



OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF MAY 12, 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, Jeffries, Kaltenbach, Quinney, Robinson, Wood

ABSENT: Councilmembers Dunbar (Arrived at 7:09) and Hewitt (Arrived at 7:04)

Council President Jeffries asked for a moment of silence to remember the life of Karen Schmidt, City TV Manager, who recently passed away.

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

*Councilmember Hewitt arrived at the meeting at 7:04 p.m.*

#### APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Quinney

To approve the printed Council Proceedings of May 5, 2008

Motion carried

#### CONSIDERATION OF LATE ITEMS

By Vice President Quinney

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

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Request for Recognition of Non-Profit Status in the City of Lansing filed by Larry Helser of Michigan Patriot Guard located at 2915 S. Cambridge Road

*Councilmember Dunbar arrived at the meeting at 7:09 p.m.*

#### SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Recognizing Comcast for their 7th Annual Comcast Cares Day

Councilmember Hewitt spoke about Comcast Cares Day at Cristo Rey Community Center and how it was such a wonderful event.

John Gardner of Comcast Cable spoke about the Comcast employee volunteers who engaged in landscaping and other beautification projects at the Cristo Rey Community Center campus.

City Clerk Swope read the following Resolution:

**RESOLUTION#198**  
BY COUNCILMEMBER HEWITT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Comcast held a spectacular gala on Saturday, May 2, 2008, at Cristo Rey Community Center as part of the seventh annual Comcast Cares Day; and

WHEREAS, more than 120 Comcast employees, family, and community volunteers joined forces with Cristo Rey staff and board members, including members of the Commission on Spanish Speaking Affairs, and engaged in landscaping and other beautification projects at the Cristo Rey Community Center campus; and

WHEREAS, this extraordinary event incorporated a landscaping design by MSU and a youth project of planting flowers showcasing the Cristo Rey Community Center, a center that "cares" and offers services encouraging self-sufficiency, along with preserving pride and dignity; and

WHEREAS, Comcast recognizes the importance of supporting non-profit organizations in the communities where their 1.3 million Michigan customers live and work; through a massive volunteer effort like Comcast Cares Day, they help organizations positively impact the lives of thousands of people and improve the quality of life; and

WHEREAS, Comcast Cares Day is the cornerstone event of a year-long commitment to their communities and is one of the largest single-day corporate volunteer efforts in the country; and

WHEREAS, approximately 50,000 Comcast employees, friends, and family members across the country gave 300,000 plus hours of service on Saturday benefiting nearly 500 community organizations in 37 states and the District of Columbia; and

WHEREAS, the Comcast Foundation has contributed grants totaling more than \$5 million to local community partner organizations on behalf of each employee and immediate family member who has volunteered on Comcast Cares Day; this year the Foundation will donate approximately \$1.5 million to Comcast Cares Day community partners nationwide;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, expresses our appreciation and gives "hats off" to Comcast and their partners for their dedication and hard work demonstrated here and across the nation.

BE IT FURTHER RESOLVED that we wish you many more successful Comcast Cares Days.

By Councilmember Hewitt

Motion Carried

2. Tribute; Recognizing Clinton-Eaton-Ingham Community Mental Health Authority for their efforts to provide mental health wellness awareness and on the Walk a Mile in my Shoes event

Councilmember Dunbar announced that on Wednesday there will be a rally at the State Capitol to raise awareness for mental health issues.

City Clerk Swope read the following Resolution:

**RESOLUTION# 199**  
BY COUNCILMEMBER KATHIE DUNBAR

## RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, May is Mental Health Awareness Month, and

WHEREAS, one in five adults in Michigan will experience a mental health disorder at some point, yet may not be able to access the treatment they need; and

WHEREAS, legislators need to understand that mental health deserves to be considered as an integral part of overall health, and that mental health care coverage should have parity with physical health care coverage; and

WHEREAS, each year in the tri county area, the Community Mental Health Authority of Clinton, Eaton, Ingham Counties serves over 10,000 individuals with developmental disabilities, mental illness, and substance abuse disorders; and

WHEREAS, the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties envisions a society in which persons with developmental disabilities, mental illness, and/or substance abuse disorders have the opportunity – including the necessary services and supports - to participate, with dignity in the life of the community, including all freedoms, responsibilities, rewards, and consequences; and

WHEREAS, the Community Mental Health Authority of Clinton, Eaton, Ingham Counties recognizes the need to further understand the realities of developmental disability, mental illness, and substance abuse disorders to continually improve their current system of care; and

WHEREAS, the Community Mental Health Authority of Clinton, Eaton, Ingham Counties strives to end the stigma associated with developmental disabilities, mental illness, and substance abuse disorder and promote a higher awareness of mental health issues among the public, media and legislators by sponsoring “*Walk a Mile in My Shoes*,” a rally for mental health advocacy at the State Capitol on Wednesday, May 14, 2008 from 1:30 pm. to 3:00 p.m.; and

WHEREAS, this fourth annual rally will feature representatives from Michigan's 46 Community Mental Health Services Programs, the National Alliance on Mental Illness, the Justice in Mental Health Organization of Lansing, advocates from each of Michigan's 83 counties, lawmakers, and mental health workers; and

WHEREAS, participants including two from Ingham county, two from Clinton county, and two from Eaton county will march a symbolic mile and meet at the front steps of the Capitol to provide personal statements on developmental disabilities, mental illness, and mental health services available throughout Michigan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council commends the Community Mental Health Authority of Clinton, Eaton, Ingham Counties for sponsoring this event and for their continued work to promote higher awareness of mental health issues.

By Councilmember Dunbar

Motion Carried

Judy Hazle of the Community Mental Health Authority of Clinton, Eaton, Ingham Counties thanked the City Council for this recognition. She stated that the anticipated turnout for this event would be around 2,000 individuals.

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

Councilmember Hewitt announced the Groesbeck Area Neighborhood Association meeting and thanked the Potter/Walsh Neighborhood Organization for inviting him to their recent meeting.

Councilmember Robinson announced the Lewton/Rich Neighborhood

Association meeting.

