



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 11, 2008**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Jeffries.

PRESENT: Councilmembers Allen, Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney, Robinson, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Jeffries

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Quinney

To approve the printed Council Proceedings of February 4, 2008

Motion carried

CONSIDERATION OF LATE ITEMS

By Councilmember Kaltenbach

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Dunbar: Committee Report, Recommending adoption of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 880 of the Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30(7)
2. From Councilmember Dunbar; Adoption of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 880 of the Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30(7)

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Commemorating BoarsHead Theater Day

Mayor Bernero thanked the BoarsHead Theater and their board for calling Lansing home for 40 years and proclaimed February 13, 2008 as BoarsHead Theater Day in the City of Lansing.

Jack Davis stated that he appreciated all of the support the theater has received and thanked the Mayor and the City Council and stated that he is pleased that the theater is in Lansing.

Christine Thatcher thanked the Mayor and the City Council and stated that the theater is crucial to a vibrant culture.

Marlene Shelton announced special activities coming up for BoarsHead Theater.

Council President Jeffries thanked the theater and recognized all of its contributions to the City of Lansing. He stated that the City is fortunate that the theater was brought here and mentioned its impact on the local economy.

Mayor Bernero introduced Marchelle Smith of the Economic Development Corporation who stated that the EDC is looking forward to having BoarsHead Theater in Lansing for another 40 years.

Mayor Bernero once again thanked everyone involved with the BoarsHead Theater.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Allen thanked Chase Williams who returned her credit card that had been left at a Quality Dairy. She stated that he is a special person.

Councilmember Quinney stated that he received several questions at church regarding snow removal. He announced the date for the Black Child and Family Institute's Boys to Men follow-up meeting had changed. He once again mentioned UAW Local 602's 17th annual Taste of Black History and UAW Local 652's 13th Annual Black History Program. He spoke about a display at the Capital Area District Library honoring his mentor, Cyril McGuire. He congratulated Rufus & Evelyn Gladney for their daughter being a recent recipient of Howard University's Golden Key Award for academic excellence.

Councilmember Robinson thanked the residents of the 3rd Ward for their attendance at the 2nd Saturday meeting and announced the next meeting. She announced the Riverview Estates neighborhood meeting and the Delta Sigma Theta Red and White Dance. She congratulated Charlene Decker for helping the Special Olympians she sponsors to win medals at the Winter Special Olympics and stated that there will be a future Special Ceremony to honor them.

Councilmember Wood reminded everyone of the upcoming Bea Christy Award Dinner.

Councilmember Hewitt reminded everyone of the Eastside Neighborhood Organization meeting and the Holmes Street School Community meeting.

Councilmember Dunbar announced tax counseling for seniors through the Tri-County Office on Aging. She stated that there are several VITA sights around town to help moderate to low income residents with their taxes. She mentioned the services available through the 2-1-1 phone number. She announced that the Allen Neighborhood Center is having self-defense classes for women at the Foster Community Center. She once again reminded citizens that there are Community Development Block Grant (CDBG) funds available for free home repair for code related issues.

Councilmember Wood announced the Mobil Food Pantry at the Black Child and Family Institute.

Councilmember Dunbar announced that the Greencroft Neighborhood Association is having a skating party at Washington Ice Rink.

City Clerk Swope stated that there are approximated 600 City of

Lansing registered voters residing in the East Lansing Public School District who will receive new voter ID cards due to changes with the way East Lansing holds its school elections. These voters will now vote only at one location. He apologized to any voters who tried to vote on Super Tuesday who were unaware that the State of Michigan had already held its Presidential Primary Election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Bernero spoke about tonight's public hearing for the OPRA Certificate requested by Zander Management for their proposed microbrewery in Old Town. He encouraged the City Council to support the budget transfer in support of BoarsHead Theater. He announced that our Employee of the Month for February is Glen Feldpausch of our IT Division and stated that Glen's colleagues say he is a "prime example" of a dedicated and hard working employee.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate Application filed by Zander Management, for property located at 309 Clinton St.

Richard Clement of 900 Long Blvd. spoke in support of the OPRA certificate for Zander Management and supported CATA's request not to have its millage subject to tax exemptions for Zander's request.

Amy Zander of 6838 W. Wingleton Rd., Baldwin, MI spoke in support of the OPRA certificate for Zander Management.

