



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 17, 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, Wood

ABSENT: Councilmember Robinson (Arrived at 9:15)

The Council observed a moment of Meditation in memory of Mayor Bernero's Mother who recently passed away, 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 March 3 and 10, 2008

Motion carried

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Recognition of Ms. Kasinda Ridi as Junior Miss Michigan

City Clerk Swope read the following Resolution:

RESOLUTION#098

BY COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kasinda Ridi was born on March 20, 2000 and has a brother, Andrae, a dog named Sahara and a cat named Midnight. She enjoys riding her bike, swimming, and reading; and

WHEREAS, before being crowned Junior Ms. Michigan of the Dream Girls Pageant, Inc., Kasinda participated in the Angel Tree for Christmas Program, providing Christmas presents to needy children in the Lansing area; and

WHEREAS, she delivered bracelets to the pediatrics ward at Sparrow Hospital and Ingham Regional Medical Center for the Beads of Love Foundation and serves lunch at the City Rescue Mission; and

WHEREAS, in April, Kasinda will participate in both a Senior Community Lunch Program and an Arts and Crafts Program at Independence Village, and in August, she will be handing out back packs to low income children; and

WHEREAS, Dream Girls USA, now in its 13th successful year, seeks out natural girls who are on the go and having fun as leaders and role models; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Kasinda Ridi on her esteemed title as Junior Ms. Michigan of the Dream Girls Pageant. Thank you for your

dedication to community service and to the City of Lansing. You are an inspiration to us all!

By Councilmember Allen

Motion Carried

Councilmember Allen stated that Kasinda was a very beautiful little girl. She asked Kasinda what she would like to be when she grows up and she stated that she wanted to be a model.

Kasinda's mother stated that she is very proud of her daughter and has supported her wishes to participate in pageants.

Councilmember Allen stated that she looks forward to having Kasinda back when she is Miss Michigan.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Hewitt announced the Regent Oaks, Oak Park and Hunter Park West neighborhood meetings.

Councilmember Wood announced the Churchill Downs, Colonial Village and Lewton/Rich neighborhood meetings. She announced an Easter egg hunt at St. Stephens Community Church and a Duke Ellington music event.

Councilmember Allen announced the Old Everett Neighborhood Organization meeting.

Councilmember Dunbar stated that she received correspondence from Melinda Latham regarding the National Federation of the Blind of Michigan's Youth Outreach Program.

Council President Jeffries announced that City Hall will be closed this Friday in observance of Good Friday. He alerted residents to the fact that city services such as trash removal would have service changes due to the holiday.

City Clerk Swope stated that he was absent from last week's City Council Meeting due to his attendance at a clerk's training institute.

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

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that on Saturday morning our Human Relations and Community Services Department once again teamed up with the American Red Cross to sponsor their second Mobile Food Pantry. He also stated that the first "Mayor's Night In" here at Lansing City Hall was held last week Tuesday. He spoke about items on tonight's agenda including the final approval for the P.A. 198 tax incentive for XG Sciences and a resolution to set a public hearing for a proposed amendment to the City's Five Year Parks and Recreation Plan. He stated that last week our Public Service Department pulled out all the stops for a 3-day Pothole Blitz aimed at patching up city roads that have been torn

apart by this winter's unprecedented freezing and thawing. Finally, he noted that Mayor Bernero's mother, Virginia E. Bernero, was laid to rest today at Mt. Hope Catholic Cemetery in Pontiac, Michigan, following a beautiful service at St. Benedict's in Waterford and that our heartfelt condolences go out to Mayor Bernero and his family during this difficult time.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Z-15-2007; 111 & 113 Lathrop St., petition to rezone the lots from "F-1" Commercial District to "D-1" Professional Office District to bring the single family residential use of the lots into compliance with the Zoning Ordinance
2. In consideration of Z-16-2007; 2619 E. Mt. Hope Ave., a request filed by Jade Management, LLC to rezone the property located at 2619 E. Mt. Hope Ave. from "A" Residential District to "D-1" Professional Office District to permit the building at this location to be used for offices

Councilmember Wood gave a brief overview of both Public Hearings.