Councilmember Wood announced LAHR Political Action Committee Gala Brunch, the Friends of Lansing's Historic Cemeteries Planting Day where geraniums will be given away to plant at gravesites, and Sparrow Hospice and Palliative Care Services' A Gathering to Remember event, to remember patients who have died in their care between October, 2007 and March, 2008.

Councilmember Dunbar announced the next upcoming Mobile Food Pantry event, the Arbor Pointe Neighborhood Watch meeting and the Cristo Rey Fiesta.

City Clerk Swope announced that the filing deadline for candidates to appear on the August 5, 2008 Primary ballot is tomorrow. Precinct delegates can file in the City Clerk's office and other candidates must file with the County Clerk or with the State.

### 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 stated that this past Saturday Oldsmobile Park was buzzing with activity for the Fifth Annual Home Run for HOPE high school baseball tournament. Nearly \$5,000 was raised at the event to support the HOPE Scholarship program that guarantees two years of tuition at Lansing Community College for students in the Lansing School District. Also on Saturday hundreds of people gathered at Hunter Park on the City's East Side to celebrate the grand opening of the new Community Greenhouse. He stated that last Friday he joined Mayor, Vic Loomis of East Lansing, and our friends at the U.S. Postal Service for the kick-off of the 16th Annual Letter Carrier's Food Drive -- the largest one-day event of its kind in the nation. He spoke about several items on tonight's agenda, including the establishment of the OPRA District and approval of the Brownfield plan for Annabelle's Pet Station, the setting of public hearings for the redevelopment of the old Cedar Street School in Old Town, the P.A. 328 incentive for AquaBioChip in the Walnut Street School, the redevelopment of the old Regent Inn property on South Pennsylvania by NuUnion Credit Union and for the acquisition of the downtown Center for the Arts property to accommodate the long-term parking needs of our rapidly growing downtown. He spoke about the city's budget which is on tonight's agenda for approval. He joined the City Council in noting the passing of City TV Manager Karen Schmidt and stated that Karen was a great partner in bringing a new level of excellence to City TV. Her commitment to her job and to her community was well-known and certainly greatly appreciated by everyone who had the privilege to know her and work with her.

### SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

### PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Z-1-2008; 1038 E. Oakland Ave, a

request filed by Richard Wilkins to rezone the property at 1038 E. Oakland Ave. from "C" Residential to "E-2" Local Shopping District to permit the building to be used for a barber/beauty shop or some other type of commercial use that would draw its primary customer base from the surrounding neighborhood

Councilmember Wood gave a brief overview of the Public Hearing.

Harold King 1563 N. High St. spoke about the city budget.

Terry Cherry of 6210 Haag Rd. spoke about the city budget.

William Hubbell of 3916 Wedgewood Dr. spoke in support of the ordinance to eliminate the Memorial Review Board.

Richard Wilkins of 309 N. Sycamore St. spoke about Z-1-2008.

Kathi Raffone of 1221 Muskegon Ave. spoke about the city budget.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke about the city budget and tax abatements.

Carl Calille of 306 Harriet Ave. spoke about golf courses and the city budget.

John Pollard of 1718 Blair St. spoke about the city budget.

Thomas Ryan of 4336 Chadburne Dr. spoke about the city budget and access for handicapped citizens.

Ann Andrews of 1390 Haslett Rd., Williamston, spoke about AnnaBelle & Associates.

Christine Timmon of 2519 S. Washington Ave. spoke about tax abatements.

Bob Gray of 422 Dadson Dr. spoke about Comcast Cable.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about Comcast Cable.

Steve Parham of 527 Smith Ave. spoke about the city budget and thanked Councilmember Wood for issues related to dead trees.

## REFERRAL OF PUBLIC HEARINGS

1. In consideration of Z-1-2008; 1038 E. Oakland Ave, a request filed by Richard Wilkins to rezone the property at 1038 E. Oakland Ave. from "C" Residential to "E-2" Local Shopping District to permit the building to be used for a barber/beauty shop or some other type of commercial use that would draw its primary customer base from the surrounding neighborhood

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

## PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Shawn Bouterse of 812 Larned St. spoke about a burned out building on Kalamazoo St.

Harold King 1563 N. High St. spoke about various city matters.

Robert Dulebohn of 3510 W. Saginaw St. spoke about Waverly Golf Course.

Loretta Stanaway of 546 Armstrong Rd. spoke about various city matters.

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

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

Lynn Parks of 607 N. Sycamore St. spoke about code compliance.

Jim Lovitt of 2214 Belaire Dr. spoke about city golf courses.

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

Kathi Raffone of 1221 Muskegon Ave. spoke about various city matters.

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

Thomas Ryan of 4336 Chadburne Dr. spoke about various city matters.

Claude Beavers of 3010 Boston Blvd. spoke about the city budget.

Walter Brown of 1310 Knollwood Ave. spoke about surveillance cameras in his neighborhood.

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

Samara Washington of 2312 Bernard St. spoke about the conduct of speakers at the podium.

Kathy Langschwager of 1328 Prospect St. spoke about Hawk Island Dog Park.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

## LEGISLATIVE MATTERS

### RESOLUTIONS

#### RESOLUTION#200

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

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **429 Hylewood**, Parcel # **3301.01.04.103.281** and Legal Description: **Lot 57 Hylewood Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **September 14, 2007**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **January 24, 2008**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, May**

**19, 2008 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **429 Hylewood**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

**RESOLUTION#201**

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

**Obsolete Property Rehabilitation Act  
600 S. Capitol Avenue  
Establishment of OPRA District**

WHEREAS, the purchaser of property located at 600 S. Capitol Avenue in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the owner is Annabelle & Associates Inc., hereinafter called the Developer, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the Developer has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as: LOTS 1, 2, & 3 BLOCK 159 ORIG PLAT; and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on April 21, 2008;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000: LOTS 1, 2, & 3 BLOCK 159 ORIG PLAT, and

**BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.**

By Councilmember Wood

Motion Carried

**RESOLUTION#202**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
RESOLUTION APPROVING  
BROWNFIELD PLAN #41 ANNABELLE & ASSOCIATES INC.