Jamie Schriener-Hooper of 1232 Turner St. spoke in support of the OPRA certificate for Zander Management.

John Pollard of 1718 Blair St. spoke in opposition to the transfer of funds for BoarsHead Theater and against surveillance cameras. He stated questions he has concerning the OPRA certificate request filed by Zander Management.

Bob Gray of 422 Dadson Dr. spoke in support of the transfer of funds for BoarsHead Theater and in opposition to the OPRA certificate request filed by Zander Management.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Lisa Hale of 2101 W. Holmes Rd. spoke about the South Side Community Coalition.

Alisha Parks of 2101 W. Holmes Rd. spoke about the South Side Community Coalition.

William Hubbell of 3916 Wedgewood Dr. stated concerns with the

Proposed Ordinance Amendment to add exceptions that allow the recreational shooting of certain weapons if properly supervised.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Marshall Hudson of 847 Applegate Ln., East Lansing, MI spoke about the proposed New Faith Gardens development.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Johanna Lubahn of 3869 Hemmingway Dr., Okemos, MI spoke about the Lansing Boat Club.

Richard Clement of 900 Long Blvd. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Frank S. Curtis X. of 1137. W. Allegan St. spoke about various city matters.

Jeff Venn of 6315 Old River Trail spoke about the Lansing Boat Club.

Marilyn Wojack of 829 Pacific Ave. spoke about the Lansing Boat Club.

Ron Wojack of 829 Pacific Ave. spoke about the Lansing Boat Club.

Jim Hepfer of 917 Sparrow Ave. spoke about the Lansing Boat Club.

Russell Terry of 121 E. Mt. Hope Ave. spoke about Lansing City TV and the digital TV switchover.

John Swanson of 4358 Lansing Rd. spoke about the Lansing Boat Club.

John Pollard of 1718 Blair St. spoke about various city matters.

John Wojack of 1215 W. Barnes Ave. spoke about the Lansing Boat Club.

Nick Limber of 1321 W. Saginaw St. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Rebecca Brooks of 1705 Arch Rd., Eaton Rapids, MI spoke about the Lansing Boat Club.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate Application filed by Zander Management, for property located at 309 Clinton St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS

RESOLUTION#028

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

WHEREAS, the Mayor made the appointment of Tracy Thomas, 2727 Norwich, Lansing, Michigan 48911 to an At Large seat on the Traffic Board for a term to expire June 30, 2009.

WHEREAS, the Committee on Public Safety met on February 5, 2008, and took affirmative action on the appointment of Tracy Thomas;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, supports the appointment of Tracy Thomas, 2727 Norwich, Lansing, Michigan 48911 to an At Large seat on the Traffic Board for a term to expire June 30, 2009.

By Councilmember Allen

Motion Carried

RESOLUTION#029

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

WHEREAS, the Mayor made the appointment of Alicia J. Perez-Banuet, 804 W. Shiawassee, Lansing, Michigan 48915 to the At Large seat on the Board of Fire Commissioners for a term to expire June 30, 2011.

WHEREAS, the Committee on Public Safety met on February 5, 2008, and took affirmative action on the appointment of Alicia J. Perez-Banuet;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, supports the appointment of Alicia J. Perez-Banuet, 804 W. Shiawassee, Lansing, Michigan 48915 to the At Large seat on the Board of Fire Commissioners for a term to expire June 30, 2011.

By Councilmember Allen

Motion Carried

City Clerk Swope administered the Oath of Office to Alicia J. Perez-Banuet.

RESOLUTION#030

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

WHEREAS, Boarshead Theater is the premier professional regional theater located in downtown Lansing and contributes to the importance of downtown Lansing as an entertainment district and a destination for people throughout the region; and

WHEREAS, Boarshead Theater, along with other arts, cultural, athletic, and entertainment organizations and activities, is an important element of the economic viability and quality of life of the community; and

WHEREAS, Boarshead generates an annual multiplier effect of approximately \$2 million on the local economy; and

WHEREAS, the Boarshead Theater is in the process of developing and implementing a plan for long-term financial viability, but is in an immediate need for financial assistance;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2008 transfer be approved, to provide funds to assist Boarshead Theater with lease payments:

\$22,150.00 from Library Rental
101.173901.745100.0

\$2,850 Reduction in Transfer to Special Assessments Fund
101.966000.991304.0

\$25,000.00 to City Supported Agencies-Boarshead Theater
101.834101.960209.0

\$2,850 Special Assessments Fund Transfer from General Fund
304.000000.696101.0

\$2,850 Special Assessments Fund Use of Fund Balance
304.000000.679100.0

By Councilmember Quinney

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#031
COMMITTEE REPORT

THE COMMITTEE ON PUBLIC SAFETY met on Tuesday, February 5, 2008 and received an update from Chief Mark Alley on the Surveillance Cameras. The Administration has raised \$50,000 of the \$350,000 necessary for the equipment and installation. It is the intent of the Administration to budget the remaining costs for the surveillance cameras in the Mayor's proposed FY 09 Budget as well as continue to find private funding sources.

It was reported that there is a back order for parts from Vidcom and it is expected that the cameras for the north side of Lansing would be installed in March and then by mid-April the cameras for the south side of Lansing would be installed. The current surveillance camera located downtown is taping twenty four hours a day with periodic review by police officers.

The Committee will continue to receive periodic updates concerning the installation and effectiveness of the equipment. The Committee also will be reviewing "Guidelines for Public Video Surveillance" a guide to protecting communities and preserving civil liberties. The review will take place with the potential of adopting an ordinance or policy with regards to the use of surveillance cameras.

Signed: Councilmember Sandy Allen, Chairperson
Carol Wood, Vice Chairperson
A'Lynne Robinson, Member

Date: February 6, 2008

By Councilmember Allen to receive the Committee Report

Motion Carried

RESOLUTION#032
COMMITTEE REPORT

THE COMMITTEE ON PUBLIC SAFETY met on Tuesday, February 5, 2008 and received an update from Chief Mark Alley and radio technician Jeff Kludy on the Ingham County 911 Radio System. The Lansing Police Department has been testing new software for the radios which has been developed by M/A-COM after the system engineer discovered that the radio software was causing a number of problems with the radios missing calls or dropping radio transmissions. The new radio software was developed using the data that M/A-COM was able to gather from a latency test unit used to evaluate the system and determine what was causing the recurring problem of late entered, missed calls, and dropped calls on the new Ingham County EDACS radio system.

On January 14, 2008, new radio software was installed on approximately twenty Lansing Police Department portable and car radios for testing. Officers used tracking sheets during their shift to gather data on how many times per shift they were experiencing problems of any kind with their car radio or portable radio. The testing and data tracking was done over the course of one week and ultimately determined that the radio software was showing consistently better results.

There have been changes to the antennas at the Board of Water and Light site which have increased the signal on the ground in Lansing resulting in increased coverage in some areas.

The antenna installed in the southwest sector of the City to increase the signal did not perform as expected. Ingham County has been

meeting with representatives from M/A-COM and it was determined additional equipment needed to be installed at the location of the new antenna. This would increase the signal on the ground and in building that are now considered dead spots within the south end of Lansing. The installation of this equipment would take approximately 90-days. Currently in this area two officers are patrolling together in police vehicles to assure their safety and the publics until this matter is resolved.

The Committee will continue to monitor this issue to ensure the safety of the Lansing Police Department and the public in general.

Signed: Councilmember Sandy Allen, Chairperson
Carol Wood, Vice Chairperson
A'Lynne Robinson, Member

Date: February 6, 2008

By Councilmember Allen to Receive the Committee Report

Motion Carried

RESOLUTION#033
COMMITTEE REPORT

THE COMMITTEE ON WAYS AND MEANS met on February 11, 2008, in which to consider the amendment to the City of Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30 (7).

The Committee recommends adoption of the amendment to the City of Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30 (7) and for it to take immediate effect.

By the Committee on Ways and Means

Signed: Kathie Dunbar, Chair
Tim Kaltenbach, Vice Chair
Carol Wood, Member

By Councilmember Dunbar to Receive the Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Dunbar

That we move to the passage of Ordinances

By Councilmember Dunbar

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Dunbar

That:
An Ordinance of the City of Lansing, Michigan, to Amend Chapter 880 of the Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30(7) be placed on order of immediate passage.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Dunbar

That:
An Ordinance of the City of Lansing, Michigan, to Amend Chapter 880 of the Lansing Codified Ordinances to add Section 880.04 to allow city residents to file a written tax appeal with the Board of Review as allowed by MCL 211.30(7) be now passed.

