



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 14, 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 Jeffries, Kaltenbach, Quinney, Wood

ABSENT: Councilmember Allen, Dunbar (Arrived at 7:03), Hewitt (Arrived at 7:04) & Robinson (Arrived at 7:04)

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

The Council proceeded to the order of Councilmembers' Comments and City Clerk's Announcements due to a lack of quorum.

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

Councilmember Kaltenbach announced the Bassett Park Neighborhood Association meeting that will address noise concerns from Padnos Steel. He also spoke about fundraising efforts to help the family of Juan Contreras, who suffered major injuries in a boxing match.

Councilmember Dunbar arrived at 7:03 p.m.

Councilmember Quinney spoke about the A. Philip Randolph Institute's 8th Annual Role Model Celebration that he attended this past weekend. He also wished his daughter, Dekeea Quinney-Davis, a happy birthday.

Councilmembers Hewitt and Robinson arrived at 7:04 p.m.

Councilmember Dunbar announced the Moores Park Neighborhood Organization meeting and two senior health fairs. She spoke about an upcoming meeting regarding community information and design for Benjamin Davis Park. She thanked Councilmember Kaltenbach for mentioning Juan Contreras, whom she visited this past weekend.

Councilmember Wood spoke about a recent article in the Lansing State Journal regarding the cancelling of Parades in Michigan. She stated that she received communication from Rev. Michael Murphy regarding the Annual African American Parade and Family Reunion Picnic, which has not been canceled. She announced the Cherry Hill Neighborhood Association meeting and that the River Forest Neighborhood Association meeting has been canceled. She spoke about the upcoming Cesar E. Chavez Commission 13th Annual Celebration and the National Association of Negro Business & Professional Women's 26th Annual Founders' Day Awards Ceremony.

Councilmember Hewitt accepted Mayor Bernero's apology regarding their recent confrontation and apologized to the Mayor and anyone offended by his remarks during the incident. He spoke about the recent Women's Center breakfast and an upcoming fundraising breakfast for flowers along Michigan Ave. He announced the Gier Neighborhood Association meeting.

Councilmember Robinson thanked attendees of the recent 2nd Saturday meeting, especially those who gave input on the City's budget. She announced the Churchill Downs, Colonial Village and Lewton/Rich Neighborhood Association meetings.

Council President Jeffries spoke about upcoming community budget meetings.

City Clerk Swope announced that those Lansing residents in the Holt, Waverly and Okemos school districts have a school election this May. He also stated that those living in the East Lansing School District don't have a May election, but one in November. He also announced that the registration deadline for candidates, including candidates for Precinct Delegate, on the August 5, 2008 ballot is May 13, 2008 at 4:00 p.m.

The Council returned to the Order of:

**APPROVAL OF PRINTED COUNCIL
PROCEEDINGS**

By Councilmember Quinney

To approve the printed Council Proceedings of April 7, 2008 and the Corrected Proceedings of March 10, 2008

Motion carried

**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 offered the viewers at home a few general observations about the progress we are making as a City. He stated that the city is seeking out new job-creating investments – and we have a half-billion in new investments to show for those efforts. He also stated that we must rebuild our jobs base by investing in those who invest in us. He spoke about several items on tonight's agenda, including an Obsolete Property Rehabilitation Certificate for the former Cedar Street School, a public hearing regarding the Brownfield Plan for the historic transformation of the Ottawa Street Power Station into the new national headquarters of the Accident Fund Insurance Company of America, a request from our Economic Development Corporation to create a new Neighborhood Enterprise Zone in downtown Lansing on and around the Ottawa Butler property just west of the State Capitol Building and an application for a Neighborhood Enterprise Zone Certificate for the building at 110 E. Allegan St. in downtown. He also spoke about a budget transfer that represents one of the final steps toward realizing the long-held dream of a South Side Community Center and the Act 285 review for the possible sale of the North Capitol Parking ramp to Lansing Community College. He announced that April 17 is the next edition of my City Hall on the Road event, where we take City Hall into the neighborhoods to talk with Lansing residents. He also announced the annual Cesar Chavez Dinner at the Lansing Center, the next Mobile Food Pantry and the annual Sikh Parade, an event that celebrates the culture of one of our key ethnic groups here in Lansing.

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan #39; Former Ottawa Power Station
2. In consideration of the City of Lansing's Consolidated Strategy and Plan Submission and Action Plan for Community Development Block Grant (CDBG), HOME Program, and Emergency Shelter Grant Program funds for Fiscal Year 2009
3. In consideration 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

Councilmember Dunbar spoke about City Council Rule #19 regarding decorum at Council meetings.

Councilmember Robinson stated concerns regarding engaging speakers at the podium.

Councilmember Wood gave a brief overview of all three Public Hearings.

Richard Clement of 900 Long Blvd. spoke in support of the Consolidated Strategy and Plan Submission and amendments to the Alarm Ordinance.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke about citizens falling through the cracks of society as issues related to home foreclosures.

Patty Wein of 106 Island Ave. spoke in support of the Consolidated Strategy and Plan Submission.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan #39; Former Ottawa Power Station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of the City of Lansing's Consolidated Strategy and Plan Submission and Action Plan for Community Development Block Grant (CDBG), HOME Program, and Emergency Shelter Grant Program funds for Fiscal Year 2009

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration 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

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Luke Canfora of 414 W. Barnes Ave. stated concerns regarding comments attributed to Councilmember Hewitt in a recent edition of the Lansing City Pulse.

Laurey Wyble of 4362 Keelson Dr. spoke in support of the CDBG Transfer of Funds.

Jeff Schumacher of 3705½ Burchfield Dr. spoke about the 2nd Saturdays meetings in the 3rd Ward.

Thomas Ryan of 4336 Chadburne Dr. spoke about the proposed Special Assessment Roll No. 21-08 for Glenburne Commons Grass Cutting and Trash Clean-up.

Loretta Stanaway of 546 Armstrong Rd. spoke about the Friends of Lansing Historic Cemeteries.

Patrick Ryan of 4330 Chadburne Dr. spoke about the proposed Special Assessment Roll No. 21-08 for Glenburne Commons Grass Cutting and Trash Clean-up.

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

Virginia Humble of 604 E. Frederick Ave. spoke about her home.

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

Gregory Stafford, homeless, spoke about various city matters.

Walter Gray of 4619 Bristol St. spoke about various city matters.