WHEREAS, the Brownfield Redevelopment Authority (the Authority) of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the Act) has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #41 Annabelle & Associates Inc. (the Plan); and

WHEREAS, a public hearing was held by the Lansing City Council and at least 20 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on April 21, 2008, reviewed testimony and evidence regarding the Plan, and found that:

1. The Project Property was historically used for office operations,
2. The Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. The Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. The Project may result in new private investment of approximately \$1,300,000,
5. The Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting of March 4, 2008, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #41 Annabelle & Associates Inc.

By Councilmember Wood

Motion Carried

**RESOLUTION#203**

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

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 110 E. Allegan Street, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted September 7, 1999; and

WHEREAS, an application was filed with the City of Lansing on March 18, 2008 by Kris Elliott, Infinity Companies, L.L.C. for a rehabilitation project located at 110 E. Allegan Street (Parcel Code #33-01-01-16-404-211), Lansing, Michigan in Neighborhood Enterprise Zone No. 10 Washington Square Area, requesting a rehabilitation certificate; and

WHEREAS, the primary use of the property following rehabilitation will be three loft housing rental units on the third, fourth and fifth floors; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Kris Elliott, Infinity Companies, L.L.C. for 110 E. Allegan Street (Parcel Code: 33-01-01-16-404-211), Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 110 E. Allegan Street (Parcel Code: 33-01-01-16-404-211), Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Wood

Motion Carried

**RESOLUTION#204**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE  
ESTABLISHMENT OF AN OBSOLETE PROPERTY  
REHABILITATION EXEMPTION CERTIFICATE  
1106 N. Cedar Street

WHEREAS, Old Town Medical Building LLC, owner of the property located at 1106 N. Cedar Street in the City of Lansing, Michigan (the Property) has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPT Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the Act); and

WHEREAS, the property in question of the Certificate is legally described as:  
LOTS 7, 8, 9, 10 & 11 & W 1 R LOT 12 BLOCK 15 ORIG PLAT; and

WHEREAS, an Obsolete Property Rehabilitation District was established by the Lansing City Council on March 24, 2008 in accordance with the act; and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of

Lansing general public appear and be heard regarding the approval of the OPT Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 9th day of June, 2008 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Wood

Motion Carried

**RESOLUTION#205**

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

WHEREAS, pursuant to Public Act 328 of 1998, AquaBioChip LLC has made Application for Exemption of New Personal Property (PPE-01-08) for an area commonly known as 1012 N. Walnut Street which 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, prior to acting upon this request, the City desires to hold a public hearing on AquaBioChip LLC's Application for Exemption of New Personal Property (PPE-01-08), to allow for all residents, taxpayers and other interested persons to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 9th day of June, 2008 at 7:00 p.m., on the AquaBioChip LLC application for New Personal Property Exemption on the following described property:

LOTS 4,5,6,7,8,10,11 & 12 BLOCK 39 ORIG PLAT; Commonly known as 1012 N. Walnut Street, Lansing, Michigan,

And, that the City Clerk cause to be published in a publication of general circulation, giving notice of such hearing, and that the City Clerk also shall notify the Lansing City Assessor and the legislative body of each taxing unit that levies ad valorem property taxes in the eligible local assessing district in which the eligible district is located. Before acting on the resolution, the Lansing City Council shall afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons, including but not limited to the City Assessor and representatives of the affected taxing units, to appear and be heard on the approval of a New Personal Property Exemption (PPE-01-08).

By Councilmember Wood

Motion Carried

**RESOLUTION#206**

BY THE PLANNING AND DEVELOPMENT COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
BROWNFIELD PLAN #42  
NuUnion Credit Union South Lansing Branch

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 6501 S. Cedar Street, located in the City of Lansing; and

WHEREAS, prior to Councils action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on June 2, 2008 at 7:00 p.m. on Brownfield Plan #42 – NuUnion Credit Union South Lansing Branch Office Brownfield Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

COM AT A POINT ON W LINE S PENNSYLVANIA AVE 1167.17 FT E AND N 27DEG 58MIN W 420 FT AND N 62 DEG 02MIN E 314.3 FT AND N 00DEG 19 MIN 45SCD W 46.49 FT FROM W ¼ COR SEC 10, TH S 81DEG 15MIN 30 SCD W 209.59 FT, N 22DEG 57MIN 09SCD W 38.74 FT, N 13DEG 34MIN W 223.45, N 89DEG 37MIN 26SCD E 72.2FT, N 00DEG 22MIN 34SCD W 63.11 FT TO S LINE I-96 R/W, E 201.26 FT TO W LINE SAID AVE, S 285.94 FT TO BEG; SEC 10 T3N R2W

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #42 and the scheduled public hearing.

By Councilmember Wood

Motion Carried

**RESOLUTION#207**

BY THE PLANNING AND DEVELOPMENT COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
BROWNFIELD PLAN #43  
3215 S. Penn LLC

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 3215 S. Pennsylvania Avenue, located in the City of Lansing; and

WHEREAS, prior to Councils action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on June 2, 2008 at 7:00 p.m. on Brownfield Plan #43 – 3215 S. Penn LLC Brownfield Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

LOTS 3, 4 & 5, ALSO A STRIP OF LAND 50 FT WIDE ACROSS SE ¼ OF SW ¼ SEC 27 T4N R2W LYING W OF & ADJ CON RAIL R/W & LYING N'LY OF S LINE LOT 7 & S'LY OF N LINE LOT 3 AS EXT'D E, ALSO UND 3/8 INT IN PRIVATE PARKING AREA A & B; WALTER NELLER CO'S PROFESSIONAL & BUSINESS MART SUB

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #43 and the scheduled public hearing.

By Councilmember Wood

Motion Carried

**RESOLUTION#208**

BY THE COMMITTEE ON DEVELOPMENT & PLANNING  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 2, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of acquiring property to provide temporary parking during major construction projects in the area and eventually market the property for redevelopment in conformance with the Central Lansing Comprehensive Plan.