Eugene Wanger of 1735 Abington Pl. spoke about the Lansing Boat Club.

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

Judith Felice of 1462 Cambridge Rd. spoke about potential improvements to Francis Park.

Rick Kibbey of 1614 Lindbergh Dr. spoke about non-profit groups use of public parks, such as the Lansing Boat Club.

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

Jackie Beardon of 1414 Wellington Rd. spoke about the Lansing Boat Club.

Michael Rogell of 2535 E. Mt. Hope Ave. spoke about Z-16-2007.

John Pollard of 1718 Blair St. spoke in support of reduced fees for ice cream peddlers' background checks, in opposition to PPE-02-08 and spoke about the Lansing Boat Club.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke in opposition to tax abatements.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about the Lansing Boat Club.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Z-15-2007; 111 & 113 Lathrop St., petition to rezone the lots from "F-1" Commercial District to "D-1" Professional Office District to bring the single family residential use of the lots into compliance with the Zoning Ordinance

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-16-2007; 2619 E. Mt. Hope Ave., a request filed by Jade Management, LLC to rezone the property located at 2619 E. Mt. Hope Ave. from "A" Residential District to "D-1" Professional Office District to permit the building at this location to be used for offices

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Philip Houghtaling of 3525 Harold St. spoke about golf courses.

Carol Nakfoor of 3401 Cambrey Dr. spoke about various budget related items.

Otto Graesser of 2215 Wellesley Dr. spoke about proposed snow removal fees.

Ammahad-Shekarakki of 902 Willow St spoke about the need for the City to honor Malcolm X.

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

Judith Felice of 1462 Cambridge Rd. spoke about potential improvements to Francis Park.

Timothy Elmoore of 1246 Edgewood Blvd. spoke about the Lansing City Council.

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

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

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke about various city matters.

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

Walter Brown of 1310 Knollwood Ave spoke about surveillance cameras.

Willie Hobbs of 5017 S. Conners Ave. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#099

BY COUNCILMEMBER HEWITT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Gier Community Center Youth Floor Hockey Program is designed to provide boys and girls, ages 5 to 14 years old, with a leisure recreational activity that provides fun, fitness, competition, and social interaction for life skill development; and

WHEREAS, since the inception of the Gier Community Center Advisory Board in 1976, parents and supporters have raised \$81,720 to support the youth program; and

WHEREAS, the Gier Advisory Board in conjunction with the Lansing Parks and Recreation have sponsored both pre and post season tournaments since 1980, with over 650 teams participating in the tournaments and an estimated 8,500 youth playing in tournament games; and

WHEREAS, this year the Advisory Board sponsored 18 home teams, with 252 players, 4 head coaches, and 11 assistant coaches along with numerous volunteer parents supporting the program; and

WHEREAS, the vast support bestowed upon the teams offers them the opportunity to travel state-wide and in Canada to play in tournaments, up to six each year; and

WHEREAS, the Gier Community Center Youth Floor Hockey Program is a wholesome family affair and has inspired family members of several generations to be participants, earning its well-known name to players, parents, and participants as "Floor Hockey Town";

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes and appreciates the tremendous efforts put forth by the staff, Advisory Board, parents, and youth who make this program the success it is today.

BE IT FURTHER RESOLVED that we congratulate the teams for a fine performance and encourage them to continue striving to be the best they can be. Good Luck on your upcoming tournaments!