George Williams of 4044 Glenburne Blvd. spoke about the proposed Special Assessment Roll No. 21-08 for Glenburne Commons Grass Cutting and Trash Clean-up.

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

Lamar Wilson, no address given, spoke about various city matters.

Kathi Raffone of 1221 Muskegon Ave. spoke about a disturbing phone call she received.

Terry Cherry of 6210 Haag Rd. spoke about a disturbing phone call she received.

Frank S. Curtis X. of 1137 W. Allegan St. 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.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#156

BY COUNCILMEMBERS

ALLEN, DUNBAR, HEWITT, JEFFRIES

KALTENBACH, ROBINSON, QUINNEY, WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Capital Area Cesar E. Chavez Commission has dedicated their work to proclaim the life, visions, and work of Cesar E. Chavez; and

WHEREAS, Cesar E. Chavez, co-founder and President of the United Farm Workers of America, AFL-CIO, demonstrated just treatment for migrant farm workers through non-violent demonstrations; and

WHEREAS, on Friday, April 18, 2008, the Capital Area Cesar E. Chavez Commission will be commemorating the life of Cesar E. Chavez at the 13th Annual Cesar E. Chavez Celebration at the Lansing Center;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council commends the Commission for their hard work and dedication

honoring the life and legacy of the great American hero and labor leader – Cesar E. Chavez.

BE IT FURTHER RESOLVED that we express our admiration of his work and reach out for peace and social justice “Together, All Things are Possible”.

By Councilmember Quinney

Motion Carried

RESOLUTION#157

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marta Milagros Bobillo was born in Santa Clara, Cuba to Jose and Marta Bobillo and came to the United States in March 1971 and joined family in Lansing, Michigan; and

WHEREAS, Marta graduated from Waverly High School and is a loving mother of four children and grandmother of seven; and

WHEREAS, she dedicated thirty years of service to General Motors which led to her involvement in the UAW where she became the first minority woman to serve at the UAW Local 602, serving as Trustee on the executive board for three years and as chair of the Trustees for six years; and

WHEREAS, in 2002 and 2006 she served as delegate for the UAW Constitution and Bargaining convention; and

WHEREAS, since Marta’s arrival to Lansing, she has been a member of Cristo Rey Church and volunteers in the seniors program and the annual Fiesta; and

WHEREAS, Marta has served on numerous committees, presently and in the past, such as the UAW 602 Civil and Women’s Rights, Michigan Civil Rights for Immigrants, the NAACP, and the APRI election committee; and

WHEREAS, she has received honors and awards from the Capital Area Hispanic Community, UAW Cesar Chavez Humanitarian Award, and in 1998, she earned UAW 602 Woman of the Year; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Marta Milagros Bobillo on her recognition at the A. Philip Randolph Institute’s 8th Annual Role Model Celebration. We wish you continued success!

By Councilmember Quinney

Motion Carried

RESOLUTION#158

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kellie Dean is the owner and President of Dean Transportation Inc., Dean Management Services, Inc. and Dean Trailways of Michigan; and

WHEREAS, Mr. Dean taught in the Lansing Public School system at Marvin E. Beekman Center, first as a teacher of special education, and later as an Assistant Principal at the Henry H. North Elementary School, where he specialized in programs for the physically or otherwise health-impaired and hearing impaired. In 1983, he was named the “Outstanding Special Education Teacher in Michigan” by the prestigious council for Exceptional Children for his dedication and leadership in the education of persons with disabilities; and

WHEREAS, he has donated transportation to the Area 8 Special Olympics for over twenty-five years and is actively involved with hundreds of MSU students annually in the Special Olympics Track &

Field and Poly-Hockey, held on the Michigan State University campus; and

WHEREAS, Dean Transportation, Inc. was recently named Business of the Year by the Michigan Special Olympics. Mr. Dean was honored by the Michigan Association for Pupil Transportation with its President’s Award, and he has established a partnership with the MSU Young Spartan Program through his leadership and donation of transportation services to area schools; and

WHEREAS, Mr. Dean was co-chairman with John Rock, former President of the Oldsmobile Division of General Motors, of a major fundraising effort to raise approximately \$1.5 million to build Lansing’s first Ronald McDonald House, which was completed in 1999; and

WHEREAS, he was co-chair of a major capital campaign that successfully raised \$3 million to rebuild St. Vincent’s Home for Children in Lansing; and

WHEREAS, this year Mr. Dean and Dean Trailways of Michigan will be the lead sponsor for the Steve Smith MSU Alumni Club of Mid-Michigan Golf Outing; and

WHEREAS, in 2005, Mr. Dean was the recipient of the Lansing Chamber of Commerce Community Service Award, Lansing Catholic Central High School Father Mac Community Service Award, Greater Lansing Sports Hall of Fame Richard “Dick” Letts Youth and Community Service Award, and the MSU/Downtown Coaches Club – the Edward R. Vandervoort Memorial Award, and in 2006, was also honored as a recipient of the MSU Alumni Service Award;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend a warm “thank you” to Kellie Dean for his contributions to the community and congratulate him on his special recognition by the A. Philip Randolph Institute at the 8th Annual Role Model Celebration. We wish you continued success!

By Councilmember Quinney

Motion Carried

RESOLUTION#159

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Black Men Incorporated of Greater Lansing (BMIGL) was founded in 1992 to address the problems of the African American community in areas of education, health and environment, economic development, and overall improvement in the quality of life throughout the Greater Lansing area; and

WHEREAS, the group seeks to establish stronger channels of communication between various state, local, educational, religious, and civic organizations in mid-Michigan, while adhering to the motto “We must not expect others to do for us those things which we can and should do for ourselves and our community”; and

WHEREAS, BMIGL’s special focus is to develop and implement programs that will enhance the lives of African American and other minority youth in the Greater Lansing Community; and

WHEREAS, a major focus of BMIGL is to foster the development of programs in cooperation with the Lansing School District and the Black Child and Family Institute, such as the Salute to Excellence program, recognizing and encouraging high achievement amongst African American students at the primary and secondary levels, and the Lee V. Richardson Jr. Memorial Scholarship, which was established as a post-secondary scholarship to a graduate of the Lansing School District to pursue further collegiate or vocational training; and

WHEREAS, BMIGL supports initiatives that foster economic development in the African-American community within the Greater Lansing Area, pursues affordable housing initiatives, as well as educational efforts that apprise our members and the African American community of various economic development opportunities;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby wishes to extend a warm "thank you" to the Black Men Incorporated of Greater Lansing (BMIGL) for their contributions to the community and congratulate them on their special recognition by the A. Philip Randolph Institute at the 8th Annual Role Model Celebration. We wish you continued success!