Act-8-2008, 425 S. Grand Avenue, Acquisition of Property

By Councilmember Wood

Motion Carried

**RESOLUTION#209**

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

PUBLIC IMPROVEMENT V

WHEREAS, it is a public necessity to do sidewalk repair in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: SIDEWALK REPAIR PROJECT, ALL LANDS FRONTING ON PRUDDEN STREET FROM MAY STREET TO SAGINAW STREET, AND THE NORTH SIDE OF SAGINAW STREET FROM THE END OF THE EXISTING SIDEWALK ON SAGINAW ACCESS (ALSO KNOWN AS OLD SAGINAW), EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED.

ASSESSMENT ROLL B079

ESTIMATED COST	ACTUAL COST	DIFFERENCE
\$ 8,499.00	\$ 8,499.00	\$0.00

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B079, Public Service # 01075, known as SIDEWALK REPAIR as returned by the City Assessor, be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Hewitt

Motion Carried

**RESOLUTION#210**

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

PUBLIC IMPROVEMENT V

WHEREAS, it is a public necessity to do sidewalk repair in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: SIDEWALK REPAIR PROJECT, KNOWN AS JOLLY ROAD NEW SIDEWALK, INCLUDING ALL LANDS FRONTING THE NORTH SIDE OF JOLLY ROAD FROM DUNKEL ROAD TO TRANTER STREET, (EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED).

ASSESSMENT ROLL B075

ESTIMATED COST	ACTUAL COST	DIFFERENCE
\$141,175.09	\$114,918.87	\$26,256.22

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B075, Public Service # 01075, known as SIDEWALK REPAIR as returned by the City Assessor, be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Hewitt

Motion Carried

**RESOLUTION#211**

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

PUBLIC IMPROVEMENT V

WHEREAS, it is a public necessity to do sidewalk repair in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: SIDEWALK REPAIR PROJECT, INCLUDE ALL LAND FRONTING MERCANTILE WAY FROM PIERPONT STREET TO NORTH END AND PIERPONT STREET FROM PENNSYLVANIA AVENUE TO EAST END, (EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED).

ASSESSMENT ROLL B076

ESTIMATED COST	ACTUAL COST	DIFFERENCE
\$70,215.19	\$70,215.19	\$0.00

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B076, Public Service # 01075, known as SIDEWALK REPAIR as returned by the City Assessor, be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Hewitt

Motion Carried

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT V

WHEREAS, it is a public necessity to do sidewalk repair in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: SIDEWALK REPAIR PROJECT, INCLUDE ALL LAND FRONTING LAKE LANSING ROAD FROM MASSACHUSETTS AVENUE TO THE EAST CITY LIMITS, (EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED).

ASSESSMENT ROLL B077

ESTIMATED COST	ACTUAL COST	DIFFERENCE
\$30,480.58	\$16,022.63	\$14,457.95

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B077, Public Service # 01075, known as SIDEWALK REPAIR as returned by the City Assessor, be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Hewitt

Motion Carried

**RESOLUTION#213**

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

WHEREAS, at its regular Committee of the Whole meetings, the City Council publicly reviewed the operations of City Departments and the status of critical issues with City Departments; and

WHEREAS, the City Council held special Committee of the Whole meetings during evening hours at Dwight Rich Middle School on April 22, 2008, and Foster Community Center on April 24, 2008, and as part of the Council meeting to provide opportunities for citizens to comment on the proposed City budget; and

WHEREAS, the City Council held eight days of televised public hearings to review, and when necessary amend, the Mayor's FY 2008-09 budget recommendations; and

WHEREAS, in accordance with City Charter and the State Uniform Budgeting and Accounting Act, notice was published and a public hearing was held on ~~April 14~~ **May 5**, 2008, in regard to the FY 2008-09 budget and capital improvements; and

WHEREAS, in the light of the present economy the City Council maintains that essential services, such as police, fire, ~~and~~ 911 and other services be protected from budget cuts to the extent possible in its FY 2008-09 budget priorities; and

WHEREAS, the City Council wholeheartedly recognizes the importance of ~~forward planning~~ **forwarding a plan** to allow essential services to be maintained during difficult budget times; and

WHEREAS, the City Council developed budget policy referrals to allow continued oversight of several critical issues which were raised during the FY 2008-09 budget process; and

WHEREAS, the proposed budget maintains funding for the Combined Sewer Overflow abatement project, while restraining estimated increases in sewer fees for the next two years to 4% per year; and

WHEREAS, the City Council adopts an amendment to the Mayor's proposed budget that ~~will~~ **could** reduce the City's structural budget deficit;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Lansing presented in his budget the following property tax levy recommendation to the City council, which is the same total property tax levy as in FY 2007-08;

BE IT FURTHER RESOLVED that the City of Lansing's FY 2008-09 operating property tax levy will be 15.01 mills, which is an increase of .06 mills, and the City's debt service levy will be .82 mills, which is a decrease of .06 mills, for a combined total tax levy of 15.83;

BE IT FINALLY RESOLVED that the Mayor's Recommended Budget for FY 2008-09 be adopted with the following amendments:

BUDGET AMENDMENTS

	Revenue Changes	Expenditure Changes
<b>I. GENERAL FUND</b>		
<b>A. General Fund Revenues</b>		
1. Transfer from CIP Fund – PEG Funding	\$80,000	
2. Transfer from CIP Fund – Council Personnel	44,000	
<b>B. General Fund Expenditures</b>		
1. City TV		
a. Increase Capital – PEG Funding		\$80,000
2. City Council		
a. Increase Personnel		44,000
3. Police Department		
a. Decrease Operating – Police <b>Surveillance</b> Camera Project		(44,000)
4. Planning and Neighborhood Development		
a. Decrease Operating		(5,500)
b. Increase Operating – Lansing Neighborhood Council		5,500
5. Human Services Funding		
a. Decrease Human Services Discretionary		(16,000)
b. Decrease Grant Match Fund		(8,000)
c. Increase Chess Program		6,000
d. Increase Network CTS Baker/Donora		3,000
e. Increase Black Family and Child Institute		5,000
f. Increase Care Free Medical		5,000
g. Increase Southside Community Coalition		5,000
6. Parks and Recreation		
a. Decrease Operating		(15,000)
b. Increase Operating – Fenner Provision of Services Contract		15,000
Remove Cost Reduction Measures		\$3,350,000
7. Reduce Fringe Benefits – Generic Prescription Benefits Savings (1,300,000)		
8. Reduce Personnel & Fringe Benefits – Retirement Incentive		(695,000)
10. Reduce Personnel & Fringe Benefits – Vacant Positions		(1,000,000)
11. Reduce Fringe Benefits – Changes to Health Care Opt Out Incentive		(355,000)
12. Transfers to Other Funds		
a. Increase Transfer to Capital Improvement Fund – Police <b>Surveillance</b> Camera Project		44,000
Fund Changes	<u>\$124,000</u>	<u>\$124,000</u>
Total General		
<b>II. CAPITAL IMPROVEMENTS FUND</b>		
<b>A. Revenues</b>		
1. Increase Transfer from General Fund	\$44,000	
<b>B. Expenditures</b>		
1. Decrease Cable Project PEG fees		\$(80,000)
2. Increase Transfer to General Fund		80,000
3. Police <b>Surveillance</b> Camera Project		0
4. Increase Transfer to General Fund		44,000
Total Capital Improvement Fund Changes	<u>\$44,000</u>	<u>\$44,000</u>
<b>III. PARKS MILLAGE FUND</b>		
<b>A. Revenues</b>		
1. Increase Use of Fund Balance (Use Rivertrail Maintenance & Repair Appropriations)	\$13,000	
2. Increase Use of Fund Balance (Use Rivertrail Maintenance & Repair Appropriations)		200,000
<b>B. Expenditures</b>		
1. Decrease Rivertrail Maintenance & Repair		\$(2,000)
2. Increase Fenner Deck Replacement Project		15,000

3. Increase Transfer to Golf Fund for use at Waverly & Red Cedar 200,000

Total Parks Millage Fund Changes \$213,000 \$213,000

**IV. GOLF FUND**  
**A. Revenues**

1. Increase Transfer from Parks Millage Fund \$200,000

**B. Expenditures**

1. Increase Golf Operating for use at Waverly & Red Cedar \$200,000

Total Golf Fund Changes \$200,000 \$200,000

**IV. REFUSE FUND**

**A. Revenues**

1. Decrease Revenues – Trash Bag Fee Increase \$(17,614)  
2. Decrease Revenues – Blue Cart Fee Increases (21,644)  
3. Increase Use of Fund Balance 39,258

Total Refuse Fund Changes \$ 0 \$ 0

**V. RECYCLING FUND**

**A. Revenues**

1. Decrease Revenues – Recycling Fee Increase \$(106,354)  
2. Increase Use of Fund Balance 106,354

Total Recycling Fund Changes \$ 0 \$ 0

**BUDGET POLICIES**

1. Encumbrances

Authority is provided to re-appropriate available capital project balances as of June 30, 2008, into the FY 2008-09 budget. All non-capital, unencumbered balances require Council approval for re-appropriation.

Authority is provided to re-appropriate outstanding encumbered obligations which are less than \$5,000 into the FY 2008-09 budget, and the Administration is requested to present Council with a detailed report listing each encumbrance and its corresponding amount by September 2008. Notwithstanding, the above encumbrances which are less than \$5,000 and more than 8 months old shall require Council approval.

2. Residency Incentive

In the event that funds advanced for home purchases are returned from employees, such funds shall be administratively re-appropriated to the City's Residency Incentive Program. Any amounts remaining in the City's Residency Incentive Program at the end of FY 2007-08 will be carried forward to FY 2008-09 and placed into the Residency Incentive Program account. The Administration is requested to identify other potential funding sources to be used for the City's Residency Incentive Program and report its findings to Council by January 1, 2009.

3. Labor Relations

Authority is included to transfer wage reserves and fringes to Departmental line items upon contract settlements.

4. Vacant and Unfunded Positions and Position Eliminations

Positions shown in the various Departmental budgets as eliminated in the FY 2008-09 budget are removed from Departmental Tables of Organization. The Administration is requested to present to Council on or before July 1, 2008, a City wide organizational chart reflecting all FY 2008-09 budgeted positions (funded-filled or vacant) and provide a list, by Department, of each position including

position title, FTE, wages and fringes, and whether the position is filled or vacant.

5. Vacancy factor/funded and unfilled Positions

The budget includes an attrition vacancy allowance of \$1,400,000. The Administration is requested to provide Council on July 1, 2008, and every month, thereafter, a list of vacant positions by department. The Administration is also requested to provide, on a quarterly basis, a detailed list by Department of all positions by title, FTE, wages and fringes, and impact programs and/or services which are included within this allowance. The personnel wages and fringes associated with all positions identified above as of July 1, 2008, and any such position vacated, thereafter, shall be placed in a budget control account, and will require City Council approval for expenditure.

6. Infrastructure / Sewage / CSO

Sewage rates shall be maintained at the scheduled 4% increase. Authorization is provided to transfer Sewage funding and State Revolving Loan Fund proceeds to expenditure accounts within the 592 Capital Projects Fund Series and recover residual funding from completed project segments in CSO funds to the Sewage Fund. Authority is provided for the administrative appropriation of 2003 Sewer Bond proceeds for the ineligible share of Combined Sewer Overflow projects and for such other Sewage Fund projects as are within the provisions of the bond covenant. This authority includes re-appropriation of residual funds for the design phase of succeeding project segments. Authority is provided to administratively appropriate funding from the Lansing Board of Water and Light when the Board chooses to participate in infrastructure repairs which may be accomplished during the CSO project by the City contractor. The Administration is requested to submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

7. Golf Fees

The Administration is requested to submit to Council information pertaining to the feasibility to charge non-resident fees for Golf and the financial impact of doing so by June 30, 2008.

8. Public Service

Authority is provided to administratively transfer funding for flood control and storm sewer purposes if such funding is necessary to address flooding or unanticipated storm sewer maintenance needs. Administrative transfer authority is authorized for expenditure of 1990-II Environmental Bond Fund proceeds and to transfer Technical Equipment Replacement funding to the Service Garage fund and to create appropriate expenditure accounts. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

9. Act 51 Major and Local Streets

Transfer authority is not limited by departmental allocation. Administrative authority is included for appropriation of MDOT special authorization funding. Authorization is included to carry forward residual appropriations from FY 2007/2008 Traffic Maintenance accounts for matching the ITS Signal Pre-emption Grant. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

10. Parking System Fund

Authority is provided to administratively transfer to Capital Project accounts from Operating Cost accounts to meet bid or

unforeseen major maintenance cost requirements. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

11. Fees

Approval is herein given to charge fees as listed in the budget fee schedules.