YEAS: Councilmembers Allen, Dunbar, Hewitt Kaltenbach, Jeffries Quinney, Robinson and Wood

NAYS: None

ABSENT: None

By Councilmember Dunbar

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1129

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 880 OF THE LANSING CODIFIED ORDINANCES TO ADD SECTION 880.04 TO ALLOW CITY RESIDENTS TO FILE A WRITTEN TAX APPEAL WITH THE BOARD OF REVIEW AS ALLOWED BY MCL 211.30(7).

THE CITY OF LANSING ORDAINS:

Section 1. That Section 880.04 of Chapter 880 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby added to read as follows:

880.04 TAX APPEALS

(A) ANY RESIDENT OF THE CITY OF LANSING MAY FILE HIS OR HER TAX PROTEST BEFORE THE LANSING BOARD OF REVIEW BY LETTER AS WELL AS BY PERSONAL APPEARANCE. A PROTEST FILED BY LETTER MUST BE RECEIVED BY THE CITY ASSESSOR'S OFFICE NO LATER THAN THE SECOND TO THE LAST PUBLISHED PUBLIC HEARING DATE TO BE CONSIDERED.

(B) THE CITY OF LANSING ASSESSOR'S OFFICE SHALL INCLUDE A STATEMENT NOTIFYING TAXPAYERS OF THEIR OPTION TO PROTEST BY LETTER IN EACH ASSESSMENT NOTICE AND ON EACH NOTICE OR PUBLICATION OF BOARD OF REVIEW MEETINGS.

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

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

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Quinney that all items be considered as being

read in full and that President Jeffries make the appropriate referrals

Motion Carried

• Reports from City Officers, Boards and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Transfer of Funds; State/Federal Programs, Justice Assistance Grant (JAG)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Police Badge Purchase Policy

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Proposed Amendment to the Zoning Ordinance to include a minimum lot width for establishing a duplex on property in the "C" Residential Zoning District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Public Improvement I/II; Curb and gutter, sidewalk and necessary storm drainage facilities on Northrup St. from Washington Ave. to Cedar St.

REFERRED TO THE COMMITTEE OF THE WHOLE

- v. Proposed Ordinance Amendment to add exceptions that allow the recreational shooting of certain weapons if properly supervised

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- vi. Proposed Resolution for Spring Recreational Fees

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vii. Proposed Resolution for Special Recreational Fees

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Letter from State of Michigan Department of Human Services Office of Children and Adult Licensing providing notice of newly licensed adult foster care facility Emmanuel AFC located at 6101 Norburn Way

RECEIVED AND PLACED ON FILE

- b. Letters from Capital Area Transportation Authority (CATA) requesting exemption of their millage from:

- i. PPE-01-08; Exemption of New Personal Property filed by Spartan Internet Consulting Corp. for property located at 1030 S. Holmes St.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. PPE-02-08; Exemption of New Personal Property filed by XG Sciences, Inc. for property located at 2100 S. Washington Ave.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Request for recognition of non-profit status filed by Carrie Moore of Capital Area Down Syndrome Association, PO Box 25112

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from the Christman Company requesting that the Ottawa St. Power Station located at 217 E. Ottawa St. be established as a Local Historic District

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Letter from Aleta Mineo O'Connell of 821 E. Kalamazoo St., Suite D regarding the Lansing City Market

RECEIVED AND PLACED ON FILE

- f. Letter from Gary Andrews of 560 Brookland Blvd. regarding the snow removal ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked about the referral of agenda items to more than one committee. He wondered how conflicting decisions were avoided.

Council President Jeffries stated that different committees could have different aspects of the referral to discuss or some may choose to simply not discuss the issue at all and defer to the other committee(s).

Councilmember Wood stated that sometimes joint meetings of committees are held to discuss particular issues.

Councilmember Kaltenbach stated that he raised the question because he wondered if certain issues didn't end up in a stalemate.

Councilmember Wood announced that the Development and Planning Committee meeting scheduled for this week has been cancelled due to the weather. She stated that Rev. Duncan requested that the issue regarding New Faith Gardens be pulled of the agenda for the Development and Planning Committee meeting.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, addressed comments made regarding the Lansing Boat Club.

ADJOURNED TIME 9:01 P.M.

CHRIS SWOPE, CITY CLERK