By Councilmember Hewitt

Motion Carried

RESOLUTION#100

**BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

Act-14-07, 525 Filley Street, Vacate Storm Sewer Easement

WHEREAS, Leonard Bornor, Bornor Restoration has requested to vacate two abandoned easements (A & B) located off of Filley Street; and

WHEREAS, **Easement A** is an 18" storm sewer of the Duffy Drain, 38,500± square feet and **Easement B** is a second adjacent easement, running north-south diagonally across the southwest corner of the property; and

WHEREAS, these storm sewers drain have been abandoned and filled with concrete and the storm water that used to flow into it has been rerouted; and

WHEREAS, these portions of the Duffy Drain are no longer needed for storm drainage and the applicant's proposed expansion of the construction business is limited due to the storm sewer easement, and

WHEREAS, county drain easements are specific for storm water purposes and cannot be used for any other purposes; and

WHEREAS, at its meeting on January 22, 2008, the Planning Board reviewed the location, character and extent of Act-14-07 in accordance with its Act 285 Review procedures, and found that there is no public interest in retaining the subject easements; and

WHEREAS, on January 22, 2008, the Planning Board voted unanimously (7-0) to recommend approval of Act-14-07, the request by Leonard Bornor, Bornor Restoration to vacate two abandoned easements (A & B) located off of Filley Street, an 18" storm sewer of the Duffy Drain, 38,500± square feet and a second adjacent easement, running north-south diagonally across the southwest corner of the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Act-14-07, the request by Leonard Bornor, Bornor Restoration and vacates both Easement A and Easement B, legally described as respectively:

Easement A: That part of Lot 9, Scott Subdivision on Sections 4 and 5, T4N, R2W, Ingham County, Michigan, described as: Beginning on the South line of Filley Street (platted as John Street) at a point 382.00 feet South and 230.40 feet East of the West ¼ corner of Section 4, T4N, R2W; thence continuing East, 75.00 feet on the South line of

Filley Street; thence S00°32'E, 200.00 feet; thence East 125.00 feet; thence S00°32'E, 227.15 feet; thence N00°32'W, 315.93 feet to the point of beginning.

Easement B: That part of Lots 4, 5, 6 and 9 and vacated John Street in Scott Subdivision on Sections 4 and 5, T4N, R2W, Ingham County, Michigan, described as: Commencing on the North line of Filley Street at a point 382.00 feet South of the East ¼ corner of Section 5, T4N, R2W; thence East 230.40 feet on the North line of Filley Street; thence S00°32' 'E, 315.93 feet; thence N61°00' W, 743.85 feet; thence N35°29'E, 191.46 feet to the South line of Filley Street; thence S 59°46'E, 128.04 feet and S55°31'E, 238.2 feet on the South line of Filley Street; to the point of beginning.

BE IT FINALLY RESOLVED THAT the City Clerk within 30 days of passage of the resolution shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Consumer and Industry Services, Subdivision Control Unit, Planning and Development and Assessor's Offices, The Department of Public Services and the applicant (Leonard Bornor, Bornor Restoration).

By Councilmember Wood

Motion Carried

RESOLUTION#101

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

WHEREAS, pursuant to Lansing Codified Ordinance Chapter 844, Section 844.20 et seq, an applicant for an ice cream peddler's license must not have certain criminal arrests or convictions to qualify for a license; and

WHEREAS, the ordinance requires the police department to conduct an investigation to determine whether a license applicant meets the ordinance criteria; and

WHEREAS, the ordinance authorizes the Lansing City Council to establish, by resolution, a fee to reimburse the City for the cost of having the police department investigate the qualifications of applicants for an ice cream peddler's license; and

WHEREAS, the Committee met on Monday, March 10, 2008, and reviewed costs associated with processing an application for an Ice Cream Peddler's License and determined that the current fee for background investigations be reduced; and

WHEREAS, the Council wishes to a reduce the current \$100 fee for background investigations;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ordinance Section 844.20 et seq of Chapter 844, each individual ice cream peddler's license requiring a background investigation shall be required to pay \$25.00 to the City Clerk for each and every person who shall be distributing or dispensing product.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#102

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

WHEREAS, Care Free Medical & Dental, Inc. has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL

432.103 (9); and

WHEREAS, the City Attorney has reported, based on a review of the documentation submitted, that the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Care Free Medical & Dental, Inc. as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Lenore Quiroga, Administrative Director, Care Free Medical & Dental, Inc., 5135 S. Pennsylvania, Lansing, Michigan 48911.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#103

BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Anne Wilson, 2619 Pleasant Grove, Lansing, Michigan 48910 to the At Large position on the Capital Area Transportation Authority for a term to expire September 30, 2011; and

WHEREAS, the Committee on Intergovernmental Relations met on March 12, 2008, and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Anne Wilson, 2619 Pleasant Grove, Lansing, Michigan 48910 to the At Large position on the Capital Area Transportation Authority for a term to expire September 30, 2011.