By Councilmember Quinney

Motion Carried

RESOLUTION#160

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marsheda Ewulomi is a lifelong resident of Lansing and lives with her father and two younger brothers; and

WHEREAS, she is a student at Everett High School where she has maintained a 4.0 Grade Point Average throughout and is a member of the Student Council, National Honor Society, Link Crew, Dance Company, and the Ars Nova competitive choir; and

WHEREAS, Marsheda is also dedicated to community service, participating in her church's Dance Ministry and an outreach program for Hurricane Katrina victims; and

WHEREAS, in November 2007, Marsheda's original show, titled "A Girl's Guide 2 Life" made history as the first entirely student led production in the Lansing School District. The show, directed and performed by Marsheda, included poetry, dance, theatre, fashion, and vocals; and

WHEREAS, "A Girl's Guide 2 Life" was highlighted on the cover of the Lansing State Journal's "What's On", with a full page spread on how Marsheda developed the concept; and

WHEREAS, Marsheda lives by the mantra "To love self is key but to love others is essential in growth" and looks toward the future with great optimism for what she has already accomplished and for what she will accomplish in the future through community service and the arts;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby wishes to extend a warm "thank you" to Marsheda Ewulomi for her contributions to the community and congratulate her on her special recognition by the A. Philip Randolph Institute at the 8th Annual Role Model Celebration. We wish you continued success!

By Councilmember Quinney

Motion Carried

RESOLUTION#161

BY COUNCILMEMBER A'LYNNE ROBINSON
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Betty Lou Stuckman was born June 8, 1926, the daughter of Howard and Beulah Lawrence; and

WHEREAS, a Lansing resident since 1952, Betty has been a devoted member at Mt. Hope United Methodist Church where she sang in the choir for many years; and

WHEREAS, she was a member of the Lansing Exchange Club and the Retired Teachers Association of Lansing; and

WHEREAS, in her spare time, she enjoyed golfing and spending time with her family; and

WHEREAS, she is survived by her loving husband of 58 years, Richard, children Thomas, Pamela and Bruce, and grandchildren Allison, Katherine, Chris and Elizabeth; and

WHEREAS, Betty was a loving wife, mother, grandmother, friend and who will be dearly missed by all.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its deepest condolences to the family of Betty Lou Stuckman. We wish you continued good health and happiness.

By Councilmember Robinson

Motion Carried

RESOLUTION#162

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Vernon Johnson has lived in the Lansing area for most of his life and holds a Bachelors degree in Accounting and an MBA in Finance from Michigan State University, where he also played on the 1967 MSU Men's Big Ten Basketball Championship team; and

WHEREAS, he assists with coordinating an annual fundraiser, which provided over \$70,000 in 2007 for local programs, and the annual Christmas Adopt-a-Family for Advent House Ministries; and

WHEREAS, Mr. Johnson serves on numerous boards and commissions within the community, including Loaves and Fishes Core Community, as treasurer, Diocese of Lansing Finance Council; Diocese of Lansing Bishop Coordination; Tri-County Office on Aging, as Chair, Meals on Wheels Committee, as Chair, Sunday Counting Team at St. Thomas Aquinas Church, and has served as chair of the Old Newsboys Association; and

WHEREAS, he is a volunteer basketball coach at St. Thomas Aquinas, working directly with students from Teen Court and other community members to provide a Sunday morning breakfast at Advent House Ministries; and

WHEREAS, Mr. Johnson is also affiliated with the American Foster Parent Association, NAACP (Golden Life Member), Knights of Columbus, and the Association of Government Accountants Lansing Chapter; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Vernon Johnson for his contributions to the community and congratulate him on his being the recipient of the prestigious Frederick Douglass Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#163

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rhoneshia Kaitlyn Hudson, born on April 28, 1992, is a Sophomore at Waverly High School where she maintains a 3.6 Grade Point Average; and

WHEREAS, Miss Hudson participates in numerous school activities, including Choir, Track and Field, Volleyball, and Tennis; and

WHEREAS, she is a lifelong member of the Friendship Baptist Church, and participates in Sunday school, the Children's Church, and other church related recreational activities; and

WHEREAS, Miss Hudson is dedicated to serving her community through Homeless Shelter donations, and participating in the Super Saturday Health Fair;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Rhonesia Kaitlyn Hudson for her contributions to the community and congratulate her on her being the recipient of the 2008 Youth on the Move Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#164

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Helen Farrow-Smith and her husband Rickie Smith are the proud parents of four sons and five daughters; and

WHEREAS, Ms. Farrow-Smith is owner and operator of Helen's Little Blessing Day Care, providing 24 hour, 7 day a week care for children ages 0 to 13 years old; and

WHEREAS, Helen is dedicated to positive learning experiences for children and encourages parents to be ever mindful of how their manners translate behaviorally to their children, emphasizing, responsibility, discipline, and being verbally consistent; and

WHEREAS, Helen's Little Blessing Child Care provides a curriculum that includes a pre-school program and activities to build motor skills and enhance learning. Children are encouraged, nurtured, and guided to discover their independence and creativity; they are offered assistance with their homework both before and after school and have plenty of opportunities to unwind; and

WHEREAS, in providing child care for teenagers who are still in high school, Ms. Farrow-Smith often takes on the role of parent, providing counseling and advising them of their responsibilities, and encouraging them to set goals and make plans for their future;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Helen Farrow-Smith on her being the recipient of the 2008 Business Achievement Award from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Club. We wish you continued success in all your future endeavors!