12. Grants

The Administration shall present to Council every application for any grant and, upon notification of the award of a grant, shall submit the grant to Council for acceptance. Administrative authority is given to create the necessary accounts and transfers in accordance with the requirements of the grantor. Any grant that can be applied for administratively should be submitted for Council review within 10 days of the application.

13. Debt Service

Authority is provided to transfer residual balances between General Obligation Bond Funds, upon completion of repayment, to meet funding needs in other General Obligation issues and to close funds. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

14. Civil Actions, Claims, and Damages

Whenever a claim is made or any civil action is commenced against the Mayor, a City Council member, a non-bargaining unit employee, or a Lansing retirement board trustee (collectively in this provision "the Employee") for damages caused by an act or acts of the Employee within the scope of his or her authority and while in the course of his or her employment with the City or his or her duties on behalf of the retirement board, the City will pay for, engage, or furnish the services of an attorney to advise the Employee as to the claim and to appear for and represent the Employees in the action. If the City Attorney does not provide the attorney services, the attorney selection shall be made by the City in the manner the City determines. The City may compromise, settle, and pay a claim before or after the commencement of any civil action. Whenever any judgment for damages caused by the act or acts of the Employee covered under this provision is awarded against the Employee as the result of a civil action, the City will indemnify the Employee or will pay, settle, or compromise the judgment. The City's obligations under this provision, however, is contingent upon the Employee giving prompt notice of the commencement of the action and upon the Employee cooperating in the preparation, defense, and settlement of the action. The term "scope of authority" under this provision does not include any act or acts of Employee (i) fraud, (ii) dishonesty, (iii) willful, intentional, or deliberate violation of the law or breach of fiduciary duty, (iv) criminal act, or (v) traffic violation; nor does this provision abrogate or diminish governmental immunity.

15. Consolidated Law Enforcement Building

The Administration is requested to submit to Council a detailed analysis and business plan for Consolidated Law Enforcement Building to include the centralization of all police facilities and operations, 911 Center, and 54A District Court. This analysis should include the efficiencies that will be achieved, detail analysis of cost savings, and the elimination of redundancies.

16. Capital Improvement Projects

The Internal Auditor will provide an annual report to

Council on all projects completed in the prior fiscal year regarding the Capital Improvement Project budgets and all cost overruns or under expenditures. This report will be submitted by January 31st each year for consideration by Council.

17. City's Road Maintenance/Construction Capital Improvement Plan

The Administration is requested to update on an annual basis and submit to Council by January 1st each year.

18. 425 Agreements/Project Labor Agreements

Council will review language to be incorporated in all future City 425 Agreements and Project Labor Agreements that addresses employment opportunities for City of Lansing residents and other issues that will protect the interests of the City.

19. Contracts

The Administration is requested to submit to Council by September 15, 2008, a detailed analysis and recommendations as to which contractual services above \$50,000, which were previously identified, could be brought "in-house", either in part or in total. The analysis should include projected costs and efficiencies.

20. Community Resource Officers

The Chief of Police provided four officers to assigned schools; the City Council strongly suggests that the Lansing School District reimburse the City for half the officers' wages and fringes.

21. Human Services and Community Supported Agencies Funding

The plan for funding Agencies submitted to Council designate particular Agencies. If any agency does not apply for or use their funding, all funds will remain in their respective account(s) for additional appropriation and approval by Council for Human Services and Community Supported Agencies use pursuant to the Charter transfer authority. The Administration/Human Relations Community Services Department is requested to submit to Council a quarterly report on the status of the Human Services and Community Supported Agencies' funding. This report should include the accounting level detail appropriation; amount spent, balance, and a notation as to whether the balance of funds is expected to be spent by the end of the Fiscal Year; if not, why?

22. Personnel and Fringe Accounts

Administrative transfer authority shall be as set forth in Section 7-107.3 of the City Charter.

23. Team Concept

Administration is requested to review and bring back to Council possibilities for providing services on a team basis so that workers develop ownership of their areas.

24. Event Costs

The Administration is requested to present Council with a detailed analysis by January 1, 2009, of the costs spent by the City on all public events which occurred from July 1, 2008, through December 31, 2008. This analysis is to include a breakdown, by event, the related City costs such as police, public service time, parks, etc. The Administration is to collect this data on a continuous basis and report its findings to Council on January 1st of the calendar year.

25. South Side Community Center Funding

Council requests Administration keep funds segregated that have been identified for the South Side Community Center, including interest.

26. Pedway

The Administration is requested to submit to Council by October 1, 2008, a detailed plan and budget for the renovation the Pedway.

27. City Capital Improvement and Maintenance

The City's Capital Improvement and Maintenance Plan is referred to Committee of the Whole for review and consideration by January 1, 2009.

28. Wood Street Sidewalk

Administration is requested to review whether a sidewalk on Wood Street is needed.

29. Light on Fairview and Saginaw

Administration is requested to work with MDOT on changing the caution light at Fairview and Saginaw to a full phase traffic signal light and installing a full phase traffic signal light and pedestrian crossway at Marshall and Grand River.

30. In Car Camera

The Police Department by August 1, 2008 is requested to develop a policy concerning the utilization of in-car cameras in police vehicles. The policy shall be submitted to Council for their review and input.

31. Davis Park

The Parks Department is requested to review with Council the Master Plan for Davis Park by September 1, 2008, to determine the priority of the ball diamond and the modular skateboard skate park.

32. Sidewalks

**The Council supports installation of sidewalks to fill gaps on major streets as outlined in the Public Service Department's 2005 Sidewalk Analysis.**

33. Surveillance Cameras

**The Mayor has raised sufficient private funds to lease and maintain five surveillance cameras for fiscal year 2008-2009. The Mayor may until he is able to privately fund the remaining cameras, shift camera locations to provide for the widest possible coverage until such time that additional cameras may be procured through private funding.**

34. Council's Budget Policy Statement

It is Council's intent and understanding that adoption of the FY 2008-09 budget constitutes the City's official budget priorities and policy.

