



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 2, 2008**

City Council Chambers
Lansing, Michigan

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

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

ABSENT: Councilmember Quinney (Arrived at 7:20)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Quinney

To approve the printed Council Proceedings of May 29, 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 Allen; Authorizing construction of a sidewalk on the south side of the roadway on Northrup St. from Shaffer St. to Cedar St. and to construct a 22 foot roadway with two 11 foot lanes, curb and gutter, and necessary storm and sanitary drain facilities

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Rev. Neil Davis of Faith United Methodist Church

Councilmember Robinson thanked Rev. Davis and stated that she had mixed emotions regarding his move to Kalamazoo. She stated that he has knitted together several neighborhoods over the years.

City Clerk Swope read Resolution #236 of 2008.

Councilmember Wood stated that several years ago Rev. Davis asked how to be a part of the community. She said he has lead by example and helped to spur growth in the Churchill Downs neighborhood.

Monica Zuchowski stated that she is envious of the attendance at Rev. Davis' neighborhood meetings. She also stated that he has been a voice of reason and that Kalamazoo will be receiving a great pastor. She thanked him for all of his hard work over the years.

Darnell E. Oldham, Sr. stated that the wonderful things taking place on the south side were due to the efforts of Rev. Davis. He asked citizens to visit their multicultural church.

A church member expressed her gratitude to Rev. Davis.

Rev. Davis stated that Lansing needs proud, productive citizens. He thanked the City Council for this honor and stated that even though he is leaving, the work he started will continue on without him.

2. Presentation; PAC-MAC Spelling Bee Winners

Councilmember Allen stated that she was proud and humbled to honor this year's winners.

The following students introduced themselves:

6th grader, Ibraheem Ahman, who took 3rd place; 6th grader, Debra Yan, who took 2nd place; 4th grader, Imari Williams, who took 1st place; 3rd grader, Alyssa Ghose, who took 2nd place; 3rd grader, Anand Simmins Chivukula, who took 4th place; 6th grader, Abhijit Das, who took 1st place; 1st grader, Conrad Ferguson, who took 3rd place; 1st grader, Kobe Ferguson, who took 4th place; 7th grader, Natasha Ghose, who took 3rd place; 1st grader, Mega Jayavelu, who took 1st place; 4th grader, Alex Mullen, who took 2nd place; 7th grader, Patrick Mullen, who took 2nd place; 1st grader, Ali Naji, who took 2nd place; 5th grader, Keenan Rebera, who took 1st place; 2nd grader, Sophia Simon, who took 1st place; and 5th grader, Joel Holland, who took 2nd place.

Ethel Williams stated that this was the 20th year of the event, and gave special thanks to all of the involved parents for their children's success.

A program coordinator honored Ethel Williams and stated that this program helps build self-esteem. She thanked all of the parents for their hard work.

Councilmember Allen spoke about how proud she was of all of the winners and their parents. She stated that she expects to see all of this year's winner back next year. She also expects those who place in 3rd or 4th place to move up next year.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Robinson announced a carnival at Wainwright school and the Riverview Estates neighborhood meeting.

Councilmember Quinney announced State Rep. Joan Bauer's Educational Town Hall on House Energy Plan. He thanked Councilmember Dunbar for the success of this past weekend's triathlon. He spoke about all of her hard work and how this event brought many people into the Lansing area.

Councilmember Dunbar spoke about the Second Annual Hawk Island Triathlon. She stated that there were 520 entrants and 140 volunteers. She thanked the city Parks, Transportation, Public Service and Fire Departments for all of their hard work. She presented a Discover Lansing brochure and spoke of its features and availability.

Councilmember Hewitt announced the Eastside Neighborhood Organization meeting and reminded citizens that the Allen Neighborhood Center Farmer's Market is now open.

Councilmember Wood announced State Senator Gretchen Whitmer's coffee hour event, the Genesee Neighborhood Association meeting, the Friends of the City Market and Grace Lutheran Church discussion

and the Horse Shoe Club Tournament.