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Helen Farrow-Smith for her contributions to the community and congratulate her on being the recipient of the 2008 Business Achievement Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#165

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marilyn Plummer is a community activist who serves on the Greater Lansing Area Martin Luther King, Jr. Holiday Commission, the City of Lansing Southside Community Center Taskforce, and the Elected Officer's Compensation Commission; and

WHEREAS, Ms. Plummer was integral to the leadership that helped to establish state recognized holidays in the third Saturday in June as Juneteenth Day and November 26th as Sojourner Truth Day; and

WHEREAS, Marilyn is Board Secretary of the Progressive Empowerment Education Resource Services (PEERS), member of the Juneteenth Committee, the Mask Memorial CME Church, Board of Stewards, the Christian Board of Education, and is the Assistant Director of the Christian Youth Fellowship;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Marilyn Plummer for her contributions to the community and congratulate her on being the recipient of the 2008 Community Service Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#166

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Louie Samuel Matt attends Sexton High School and is a four year member of the Sexton Marching Band, a three year member of the Sexton Football team as left guard, and has played on both the tennis and wrestling teams; and

WHEREAS, Mr. Matt has earned numerous honors for maintaining a 3.0 grade point average and is currently a candidate for Sexton's Homecoming Court, a People to People Ambassador for China, and a member of the Who's Who High School Students in America; and

WHEREAS, he has traveled and studied in Egypt and the People's Republic of China; and

WHEREAS, Mr. Matt is treasurer of the Business Professionals of America Club and a member the Kappa Alpha Psi Leadership program; and

WHEREAS, Mr. Matt contributed over 100 hours of community service, performing minor household repairs and lawn care services for the elderly and volunteering at a local homeless shelter; and

WHEREAS, after graduation, Mr. Matt will continue his education at Tennessee State University on a scholarship and will work toward a Masters Degree in Business Administration, specializing in entrepreneurship; and

WHEREAS, Mr. Matt is co-owner and CEO of Team MIB Racing, a one quarter mile drag racing team and plans to start and run a Fortune 500 Global Corporation;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Louie Samuel Matt for his contributions to the community and congratulate him on his being the recipient of the 2008 Youth on the Move Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#167

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dorothy E. Maxwell and her husband are long time Lansing residents and the proud parents of two daughters; and

WHEREAS, Mrs. Maxwell holds a Master's degree in Public Administration from Western Michigan University, and a Government Leadership Certificate from the Terry Sanford Institute at Duke University; and

WHEREAS, she has extensive past management experience in human resources and development, as Administrator of the Human Resources Development Delivery System that served a statewide population of 64,000 Michigan State government employees; and

WHEREAS, Mrs. Maxwell is respected for her proficiency and integrity, and is highly regarded for her ability to create and engage strategic alliances in achieving desirable business results; and

WHEREAS, Dorothy E. Maxwell is President and CEO of the Max Weingar Group, a Lansing-based management consulting firm focused on workforce competence; and

WHEREAS, she has a long history as a conscientious public servant and community volunteer in the greater Lansing community, and serves as trustee in Delta Township, the Capital Region Community Foundation, and is a member of the Kim Jones Foundation, and the BoarsHead Theater, the Metropolitan YMCA of Lansing, the Greater Lansing Convention and Visitors Bureau and the Mid-Michigan Area Advisory Council of Inforum, an organization to help women lead and succeed; and

WHEREAS, Mrs. Maxwell is the Director on the Board of Sparrow Specialty Hospital, has served as a Delta Township Planning Commissioner, is a past Director on the Board of the Capital Area United Way and the Lansing Regional Chamber of Commerce; and

WHEREAS, for her contributions and achievements as a community leader and public servant, Mrs. Maxwell has received numerous awards including, the 2003 Lansing Regional Chamber of Commerce Small Business Advocate Award, 2006 Community Service Award, and was volunteer leader of the Chamber's Small Business Division for three years; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Dorothy Maxwell for her contributions to the community and congratulate her on her being the recipient of the 2008 Sojourner Truth Award as recognized at the 26th Annual Founders' Day Awards Ceremony. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#168

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

WHEREAS, the Mayor made the appointment of Melissa Miller, of 546 Julia Street, Lansing, Michigan 48910, to the Second Ward position of the Human Relations and Community Service Board for a term to expire June 30, 2010; and

WHEREAS, the Committee on General Services met on April 7, 2008, and took affirmative action on the appointment of Melissa Miller;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Melissa Miller to the Second Ward position of the Human Relations and Community Service Board for a term to expire June 30, 2010.

By Councilmember Kaltenbach

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Kaltenbach

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#169

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

WHEREAS, Hamid R. Khorrami filed a claim to eliminate the special assessment in the amount of \$316.55 for a grass and weed violation and \$1597.03 for a trash and debris violation placed on the property at 1710 W. Jolly Road Lansing, Michigan; and

WHEREAS, the General Services Committee met on April 7, 2008, to review the claims filed by Mr. Khorrami; and

WHEREAS, the General Services Committee reviewed the evidence submitted and took testimony from Mr. Khorrami and the Code Compliance Manager and, thereafter, granted Mr. Khorrami's claim for the grass and weeds assessment in the amount of \$316.55 and denied the claim for \$1597.03 for the trash and debris violation;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, grants the claim filed by Hamid R. Khorrami to eliminate the special assessment on his property at 1710 W. Jolly Road in the amount of \$316.55 for a grass and weed violation;

BE IT FURTHER RESOLVED that the City Council denies his claim seeking elimination of the special assessment in the amount of \$1597.03 for a trash and debris violation and clean up and all associated penalties and interest for his property at 1710 W. Jolly Road Lansing, Michigan;

BE IT FINALLY RESOLVED that the City Attorney shall take the appropriate steps to process the \$316.55 claim that was granted.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#170

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

WHEREAS, pursuant to resolution #043 adopted by this Council on February 18, 2008, a public hearing was held on Monday, March 24, 2008 in consideration of a request by the Public Service Department for an issuance of a waiver of the noise ordinance to allow street construction on Martin Luther King, Jr. Boulevard from the bridge over the Grand River to Grand River Avenue and reconstructing Martin Luther King, Jr. Boulevard from Grand River Avenue to Marquette Street from 8:00 AM to 5:00 PM on Saturdays; and

WHEREAS, the project will be resurfacing Martin Luther King, Jr. Boulevard from the bridge over the Grand River to Grand River Avenue and reconstructing Martin Luther King, Jr. Boulevard from Grand River Avenue to Marquette Street; and

WHEREAS, construction of this project is scheduled to begin in May of 2008 and be completed by August 2008; and

WHEREAS, allowing the contractor to work from 8:00 AM to 5:00 PM on Saturdays will help expedite construction of Martin Luther King, Jr. Boulevard;

NOW, THEREFORE, BE IT RESOLVED that City Council grant a noise waiver permit to the Lansing Public Service Department for construction activities associated with resurfacing Martin Luther King, Jr. Boulevard from the bridge over the Grand River to Grand River Avenue and reconstructing Martin Luther King, Jr. Boulevard from Grand River Avenue to Marquette Street from 8:00 AM to 5:00 PM Saturdays.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#171