By Councilmember Hewitt

Motion Carried

Ann Wilson was sworn in by City Clerk Swope

RESOLUTION#104

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

WHEREAS, Gary L. Calkins graduated from Nebraska Wesleyan University in 1960 where he majored in Business Administration; and

WHEREAS, from 1961 until 1969, Mr. Calkins worked as a Claims Adjuster and Supervisor for Liberty Mutual Insurance Company in Detroit, Michigan; and

WHEREAS, from 1969 until his retirement, he worked for the Michigan Department of Labor Consumer and Industry Services, Funds Administration as the Administrator of the Second Injury Fund, Silicosis, Dust disease and Logging Industry Compensation Fund, Uninsured Employer's Security Fund, and Self-Insurer's Fund; and

WHEREAS, since his retirement in 1998, Mr. Calkins has served as the Trustee for the CAM Workers Compensation Group Fund and served on numerous boards and commissions; and

WHEREAS, Gary has served as past President of the Landlords Association of Mid-Michigan, Advisor; Executive Director, and past President of the Association of State Employee's in Management; past President of the Old Newsboys; member of Camp Highfield; the Lansing Symphony; and the Lansing Jaycees; and was a Policy Council Member of the State's Disability Management; and

WHEREAS, he has also served as a member of the International Association of Industrial Accident Boards and Commissions and

Legislative Committee, Chairperson of the Worker's Compensation Guarantee Fund Sub-Committee, and participated in the drafting of the International Association of Industrial Accident Boards and Commissions (IAIABC), a model program for medical care and rehabilitation of the occupationally disabled employees and in the IAIABC Overview of Worker's Compensation Rehabilitation; and

WHEREAS, Gary L. Calkins was appointed to the Board of Commissioners on February 2, 2004 as a First Ward Commissioner and served on the Finance Committee, Human Resources Committee, Nominating Committee, and the Executive Committee during his term; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its warmest "thank you" to Gary L. Calkins for his dedicated service to the City of Lansing and for serving on the Lansing Board of Water and Light Board of Commissioners. Congratulations on your retirement!

By Councilmember Quinney

Motion Carried

RESOLUTION#105

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

WHEREAS, Robin M. Smith is a lifelong resident of Lansing whose commitment to service in her community is demonstrated through a rich history of personal involvement; and

WHEREAS, Ms. Smith is a graduate of Michigan Sate University with a bachelor's degree in advertising with an emphasis in communications and is currently employed as a teacher with the Lansing School District since 2000 where her areas of focus are language arts and literacy; and

WHEREAS, she is the founder of "Express Yourself", a communications consultant company; and

WHEREAS, Ms. Smith served on various boards throughout the community such as President of the Parent Teacher Association at Lewton School, chair of the Lansing Pentecostal Outreach Strategic Planning Committee, board member of the Larry M. Trice Sr. Outreach Center, as well as being elected into office for the Lansing Community College Board of Trustees in 2005; and

WHEREAS, Ms. Smith was appointed to the Board of Water and Light as the Third Ward Commissioner and served on the Finance, Executive and Nominating Committees and as an alternate on the Human Resource and Ad Hoc Committee on Workforce Development, and Board Chair during fiscal years 2004, 2005, and 2006; and

WHEREAS, Robin M. Smith currently serves as the Chairperson of the Lansing **Community College Board of Trustees** since May 3, 2007

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its warmest "thank you" to Robin M. Smith for her dedicated service to the City of Lansing and for serving on the Lansing Board of Water and Light Board of Commissioners. Congratulations on your retirement!