By Councilmember Quinney

To adopt the Resolution

By Councilmember Kaltenbach

To Amend the 4th WHEREAS clause by striking "April 14" and inserting "May 5"

Motion Carried

By Councilmember Kaltenbach

To Amend the 5th WHEREAS clause by striking the first occurrence of "and"

Motion Carried

By Councilmember Kaltenbach

To Amend the 6th WHEREAS clause by striking "forward planning"

and inserting "forwarding a plan"

Motion Carried

By Councilmember Kaltenbach

To Amend the 9th WHEREAS clause by striking "will" and inserting "could"

Motion Carried

By Councilmember Kaltenbach

To Amend Budget Policy #31 following "Master Plan for Davis" by inserting "Park" and following "modular" by striking "skateboard" and inserting "skate park"

Motion Carried

By Councilmember Dunbar

To Amend Budget Policies by inserting

32. Sidewalks

The council supports installation of sidewalks to fill gaps on major streets as outlined in the Public Service Department's 2005 Sidewalk Analysis. and renumbering the remaining section.

Motion Carried (Councilmembers Allen, Jeffries and Wood voting Nay)

By Councilmember Wood

To Amend Budget Policies by inserting

33. Surveillance Cameras

The Mayor has raised sufficient private funds to lease and maintain five surveillance cameras for fiscal year 2008-2009. The Mayor may until he is able to privately fund the remaining cameras, shift camera locations to provide for the widest possible coverage until such time that additional cameras may be procured through private funding. and renumbering the remaining section

Motion Carried

By Councilmember Wood

To Amend Budget Amendments I B 3 a. following "Police" by inserting "Surveillance"

Motion Carried

By Councilmember Wood

To Amend Budget Amendments I B 12 a. following "Police" by inserting "Surveillance"

Motion Carried

By Councilmember Wood

To Amend Budget Amendments II B 3 following "Police" by inserting "Surveillance"

Motion Carried

By Councilmember Wood

To Amend Budget Amendments III B 3 following "Fund" by inserting "for use at Waverly & Red Cedar"

Motion Carried

By Councilmember Wood

To Amend Budget Amendments IV B 1 following "Operating" by inserting "for use at Waverly & Red Cedar"

Motion Carried

By Councilmember Dunbar

To divide the question to allow for separate votes on the Human Relations and Community Services Budget

Motion Carried

By Councilmember Dunbar

To recuse Councilmember Dunbar from the vote on Human Relations and Community Services Budget

Motion Carried

The question being the motion to approve Human Relations and Community Services Budget

Motion Carried (Councilmember Dunbar abstaining)

The question being the motion to approve the remainder of the Resolution

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

NAYS: None

**RESOLUTION#214**

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

WHEREAS, Michigan Patriot Guard 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 that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Michigan Patriot Guard 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 Larry Hesler, Michigan Patriot Guard, President of the Board, 2915 South Cambridge Road, Lansing, Michigan 48911.

By Councilmember Kaltenbach

Motion Carried

**REPORTS FROM COUNCIL COMMITTEES**

**RESOLUTION#215**  
REPORT OF COMMITTEE

COMMITTEE ON DEVELOPMENT AND PLANNING held a meeting on May 8, 2008, and reviewed the ordinance amendment of Chapter 1250, Section 1250.06, to include a minimum lot width requirement for establishing a duplex on property in the "C" Residential Zoning District.

The Committee recommends adoption of the ordinance amendment of Chapter 1250, Section 1250.06, of the Lansing Codified Ordinances.

May 8, 2008

Signed: Carol Wood, Chairperson

Sandy Allen, Vice Chairperson

Brian Jeffries, Member

By Councilmember Wood

To receive this Committee Report

Motion Carried

## ORDINANCES FOR INTRODUCTION

### INTRODUCTION OF ORDINANCE REPEAL OF CHAPTER 1034

By Councilmember Kaltenbach

That:

An Ordinance of the City of Lansing, providing for the Repeal of Chapter 1034 of the Lansing Codified Ordinances for the purpose of eliminating the Memorial Review Board and Declaring Chapter 1034 to be null and void and of no effect,

was introduced by Councilmember Kaltenbach and read by its title

### **RESOLUTION#216** RESOLUTION SETTING PUBLIC HEARING By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, June 2, 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, providing for the Repeal of Chapter 1034 of the Lansing Codified Ordinances for the purpose of eliminating the Memorial Review Board and Declaring Chapter 1034 to be null and void and of no effect

By Councilmember Kaltenbach

Motion Carried

## INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-2008, West 333 feet of 2908 Andrew Avenue, from "A" Residential District to "D-1" Professional Office District

was introduced by Councilmember Wood, read by its title and referred to the Committee on Development and Planning.

### **RESOLUTION#217** BY THE COMMITTEE ON DEVELOPMENT & PLANNING RESOLVED BY THE-CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 2, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2008, West 333 feet of 2908 Andrew Avenue, from "A"

Residential District to "D-1" Professional Office District

By Councilmember Wood

Motion Carried

## INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2008, 1106 N. Cedar Street, from "D-1" Professional Office and "J" Parking Districts to "E-2" Local Shopping District

was introduced by Councilmember Wood, read by its title and referred to the Committee on Development and Planning.

### **RESOLUTION#218** BY THE COMMITTEE ON DEVELOPMENT & PLANNING RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 9, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2008, 1106 N. Cedar Street, from "D-1" Professional Office and "J" Parking Districts to "E-2" Local Shopping District

By Councilmember Wood

Motion Carried

## ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

By Councilmember Wood

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

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That:

An Ordinance of the City of Lansing, Michigan, 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 be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That:

An Ordinance of the City of Lansing, Michigan, 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 be now passed.

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

NAYS: None

ABSENT: None

By Councilmember Wood

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 #1134**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, 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.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1250, Section 1250.06 of the Codified Ordinances of the City of Lansing, Michigan, be and are hereby amended as follows:

1250.06. Lot area.

(a) A single-family dwelling in a C Residential District shall be permitted on a lot of record.