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

WHEREAS, pursuant to resolution #042 adopted by this Council on February 18, 2008, a public hearing was held on Monday, March 24, 2008 in consideration of a request by the Public Service Department for an issuance of a waiver of the noise ordinance to allow construction on Collins Road from Jolly Road to Dunckel Road from 8:00 AM to 5:00 PM on Saturdays; and

WHEREAS, the construction project will result in the closure of this major street; and

WHEREAS, construction of this project is scheduled to begin in May of 2008 and be completed by August 22, 2008; and

WHEREAS, allowing the contractor to work from 8:00 AM to 5:00 PM on Saturdays will help expedite construction of Collins Road;

NOW, THEREFORE, BE IT RESOLVED that City Council grant a noise waiver permit to the Lansing Public Service Department for construction activities associated with the reconstruction of Collins Road from Jolly Road to Dunckel Road from 8:00 AM to 5:00 PM on Saturday.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#172

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$57,904.99	CDBG Contingency 252.932651.992000.42000	
\$37,013.48		CDBG Contr Serv Development 252.932665.743059.42000
\$20,891.51		CDBG Contr Serv Development 252.932674.743059.42000

Reprogram \$57,904.99 of FY 07 CDBG Funds.

\$37,013.48 of FY 07 funds will be used for:

- A.) Training and assistance to low and moderate-income owners of, and persons developing, micro-enterprises within, or planning to locate within the Lansing city limits.
- B.) Creation of new business activities and/or jobs to benefit low and moderate-income City of Lansing residents.
- C.) Technical assistance to for-profit businesses including workshops, marketing or referrals for the attraction of new business and expansion of existing business within CDBG-eligible areas of Lansing.

\$20,891.51 of FY 07 funds will be used for: The HERO program (pre-purchase and foreclosure prevention counseling, homeowner education classes, tool lending programs, and seniors helping seniors program).

By Councilmember Dunbar

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#173
REPORT OF COMMITTEE

COMMITTEE ON GENERAL SERVICES held a meeting on April 7, 2008, and reviewed the ordinance amendment of Chapter 804, Section 804.01 and 804.02 of the Codified Ordinances adding the definition of a problem alarm, disallowing the self installation of alarm systems, and 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.

The Committee recommends adoption of the ordinance amendment of Chapter 804, Section 804.01 and 804.02 of the Codified Ordinances.

April 10, 2008

Signed: Tim Kaltenbach, Chairperson
Derrick Quinney, Vice Chairperson
Sandy Allen, Member

By Councilmember Kaltenbach

To receive this Committee Report

Motion Carried

ORDINANCES FOR PASSAGE

By Councilmember Kaltenbach

That we move to the passage of Ordinances

By Councilmember Kaltenbach

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

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

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 be placed on order of immediate passage.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

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 be now passed.

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

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Kaltenbach

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 #1130

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 804, SECTIONS 804.01, 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
THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 804, Sections 804.02, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

804.01. Definitions.

As used in this chapter:

Alarm business means any business, individual, corporation or legal entity that engages in the installation, service, maintenance or monitoring of alarm systems.

Alarm system means any system which is physically or manually activated and/or a detection device or an assembly of equipment and/or devices arranged to signal the presence of a situation requiring urgent attention to which the Police or Fire Departments are expected to respond. A system which only summons medical help, and an alarm system which monitors temperature, humidity or other conditions, not directly related to the detection of a fire or an unauthorized intrusion into a premises or an attempted robbery of a premises, are excluded from this chapter.

False alarm means the activation of an alarm system through mechanical failure, malfunction, improper installation, negligence or any other activation of the alarm system ~~for which assistance from the Lansing Police Department is not necessary~~ OTHER THAN AN ACTIVATION CAUSED BY AN ATTEMPTED OR ACTUAL BREAK-IN, BURGLARY, ROBBERY OR A FIRE. However, a false alarm does not include an alarm activation caused by a hurricane, tornado, earthquake, downed telephone lines or other violent condition beyond the control of the owner or lessee of an alarm system or of his or her employee or agent.

Financial alarm system means an alarm system used by a bank, credit union or other enterprise that dispenses cash on as a regular part of its business.

Fire alarm means an alarm that notifies the Fire Department that fire is in progress at the premises.

Hold up alarm means an alarm that notifies the LANSING Police Department that a ~~burglary~~ ROBBERY is in progress at ~~the~~ premises A BUSINESS.

LOCAL CONTACT PERSON MEANS A PERSON WHO LIVES OR WORKS WITHIN 20 MILES OF THE LANSING CITY LIMITS AND WHO CAN BE CONTACTED BY THE LANSING POLICE DEPARTMENT FOR THE PURPOSE OF VERIFYING ALARM CALLS FOR ASSISTANCE.

Panic alarm or duress alarm means an alarm used for any purpose other than to notify of a fire, a burglary or unauthorized entry

onto premises.

PROBLEM ALARM MEANS AN ALARM SYSTEM THAT GENERATES THREE OR MORE FALSE ALARMS DURING A TWELVE MONTH PERIOD.

804.02. Installation and use of alarm systems generally.

- (a) No person shall install or operate an alarm system in the City, unless the alarm system is:
- (1) Installed by an alarm system contractor licensed by the State of Michigan under Public Act 330 of 1968, as amended; ~~or~~ AND
 - ~~(2) Installed by the owner or occupant of a residence in his or her own residence; and~~
 - ~~(3)~~(2) Used pursuant to a permit issued by the City of Lansing.

804.03. Duties of alarm installers and monitoring companies.

- (a) An alarm system installed in a commercial or public building shall use equipment listed and compliant with the SIA CP-01 control panel standard or equivalent.
- (b) An alarm system installed in a residence shall use equipment listed and compliant with the SIA CP-01 control panel standard or equivalent.
- (c) Any alarm system installed in a residence may be of an on-site audible type. In addition, the alarm system (OTHER THAN A PANIC OR DURESS ALARM) may also call into a central station if approved in advance by the Lansing Police Department.
- (d) All alarm systems must be placed on test mode by the alarm installer for at least seven days following installation.
- (e) BEFORE ACTIVATING ANY ALARM SYSTEM all alarm installers shall provide written and oral instructions to each of its alarm users detailing the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off, how to avoid false alarms and how to cancel false alarms with the monitoring company.
- (f) All alarm installers shall provide a written copy of the City's false alarm ordinance and the fee structure for assessment of false alarm reports to each of its alarm users in the City of Lansing.
- (g) No alarm installer shall use, install or assist in the operation of an alarm system that contains or uses an automatic telephone dialing device that directly connects to the Lansing Police Department, Fire Department or EMERGENCY COMMUNICATIONS CENTER without first obtaining written permission from the Lansing Police Department.
- (h) All alarm installers who install an audible alarm capable of being heard outside the protected premises shall affix on the exterior of the protected premises:
 - (1) The name and telephone number of the alarm user or other person or entity responsible for the control OF THE ~~if it is a local~~ alarm system AND WHO IS AVAILABLE 24 HOURS A DAY TO RESPOND; or
 - (2) The name and phone number of the alarm company and monitoring company if different

from the servicing company.