By Councilmember Quinney

To amend the 6th WHEREAS clause by striking "Board of Water and Light's Board of Commissioners and inserting "Community College Board of Trustees"

Motion Carried

By Councilmember Quinney

To place an affirmative roll on the amended resolution

Motion Carried

RESOLUTION#106

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

WHEREAS, Santiago Rios is the son of migrant farm workers and a native of St. Louis Michigan; and

WHEREAS, after graduating from Michigan State University, Mr. Rios went on to earn his law degree from the University of Notre Dame Law School and is licensed to practice law in Michigan and Illinois; and

WHEREAS, an accomplished professional and an advocate of community development and advancement, Mr. Rios had an extensive corporate career with McDonald's Corporation which provided him the opportunity to work in and visit over thirty countries, including Mexico, Venezuela, Columbia, Germany, England, Japan, Taiwan, Spain, Greece, Poland, and Australia; and

WHEREAS, Mr. Rios served as Assistant Attorney General in Michigan, as general counsel for the Michigan Department of Community Health, which included litigation in state and federal courts, and administrative law tribunals; and

WHEREAS, among his credits, he is a founding member of the Julian Samora Research Institute at Michigan State University and former Secretary/Treasurer of the National Council of La Raza, and in 1991 received a Michigan State University Service Award for his public service to the City of Lansing and the Latino community; and

WHEREAS, Santiago has served on the City of Lansing Human Relations and Community Services Board, and in 1998 was appointed, by Mayor David Hollister, as Chairperson of the Capital Area Cesar E. Chavez Commission, the only such city commission in the United States; and

WHEREAS, Mr. Rios has also served on the Lansing State Journal's Editorial Board, on Lansing community College's President's Advisory Council, and the Lansing School District Education Assistance Foundation. In 2003 Mayor Tony Benavides named Mr. Rios Chairman Emeritus of the Capital Area Cesar E. Chavez Commission; and

WHEREAS, Santiago Rios was appointed to the Lansing Board of Water and Light Board of Commissioners in an At Large position on June 14, 2004; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its warmest "thank you" to Santiago Rios for his dedicated service to the City of Lansing and for serving on the Lansing Board of Water and Light Board of Commissioners. Congratulations on your retirement!

By Councilmember Quinney

Motion Carried

RESOLUTION#107

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

WHEREAS, on March 28, 2005, the City Council adopted the City of Lansing Five Year Parks and Recreation Plan including the Capital Improvement Plan for 2005 – 2010; and

WHEREAS, in order to be eligible to receive grant funds from the State of Michigan Department of Natural Resources, the Michigan Department of Transportation, and the U. S. Department of the Interior, and in order

to receive Park Millage Funds, projects must be contained in the Five Year Parks and Recreation Plan; and

WHEREAS, the Mayor of the City of Lansing proposes to amend the Five Year Parks and Recreation Plan to incorporate new riverfront initiatives at Frances Park and Riverside Park; and

WHEREAS, the Michigan Department of Natural Resources, Grants Management Division, requires the governing body to hold an advertised public hearing prior to the adoption of the amendment and the notice of the time and place for the meeting must be published at least one week before the meeting in at least one newspaper within the community; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby sets a public hearing on this amendment to the Five Year Parks and Recreation Plan and the submittal of the Frances Park Waterfront Improvement Grant Proposal to be held on Monday, March 31, 2008 during the regular meeting of the Lansing City Council.

By Councilmember Quinney

Motion Carried

Councilmember Robinson arrived at the meeting at 9:15 p.m.