(b) A two-family dwelling shall be permitted ON LOTS CONTAINING AT LEAST SIXTY (60) FEET OF ROAD FRONTAGE, according to the following minimum lot area requirements:

- (1) For each efficiency dwelling unit there shall be 2,400 square feet of lot area.
- (2) For each one-bedroom dwelling unit there shall be 2,800 square feet of lot area.
- (3) For each two-bedroom dwelling unit there shall be 3,200 square feet of lot area.
- (4) For each three-bedroom dwelling unit, or any unit in excess of three bedrooms, there shall be 4,000 square feet of lot area.

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. Submitting an application for a permit/license filed by Fairbanks II, LLC requesting to Transfer Ownership of a 2007 Class C Licensed Business, with Entertainment Permit, from Fairbanks Enterprises, LLC located at 2400-08-10-2420 S. Cedar St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- iii. Submitting an Application for a Public Display of Fireworks filed by Michigan Pride, Inc. and Defying Gravity Fireworks for the Michigan Pride Celebration to be held June 28, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

b. Letters from the Mayor re:

- i. Appointment of Tracy Thomas to the Board of Water and Light Board of Commissioners for an At-Large Term to Expire June 30, 2012

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. P-1-2007; Final Plat – McCrackin Subdivision, Valencia Blvd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by CEI Michigan LLC for the purpose of re-roofing Michigan Library and Historical Museum from 1:00pm to 10:00pm

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

• Communications and Petitions, and Other City Related Matters:

- a. Contracts between the State of Michigan Department of Transportation and the City of Lansing for:
  - i. Design of communication improvements for sharing transportation operation information in the Lansing Urbanized Area among transportation agencies and design of a regional Roadway Weather Information System (RWIS) for the Lansing Urbanized Area to optimize the allocation of resources to address inclement weather conditions and provide data for flood modeling and forecasting to strengthen Intelligent Transportation Systems (ITS) architecture data flows and as described in the following specific work order of the Tri-County ITS Coordination Initiative Work Plan

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- ii. Sidewalk and railing replacement on Structure S05 of 33044 which carries northbound Highway M-99 (Martin Luther King Jr. Boulevard) over Highway I-496 in conjunction with bridge maintenance work; together with necessary related work

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Letter from Ingham County Board of Commissioners submitting a copy of Resolution #08-089, Resolution to Urge Use of Public Safety Amplification Systems and to Encourage all Ingham County Municipalities to Adopt Ordinances Requiring Public Safety Amplification Systems, which was adopted on March 25, 2008

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- c. Michigan Tax Tribunal Appeals filed on behalf of:
  - i. Stop & Lock Properties IV Ltd. for property located at 1140 Ramada Dr.

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. ATC Properties, LLC for property located at 2200 S. Washington Ave.

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Requests for Recognition of Non-Profit Status in the City of Lansing filed by:
  - i. Catherine Babcock, Executive Director of Lansing Art Gallery located at 113 S. Washington Sq.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Todd Hoppe on behalf of LINC-IT Development Association located at 4295 Okemos Rd., Okemos, MI

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Application for Community Funding filed by Progressive Empowerment Education Resource Services (PEERS) for their Juneteenth Celebration to be held June 20-21, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Letter from John Pollard, President of Fair Share Coalition of Lansing stating alleged Charter violations

REFERRED TO THE CITY ATTORNEY

- g. Letter from Robert Hudson, Secretary of Northtown Neighborhood Association requesting lane striping on Pennsylvania Ave.

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

- h. Letter from Gary Andrews of P.O. Box 15052 regarding a media center for public access television production

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- i. Letter from William Hamilton of 2753 Hagadorn Rd., Mason, regarding improvements to Francis Park

REFERRED TO THE COMMITTEE OF THE WHOLE

- j. Letter from Brian Bevez, Retiree and Member of the Employee Retirement System, indicating he has been selected to represent various retirees regarding their pension and health care benefits

REFERRED TO THE COMMITTEE OF THE WHOLE

## REMARKS BY COUNCILMEMBERS

Councilmember Dunbar addressed comments made by a speaker at the podium tonight regarding funding for the Benjamin Davis Park Trail. She stated that the money for the project will come from a family trust and therefore requires no public money. She spoke about how speedy the process was regarding this year's budget.

Councilmember Quinney stated that he has been squeezing a stress apple throughout tonight's meeting. This was in response to comments made by a speaker at the podium tonight.

Councilmember Robinson apologized for missing the recent 2nd Saturdays meeting in the 3rd Ward. She thanked Councilmembers Jeffries and Wood for covering for her.

Councilmember Allen stated that Councilmember Quinney was well mannered in his response to comments made by a speaker at the podium tonight.

Councilmember Dunbar reiterated the fact that Councilmember Quinney had been squeezing a stress apple.

Councilmember Wood congratulated Council President Jeffries for the speedy process by which the budget was passed.

Councilmember Allen asked Jerry Ambrose, Executive Assistant to Mayor Bernero, about a recent meeting concerning the Hawk Island Dog Park.

Jerry Ambrose, Executive Assistant to Mayor Bernero, explained potential changes to the Hawk Island Dog Park.

Council President Jeffries announced that the memorial service in memory of Karen Schmidt will take place on Friday, May 16, 2008 at 1 p.m. at the Church of the Nazarene on Holt Road (between Inverness and Aurelius Road). There will be a commemoration of Karen's life held after the memorial service at Buddy's Grill from 2 - 4 p.m., which is at the corner of Aurelius & Holt Road. In Lieu of Flowers, donations may be made to the Breslin Cancer Center, 401 W. Greenlawn, Lansing, MI 48910. For those of you who will be attending the Memorial service and would like to make a donation, envelopes for donations to the Breslin Cancer Center will be available for you at the church for a convenient mail-in of your contribution.

## REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, thanked the City Council for this year's budget process and stated that the Mayor and the City Council agree almost completely on the direction of the city.

**ADJOURNED TIME 10:37 P.M.**

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CHRIS SWOPE, CITY CLERK