- (i) All alarm users, installers or any other person who installs or maintains an alarm system with an audible alarm shall install and maintain the alarm system in such a way that it automatically discontinues emitting an audible sound within 12 minutes after activation of the alarm and will prevent the alarm from sounding again during the same armed period as a result of the same event that caused the original activation.
- (j) Any alarm business that monitors an alarm system in the City shall provide to the Lansing Police Department a local telephone number or a toll-free number by which a representative of the company can be reached 24 hours a day. If this telephone number changes, the business shall immediately notify the Lansing Police Department of the new telephone number.
- (k) All alarm businesses that monitor or respond to an alarm shall, at a minimum: PROVIDE THE LANSING POLICE DEPARTMENT WITH THE NAME AND PHONE NUMBER OF A LOCAL CONTACT PERSON FOR THE COMPANY, verify any ~~audible~~ alarm by calling a minimum of two telephone numbers SUPPLIED BY THE USER, one of which ~~should~~ SHALL be at the premises, UNLESS OTHERWISE ORDERED IN WRITING BY THE CHIEF OF POLICE prior to CONTACTING THE EMERGENCY COMMUNICATIONS CENTER. A record of all verification attempts shall be kept by the alarm business for a period of one year and shall be made available to the Lansing Police Department upon request.
- (l) All alarm businesses with financial institutions as customers shall be familiar with, and instruct their financial institution customers on, the Lansing Police Department's procedure that must be followed when a financial institution's alarm is activated.
- (m) If three false alarm reports are issued within a 12-month period for any one location, the alarm user at the location ~~must~~ MAY BE REQUIRED BY THE LANSING POLICE DEPARTMENT TO have a licensed alarm business inspect the premises and the alarm equipment to determine the reason for the false alarms. Any defective or malfunctioning equipment that is identified must be repaired or replaced and the alarm user must submit verification TO THE LANSING POLICE DEPARTMENT that the premises' equipment has been inspected and, if necessary, repaired ~~within 30 days after the third false alarm determination has been made.~~ IF THE USER FAILS TO COMPLY WITH A MANDATED INSPECTION OR FAILS TO PROVIDE DOCUMENTATION THAT THE EQUIPMENT HAS BEEN REPAIRED WITHIN 45 DAYS OF BEING NOTIFIED TO DO SO, THE LANSING POLICE DEPARTMENT MAY DISCONTINUE ALARM RESPONSE TO THE SITE UNTIL SUCH TIME AS THE USER COMPLIES WITH THE INSPECTION AND REPAIR REQUIREMENT.
- (N) NO ALARM BUSINESS SHALL CONTACT THE LANSING POLICE DEPARTMENT TO REQUEST A RESPONSE TO A PANIC OR DURESS ALARM UNLESS AUTHORIZED TO DO IN ADVANCE SO BY THE CHIEF OF POLICE.

804.04. Alarm users must obtain a permit.

- (a) All alarm system users must obtain a permit to use an alarm system from the Lansing Police Department within 30 days of their alarm system's installation.
- (b) An alarm user who has an alarm system that was installed prior to March 1, 2006, is not required to obtain a use permit unless the alarm system produces ~~a false~~ AN alarm after March 1, 2006.

- (c) Permit fees shall be established by City Council resolution. Alarm use permits are not transferable and a new tenant, property owner or any other new user must apply for a new use permit.
- (d) If a user operates both a fire alarm and a burglar alarm from the same electrical panel, only one permit fee is required for the entire system.
- (e) Any person or business ~~who~~ THAT uses an alarm system without having a valid use permit shall be RESPONSIBLE FOR A CIVIL INFRACTION AND subject to civil fines and penalties of up to \$500.00 per alarm use.
- (f) If the LANSING Police or Fire Departments respond to a call for assistance from a user's alarm system for which no permit has been obtained, the Department shall instruct the user to obtain the necessary permit for the alarm system at the premises.
- (g) ~~If the Police Department responds to a second alarm call for assistance at the same premises and the user still does not have~~ HAS NOT OBTAINED a permit to use the alarm system AFTER HAVING BEEN SENT TWO WRITTEN NOTICES INFORMING THEM TO OBTAIN A PERMIT AND NOTIFYING THEM THAT THE LANSING POLICE DEPARTMENT WILL NOT RESPOND TO CALLS FROM NON-PERMITTED ALARM SYSTEMS, the Police or Fire Department may refuse to respond to any further alarm calls from the user's premises until the user has obtained a permit to use the alarm.

804.05. Validity of alarms.

Any alarm user, alarm business or other person or entity who installs, maintains, uses or services any alarm system within the City of Lansing is responsible for inspecting and properly maintaining the system to ensure that it functions properly and does not activate falsely.

