application filed by Old Town Medical Building, LLC for property located at 1106 N. Cedar Street
- e. Setting a Public Hearing for June 9, 2008 in consideration of an Application for Exemption of New Personal Property filed by AquaBioChip LLC for property located at 1012 N. Walnut St.
- f. Setting a Public Hearing for June 2, 2008 in consideration of Brownfield Redevelopment Plan #42, NuUnion Credit Union for property located at 6501 S. Cedar St. (Former Regent Inn Hotel)
- g. Setting a Public Hearing for June 2, 2008 in consideration of Brownfield Redevelopment Plan #43; 3215 S. Penn LLC for property located at 3215 S. Pennsylvania Ave.
- h. Setting a Public Hearing for June 2, 2008 in consideration of ACT-8-2007; 425 S. Grand Ave. Property Acquisition

5. **BY THE COMMITTEE ON PUBLIC SERVICES**

- a. Public Improvement V; Assessment Roll B079, Sidewalk Repair Project, all lands fronting on Prudden St. from May St. to Saginaw St., and the north side of Saginaw St. from the end of the existing sidewalk on Saginaw access (also known as old Saginaw), excepting all public streets and alleys and other land deemed not benefited
- b. Public Improvement V; Assessment Roll B075, Sidewalk Repair Project, known as Jolly Rd. new sidewalk, including all lands fronting the north side of Jolly Rd. from Dunckel Rd. to Tranter St., excepting all public streets and alleys and other land deemed not benefited
- c. Public Improvement V; Assessment Roll B076, Sidewalk Repair Project, include all land fronting Mercantile Way from Pierpont St. to north end and Pierpont St. from Pennsylvania Ave. to east end, excepting all public streets and alleys and other land deemed not benefited

- d. Public Improvement V; Assessment Roll B077, Sidewalk Repair Project, include all land fronting Lake Lansing Rd. from Massachusetts Ave. to the east city limits, excepting all public streets and alleys and other land deemed not benefited
6. BY THE COMMITTEE OF THE WHOLE
- a. Adoption of the City of Lansing Fiscal Year 2009 Operating and Capital Improvements Budgets and the City's Tax Rate
- C. REPORTS FROM COUNCIL COMMITTEES
1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
- a. Recommending Adoption of an Ordinance to Revise and Amend the Codified Ordinances of the City of Lansing by Amending Chapter 1250, Section 1250.06, to include a minimum lot width requirement for establishing a duplex on property in the "C" Residential Zoning District
- D. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings
1. BY COUNCILMEMBER TIM KALTENBACH
- a. Introduction of an Ordinance of the City of Lansing, providing for the Repeal of Chapter 1034 of the Lansing Codified Ordinances for the purpose of eliminating the Memorial Review Board and Declaring Chapter 1034 to be null and void and of no effect, and setting a public hearing for June 2, 2008
2. BY COUNCILMEMBER WOOD, CHAIR OF THE COMMITTEE ON DEVELOPMENT AND PLANNING
- a. Introduction of Z-2-2008; 2908 Andrew Ave., a request filed by DRM Private Home Health Care Providers & International Learning Center to rezone the property at 2908 Andrew Ave. from "A" Residential District to "D-1" Professional Office District, and setting a Public Hearing for June 2, 2008
 - b. Introduction of Z-3-2008; 1106 N. Cedar St., a request filed by Gail A. Shafer-Crane, PhD & Carla Guggenheim, DO/Old Town Medical Arts Building, LLC to rezone the property at 1106 N. Cedar St. from "D-1" Professional Office District and "J" Parking District to "E-2" Local Shopping District, and setting a Public Hearing for June 9, 2008

E. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Adoption of an Ordinance to Revise and Amend the Codified Ordinances of the City of Lansing by Amending Chapter 1250, Section 1250.06, to include a minimum lot width requirement for establishing a duplex on property in the "C" Residential Zoning District

F. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS **(Motion that all items be considered as being read in full and that the proper referrals be made by President Jeffries)**

1. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

a. Letters from the City Clerk:

- i. Submitting minutes of Boards and Authorities placed on file in the City Clerk's Office
- ii. Submitting an application for a permit/license filed by Fairbanks II, LLC requesting to Transfer Ownership of a 2007 Class C Licensed Business, with Entertainment Permit, from Fairbanks Enterprises, LLC located at 2400-08-10-2420 S. Cedar St.
- iii. Submitting an Application for a Public Display of Fireworks filed by Michigan Pride, Inc. and Defying Gravity Fireworks for the Michigan Pride Celebration to be held June 28, 2008

b. Letters from the Mayor re:

- i. Appointment of Tracy Thomas to the Board of Water and Light Board of Commissioners for an At-Large Term to Expire June 30, 2012
- ii. P-1-2007; Final Plat – McCrackin Subdivision, Valencia Blvd.
- iii. Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by CEI Michigan LLC for the purpose of re-roofing Michigan Library and Historical Museum from 1:00pm to 10:00pm

2. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- a. Contracts between the State of Michigan Department of Transportation and the City of Lansing for:
 - i. Design of communication improvements for sharing transportation operation information in the Lansing Urbanized Area among transportation agencies and design of a regional Roadway Weather Information System (RWIS) for the Lansing Urbanized Area to optimize the allocation of resources to address inclement weather conditions and provide data for flood modeling and forecasting to strengthen Intelligent Transportation Systems (ITS) architecture data flows and as described in the following specific work order of the Tri-County ITS Coordination Initiative Work Plan
 - ii. Sidewalk and railing replacement on Structure S05 of 33044 which carries northbound Highway M-99 (Martin Luther King Jr. Boulevard) over Highway I-496 in conjunction with bridge maintenance work; together with necessary related work
- b. Letter from Ingham County Board of Commissioners submitting a copy of Resolution #08-089, Resolution to Urge Use of Public Safety Amplification Systems and to Encourage all Ingham County Municipalities to Adopt Ordinances Requiring Public Safety Amplification Systems, which was adopted on March 25, 2008
- c. Michigan Tax Tribunal Appeals filed on behalf of:
 - i. Stop & Lock Properties IV Ltd. for property located at 1140 Ramada Dr.
 - ii. ATC Properties, LLC for property located at 2200 S. Washington Ave.
- d. Requests for Recognition of Non-Profit Status in the City of Lansing filed by:
 - i. Catherine Babcock, Executive Director of Lansing Art Gallery located at 113 S. Washington Sq.
 - ii. Todd Hoppe on behalf of LINC-IT Development Association located at 4295 Okemos Rd., Okemos, MI

- e. Application for Community Funding filed by Progressive Empowerment Education Resource Services (PEERS) for their Juneteenth Celebration to be held June 20-21, 2008
- f. Letter from John Pollard, President of Fair Share Coalition of Lansing stating alleged Charter violations
- g. Letter from Robert Hudson, Secretary of Northtown Neighborhood Association requesting lane striping on Pennsylvania Ave.
- h. Letter from Gary Andrews of P.O. Box 15052 regarding a media center for public access television production
- i. Letter from William Hamilton of 2753 Hagadorn Rd., Mason, regarding improvements to Francis Park
- j. Letter from Brian Bevez, Retiree and Member of the Employee Retirement System, indicating he has been selected to represent various retirees regarding their pension and health care benefits

XIV. MOTION OF EXCUSED ABSENCE

XV. REMARKS BY COUNCILMEMBERS

XVI. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XVII. ADJOURNMENT

CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). These requests should be made at least 24 hours prior to the meeting. An attempt will be made to grant all reasonable accommodation requests.