RESOLUTION#108

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

WHEREAS, the Lansing Boat Club periodically maintained a lease agreement with the City of Lansing since 1948, with the last lease agreement's expiration date in 1996; and

WHEREAS, the Administration has been unsuccessful in negotiating a new lease agreement with the Lansing Boat Club; and

WHEREAS, the Administration served the Lansing Boat Club with a Notice to Quit on February 6, 2008, which directed the Lansing Boat Club to vacate its location at the Grand River Park by no later than March 5, 2008, or otherwise face a lawsuit for eviction; and

WHEREAS, the City Council adopted a resolution on March 3, 2008, encouraging the Mayor to revoke his Notice to Quit and to continue to negotiate a new lease agreement with the Lansing Boat Club; and

WHEREAS, the City Attorney filed a complaint for eviction on or about March 6, 2008, with the matter scheduled to be heard on Tuesday, March 18, 2008; and

WHEREAS, the Committee of the Whole has met on several occasions with the Lansing Boat Club and the Administration to help facilitate the negotiation of a new lease agreement;

WHEREAS, in response to the Administration's last proposed lease agreement, the Lansing Boat Club presented the City with its proposed lease agreement on March 10, 2008; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council directs the Mayor and the City Attorney to stop the eviction process and to continue to negotiate a new lease agreement with the Lansing Boat Club.

By Councilmember Quinney

To place an affirmative roll on the resolution

By Councilmember Kaltenbach

To place this resolution on the table for one week

Motion Failed by the following Roll Call Vote

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

Councilmember Robinson Moved the Previous Question

Motion Carried by the following Roll Call Vote

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

NAYS: Councilmember Dunbar

The question being the motion to place an affirmative roll on the resolution

Motion Carried by the following Roll Call Vote

YEAS: Councilmembers Allen, Hewitt, Jeffries, Robinson, and Wood.

NAYS: Councilmembers Dunbar, Kaltenbach, and Quinney

RESOLUTION#109

BY THE COMMITTEE OF THE WHOLE
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
 Personal Property Exemption – XG Sciences, Inc.

WHEREAS, pursuant to Public Act 328 of 1998 (1998 PA 328), XG Sciences, Inc. has made Application for Exemption of New Personal Property (PPE-02-08) for COM INT’N LINE SEC 28 & CENTER LINE S WASHINGTON AVE, TH SW’LY ALONG SAID CENTER LINE 516.53 FT, W 38.55 FT TO POB; TH W 227.82 FT, N 06DEG 29MIN 18SCD W 78.47 FT, W 346.65 FT TO E LINE NYC RR R/W, S’LY ON R/W/ 884.33 FT, E 1019.17 FT TO W LINE S WASHINGTON AVE, NE’LY ON R/W/ 528.39 FT TO BEG; SEC 28 T4N R2W; Commonly known as 2100 S. Washington Ave., and that is contained within the Lansing Brownfield Redevelopment Zone, established by the Lansing City Council on August 18, 1997 pursuant to Act 381 of 1996, as amended; and

WHEREAS, a public hearing was held February 4, 2008, on the XG Sciences, Inc. Application for Exemption of New Personal Property, at which, and with advance written notice, the assessor and all representatives of affected taxing units were afforded an opportunity to appear and be heard on the application and exemption request; and

[WHEREAS,]

WHEREAS, Lansing Brownfield Redevelopment Zone area is an eligible district under Public Act 328, as amended, and it is within the jurisdiction of the City of Lansing and, therefore, within an eligible distressed community; and

WHEREAS, XG Sciences, Inc. meets the requirements of an eligible business under Public Act 328 by being primarily engaged in manufacturing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of XG Sciences, Inc. for exemption of new personal property PPE-02-08 pursuant to Public Act 328 of 1998, as amended, for that portion of the Lansing Brownfield Redevelopment Zone, legally described as:

COM INT’N LINE SEC 28 & CENTER LINE S WASHINGTON AVE, TH SW’LY ALONG SAID CENTER LINE 516.53 FT, W 38.55 FT TO POB; TH W 227.82 FT, N 06DEG 29MIN 18SCD W 78.47 FT, W 346.65 FT TO E LINE NYC RR R/W, S’LY ON R/W/ 884.33 FT, E 1019.17 FT TO W LINE S WASHINGTON AVE, NE’LY ON R/W 528.39 FT TO BEG; SEC 28 T4N R2W; Commonly known as 2100 S. Washington Ave., Lansing, Michigan.