- (a) Whenever an activated alarm system results in a response to the premises by the Lansing Police or Fire Departments, the Department~~(s)~~ shall determine whether a public safety response was necessary. If the responding Department~~(s)~~ determines that a public safety response was not necessary, ~~it shall be recorded as a false alarm~~ AND THAT THE ALARM MEETS THE DEFINITION OF A FALSE ALARM HEREIN, THE DEPARTMENT SHALL RECORD IT AS A FALSE ALARM.
- (b) If the Department determines that it has responded to a false alarm, it shall send WRITTEN notice of the false alarm to the alarm user and to the address and attention of the alarm business contact person.
- (c) The Chiefs of Police and Fire or their designee, shall have the right to inspect the premises to which an alarm response has been made at any reasonable time after the occurrence of a false alarm for the purpose of determining the cause of the false alarm.
- (D) AN ALARM BUSINESS IS SUBJECT TO A CIVIL INFRACTION IF THE LANSING POLICE DEPARTMENT DETERMINES THAT IT WAS RESPONSIBLE FOR CAUSING THE POLICE OR FIRE DEPARTMENT TO RESPOND TO A FALSE ALARM BECAUSE IT:

- 1) FAILED TO PROPERLY REPAIR ALARM EQUIPMENT KNOWN TO HAVE MALFUNCTIONED;
- 2) FAILED TO TERMINATE THE USER'S ALARM CONTRACT WHEN NOTIFIED BY THE USER TO DO SO;
- 3) FAILED TO MAKE ATTEMPTS TO CONTACT THOSE PERSONS DESIGNATED BY THE ALARM USER FOR CONTACT WHEN THE ALARM IS ACTIVATED;
- 4) FAILED TO TAKE ANY OTHER REMEDIAL ACTION REQUIRED BY THE POLICE DEPARTMENT;

resolution. ~~for each additional Police or Fire Department response to a false alarm at an alarm site.~~

- (b) The LANSING Police Department shall prepare procedural guidelines for the reporting and tracking of false alarms. Whenever any alarm system has had two false alarms at one alarm site during a period of 12 months from the date of the first false alarm, the LANSING Police Department shall mail a notice, by first class mail, to the taxpayer of record as listed in the City Assessor's office, and TO the occupant at the alarm site IF KNOWN, stating that the next false alarm within a period of 12 months from the date of the first false alarm shall result in the assessment of a fee as determined by City Council resolution. The notice shall also include information stating that each subsequent Police or Fire Department response to a false alarm at that site within a 12-month period from the date of the first false alarm shall result in ~~finer~~ FEES that increase in increments as determined by City Council resolution. ~~for each Police or Fire Department response to a false alarm.~~

804.06. Penalties for noncompliance by alarm businesses.

- (a) Any alarm business THAT operates in the City of Lansing without obtaining a license from the State of Michigan ~~as required in Section 804.02(a)~~ is guilty of a civil infraction and shall be assessed a minimum fine of \$100.00 and a maximum FINE of \$500.00 for each alarm system illegally installed.
- (b) Any alarm business that fails to attempt to ascertain the validity of an alarm, or fails to keep records of such attempts as required BY THIS CHAPTER in ~~Section 803.04 (4)~~, before requesting assistance from the Lansing Police or Fire Departments IS SUBJECT TO A CIVIL INFRACTION. ~~shall be assessed a fine pursuant to a schedule established by City Council resolution.~~
- (C) ANY ALARM BUSINESS THAT CONTINUES TO NOTIFY THE LANSING POLICE DEPARTMENT OF ALARMS FROM A SITE AFTER THE LANSING POLICE DEPARTMENT HAS SENT WRITTEN NOTICE TO THE BUSINESS INFORMING IT THAT POLICE RESPONSE HAS BEEN DISCONTINUED TO THAT SITE SHALL BE SUBJECT TO A CIVIL INFRACTION FOR EACH CALL FOR ASSISTANCE IT MAKES TO THAT SITE AFTER THE DATE THE WRITTEN NOTICE WAS MAILED.
- (D) THE LANSING POLICE DEPARTMENT MAY TERMINATE ALL RESPONSES FOR SERVICE TO ALL CUSTOMERS OF AN ALARM BUSINESS IF THAT BUSINESS HAS CONTACTED THE POLICE OR FIRE DEPARTMENT FOR ASSISTANCE SIX OR MORE TIMES TO ANY SITE OR SITES WHERE IT HAS BEEN NOTIFIED THAT SERVICE HAS BEEN DISCONTINUED.

- (c) ~~Once an alarm business, subscriber, user or site has been mailed a written notice from the LANSING Police Department of two false alarms, no subsequent written notice is necessary for the fees to progress in the manner described in subsection (b) hereof. For all false alarms that result in the assessment of a false alarm fee as determined by City Council resolution, The LANSING Police Department shall notify the alarm business and/or taxpayer of record, as listed in the City Assessor's office, and the occupant at the alarm site IF KNOWN, of the FEES amount to be assessed as soon after the occurrence as is practical. The notification of FEE assessmentS shall include an explanation of how the fee may be paid to the City of Lansing, THE METHOD OF APPEALING THE FEE IMPOSED and the potential consequences of failure to pay.~~

- (d) Any alarm user who fails to repair or replace an alarm system that is responsible for issuing ~~four~~ THREE false alarms within a 12-month period shall be assessed a ~~fine~~ FEE according to the ~~fine~~ FEE schedule established by City Council resolution. Each additional false alarm shall result in an increased FEE ~~fine~~.

- (e) Any alarm business that reports an alarm that is determined to be false after BEING NOTIFIED IN WRITING BY THE LANSING POLICE DEPARTMENT TO DISCONTINUE CALLS FOR ASSISTANCE FROM A PROBLEM ALARM SITE OR AFTER failing to disconnect or deactivate the alarm system upon being notified to do so by the user in writing, shall be responsible for any and all false alarm ~~finer~~ FEES and ~~penalties~~ resulting from its failure to FOLLOW THE POLICE DEPARTMENT'S ORDER OR TO disable the alarm. ~~as requested.~~

804.07. False alarm penalties and enforcement.

- (a) A Police or Fire Department response to two false alarms at ~~one alarm~~ THE SAME site within a 12-month period ~~from the date of the first false alarm~~ shall be without any fee assessment. ANY PREMISES OR SITE THAT GENERATES THREE OR MORE FALSE ALARMS DURING A TWELVE MONTH PERIOD IS A PROBLEM ALARM SITE AND A fee, as determined by City Council resolution, ~~shall be assessed.~~ THAT REIMBURSES THE CITY FOR ITS COST IN RESPONDING TO THE FALSE ALARM SHALL BE ASSESSED. ~~for the third Police or Fire Department response to a false alarm. at one alarm site during a period of 12 months from the date of the first false alarm. A Police or Fire Department response to any subsequent~~ ADDITIONAL false alarms at ~~one~~ A PROBLEM alarm site within a period of 12 months from the date of the first false alarm shall ~~increase~~ BE ASSESSED FEES AT AN INCREASED AMOUNT pursuant to the ~~penalty~~ fee SCHEDULE ~~as determined~~ ESTABLISHED by City Council

- (f) Any FEES, ASSESSMENTS, fines and penalties incurred BY THE ALARM USER OR PROPERTY OWNER under this chapter that remain unpaid for one year FROM THE DATE OF ISSUANCE shall be assessed against the property where the alarm is located-AS ALLOWED BY LAW. ~~and shall constitute a lien thereon until such time as the debt to the City is paid.~~

804.08. Right to discontinue response.

The Chiefs of Police and Fire or their designee may discontinue alarm response by the Department to any location that is responsible for ~~more than~~ five OR MORE false alarms within a

12-month period, or to a location that uses an alarm system installed or operated by a business that is not licensed by the State of Michigan, OR TO A PREMISES WHERE THE USER HAS FAILED TO OBTAIN A PERMIT AFTER BEING NOTIFIED TO DO SO.

Written notification that the LANSING Police Department will no longer respond to alarm calls from a particular location will be sent to the user and, if there is one, the alarm business contact person of record.

Reinstatement of Police or Fire Department alarm response may resume upon proof that the user and/or alarm business responsible for the alarm has corrected the reason for the false alarms TO THE SATISFACTION OF THE LANSING POLICE DEPARTMENT and that all fines FEES and penalties incurred as the result of false alarms have been paid AND THE USER HAS OBTAINED AN ALARM PERMIT.

804.09. Additional requirements.

Nothing in this chapter shall alleviate the obligation of an alarm business to obtain all other permits, licenses and inspections required by state, federal or local law.

804.10 MEANS OF APPEAL

(A) ANY PERSON OR ALARM BUSINESS WISHING TO CONTEST THE IMPOSITION OF A FALSE ALARM FEE MUST FILE A WRITTEN APPEAL WITH THE CHIEF OF POLICE OR HIS OR HER DESIGNEE WITHIN 14 DAYS OF THE DATE THE FEE WAS IMPOSED. AN APPEAL MUST STATE ALL REASONS WHY APPELLANT BELIEVES THIS CHAPTER HAS BEEN WRONGFULLY APPLIED, INTERPRETED OR DOES NOT APPLY.

(B) THE CHIEF OF POLICE SHALL CONSIDER THE APPEAL AND WILL ISSUE A WRITTEN DECISION AFFIRMING, MODIFYING OR NULLIFYING THE FEE APPEALED. IN REACHING HIS OR HER DECISION THE CHIEF WILL CONSIDER:

(1) THE REASONS ADVANCED BY THE APPELLANT.

(2) THE TOTAL NUMBER OF FALSE ALARMS FROM THE SITE.

(3) THE ATTEMPTS, IF ANY, OF THE USER OR ALARM BUSINESS TO DETERMINE THE CAUSE OF, AND REMEDY, THE REASON FOR THE FALSE ALARMS.

(4) ANY MITIGATING CIRCUMSTANCES SUCH AS A CHANGE IN PROPERTY OWNERSHIP, ILLNESS OR OTHER CAUSE THAT MAY HAVE PREVENTED THE APPELLANT FROM COMPLYING WITH THE REQUIREMENTS OF THIS CHAPTER.

(B) IF AN APPELLANT WISHES TO APPEAL THE DECISION OF THE CHIEF OF POLICE HE OR SHE MAY DO SO BY FILING A WRITTEN APPEAL TO THE PUBLIC SAFETY COMMITTEE OF THE LANSING CITY COUNCIL WITHIN 14 DAYS OF THE DATE THE POLICE CHIEF ISSUES HIS OR HER OPINION. THE DECISION OF THE PUBLIC SAFETY COMMITTEE IS FINAL.

(C) A FAILURE TO FILE A TIMELY APPEAL IS A JURISDICTIONAL DEFECT.

804.99. Penalty.

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. Letters from the City Clerk:
 - i. Submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- ii. Providing notice of the placement on file of the Board of Water and Light's Proposed Rate Restructuring for Electrical Residential Senior Citizen Customers

RECEIVED AND PLACED ON FILE

- iii. Providing notice to Capital Area Transportation Authority (CATA) of the appointment of Robert Swanson and Anne Wilson to the CATA Board of Directors for Terms to Expire September 30, 2010

RECEIVED AND PLACED ON FILE

- b. Resolution from the Board of Public Service supporting the City Council's Budget Policies and Priorities for FY 2009

REFERRED TO THE COMMITTEE OF THE WHOLE REFERRED TO BUDGET

- c. Letters from the Mayor re:

- i. Sole Source Purchase; Transportation and Parking Office request for Traffic & Safety Control Systems, Inc. as the vendor for Amano McGann Bulk Validation Production System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Sole Source Purchase; Transportation and Parking Office request for Carrier & Gable, Inc. as the vendor for Eagle EPAC M50 Traffic Signal Controller/MARC Master Controller Combo, from Siemens Energy & Automation, Inc.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Transfer of Funds; Drug Law Enforcement Fund, IEC Co-op (Metro Task Force)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND

INTERNAL AUDIT

- iv. Application for Neighborhood Enterprise Zone (NEZ) Certificate filed by Infinity Companies, LLC for property located at 110 E. Allegan St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Neighborhood Enterprise Zone in Downtown Lansing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vi. Application for Obsolete Property Rehabilitation Act (OPRA) Certificate filed by Old Town Medical Building, LLC for property located at 1106 N. Cedar St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vii. ACT-1-2008; 316 N. Capitol Ave., Disposition of Property

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- viii. Transfers of Funds; Funding for Capital Lease for the South Side Community Center

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:
 - a. Letters from Capital Area Transportation Authority (CATA) requesting exemption of their millage from:
 - i. Brownfield Redevelopment Plan #39; Former Ottawa Power Station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Obsolete Property Rehabilitation Act (OPRA) District Application filed by 3215 S. Penn, LLC for property located at 3215 S. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Letter from Bill Keller of 2718 Wabash Rd. regarding the naturalist position at Fenner Nature Center

REFERRED TO THE COMMITTEE OF THE WHOLE REFERRED TO BUDGET

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To excuse Councilmember Allen from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Quinney spoke about the Noise Waiver for Collins Rd. and refuted words attributed to Councilmember Dunbar by a speaker at tonight's meeting.

REMARKS BY THE MAYOR**OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that the City's policy for the use of surveillance cameras is available online. He stated that the City doesn't pay for Mayor Bernero's membership to the Lansing Country Club. He gave details on benefit concessions made by cabinet members that have taken place since the Benavides administration.

ADJOURNED TIME 9:19 P.M.

CHRIS SWOPE, CITY CLERK