BE IT FURTHER RESOLVED that the personal property exemption PPE-02-08 under Public Act 328 shall be for the period of twelve (12) years effective Dec. 31, 2008 and ending Dec 30, 2020.

BE IT FINALLY RESOLVED that the City Clerk shall cause the application for exemption of new personal property PPE-02-08 to be completed and shall cause the completed application and a copy of this Resolution to be filed with the State Tax Commission.

By Councilmember Quinney

To place an affirmative roll on the resolution

By Councilmember Wood

To amend the resolution by striking the 3rd WHEREAS clause

Motion Carried

The question being the motion to place an affirmative roll on the amended resolution

Motion Carried

ORDINANCES FOR INTRODUCTION

**INTRODUCTION OF ORDINANCE
 AMEND CHAPTER 804, SECTIONS 804.01 AND 804.02**

By Councilmember Kaltenbach, Chair of the Committee on General Services

That:

An Ordinance of the City of Lansing to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

was introduced by Councilmember Kaltenbach, read by its title and referred to the Committee on General Services

RESOLUTION#110

**RESOLUTION SETTING PUBLIC HEARING
 By Councilmember Kaltenbach**

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 24, 2008 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 to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**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

dTective Forensic package

• Reports from City Officers, Boards and Commissions:

- a. Letters from the Mayor re:
 - i. Bond Authorizing Resolution for Michigan Transportation Fund Bonds, Series 2008

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Application for Obsolete Property Rehabilitation Act (OPRA) Certificate filed by AnnaBelle & Associates, Inc. for property located at 600 S. Capital Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Brownfield Redevelopment Plan #41; AnnaBelle's Pet Station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Brownfield Redevelopment Plan #40; Point North Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Transfer of Funds; CDBG Contingency

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vi. Transfer of Funds; Parks Millage Capital Projects, Land Improvements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vii. Transfer of Funds; Police Administration, Donations – Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- viii. Transfer of Funds; Police CARE Program, Donations – Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ix. Sole Source Purchase; Public Service Department, Wastewater Treatment Plant request for Siemens Water Technologies c/o Peterson and Matz, Inc. as the vendor for replacement parts for the north primary settling tanks

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- x. Sole Source Purchase; Emergency Management Office request for Howard Goldman, Inc. as the vendor for Region 1 Homeland Security Grant Clinton County GPS – Web Vehicle Tracking

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- xi. Sole Source Purchase; Emergency Management Office request for Ocean Systems as the vendor for

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- xii. Reappointment of Shirley Rodgers to the Public Service Board for an At-Large Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- xiii. Appointment of Julia Teed to the Traffic Board for a 2nd Ward Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- xiv. Appointment of Jonathon Solis to the Human Relations and Community Service Board for an At-Large Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- xv. Appointment of Richard Lower to the Human Relations and Community Service Board for an At-Large Term to Expire June 30, 2012

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

• Communications and Petitions, and Other City Related Matters:

- a. Notice from the State of Michigan Public Service Commission of a public hearing for the gas customers of Consumers Energy Company Case U-15506 to be held on March 27, 2008

RECEIVED AND PLACED ON FILE

- b. Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from an Obsolete Property Rehabilitation Act (OPRA) Certificate filed by Spartan Internet Properties LLC for property located at 1030 S. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING and REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- c. Request for Recognition of Non-Profit Status in the City of Lansing filed by Katrina Roper of Great Lakes Capital Fund located at 1000 S. Washington Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach said hello to city resident Willie Fuller.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that recognition of the Junior Miss Michigan pageant was a positive thing for the City. He spoke about the resolutions that were passed tonight and good things happening in the City. He stated that the Administration had worked with the Lansing Boat Club for two years to work out a lease agreement, and was disappointed that the Club tried to negotiate a lease with the City Council.

ADJOURNED TIME 10:06 P.M.

CHRIS SWOPE, CITY CLERK