Councilmember Allen thanked the person who gave her flowers this evening.

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 last week the Administration announced the exciting new plans for the revitalization of the historic Lansing City Market. He also announced that we have reached a development agreement with the Gillespie Group for the \$30 million Market Place project planned for the current market site. He spoke about last week the administration announced the exciting new plans for the revitalization of the historic Lansing City Market. He also spoke about tonight's public hearing on his Administration's proposal to acquire the Center for the Arts Building, located at 425 South Grand in downtown Lansing. Also mentioned were the public hearings for the Brownfield Development Plan for 6501 South Cedar Street and the Brownfield Plan for 3215 South Pennsylvania. He announced that coming up this weekend is the 12th Annual Mayor's Family Riverwalk. He congratulated Councilmember Dunbar on the great success of her Second Annual Hawk Island Triathlon. Finally, he expressed his sympathies to the family of Abel Gonzales, an employee in our Operations and Maintenance Division who was seriously injured in a tragic work site accident on the morning of May 22 on Mt. Hope Road. Our thoughts and prayers are with Abel and his family at this difficult time.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan #42, NuUnion Credit Union for property located at 6501 S. Cedar St. (Former Regent Inn)
2. In consideration of Brownfield Redevelopment Plan #43; 3215 S. Penn LLC for property located at 3215 S. Pennsylvania Ave.
3. In consideration of ACT-8-2007; 425 S. Grand Ave. Property Acquisition
4. In consideration of an Ordinance of the City of Lansing, providing for the Repeal of Chapter 1034 of the Lansing Codified Ordinances for the purpose of eliminating the Memorial Review Board and Declaring Chapter 1034 to be null and void and of no effect
5. In consideration of Z-2-2008; 2908 Andrew Ave., a request filed by DRM Private Home Health Care Providers & International Learning Center to rezone the property at 2908 Andrew Ave. from "A" Residential District to "D-1" Professional Office District

Councilmember Wood gave a brief overview of Public Hearing #1, 2, 3 and 5.

Councilmember Kaltenbach gave a brief overview of Public Hearing # 4.

Dennis Flieman of 6035 Executive Dr. spoke in support of ACT-8-2007.

Leslie Donaldson of 1813 Drexel Rd. spoke in support of ACT-8-2007.

Larry Meyer of 16938 Broadview Dr., East Lansing, spoke in support of ACT-8-2007.

Dave Hollister of 1943 Byrnes Rd. spoke in support of ACT-8-2007.

William Hubbell of 3916 Wedgewood Dr. spoke about the Memorial Review Board.

Tim Murphy of 501 S. Capitol Ave. spoke in support of Brownfield Redevelopment Plan #42.

Alan Hooper of 1213 Center St. spoke in support of Brownfield Redevelopment Plan #43.

Carl Calille of 306 Harriet Ave. stated concerns regarding ACT-8-2007.

John Pollard of 1718 Blair St. stated concerns with all of tonight's Public Hearings.

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

Christine Timmon of 2519 Washington Ave. stated concerns with all of tonight's Public Hearings.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to tax abatements.

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

Monica Zuchowski of 320 N. Walnut St. spoke in support of ACT-8-2007.

Ted Boettcher of 320 W. Northrup St. spoke about tonight's late resolution regarding Northrup St.

Councilmember Allen addressed concerns regarding golf courses.

Councilmember Robinson addressed concerns regarding the shooting in Colonial Village.

Councilmember Jeffries expressed his position regarding golf courses.

Councilmember Allen asked that issues relating to the Dog Park be put on the Committee of the Whole agenda.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan #42, NuUnion Credit Union for property located at 6501 S. Cedar St. (Former Regent Inn)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Brownfield Redevelopment Plan #43; 3215 S. Penn LLC for property located at 3215 S. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of ACT-8-2007; 425 S. Grand Ave. Property Acquisition

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 4. In consideration of an Ordinance of the City of Lansing, providing for the Repeal of Chapter 1034 of the Lansing Codified Ordinances for the purpose of eliminating the Memorial Review Board and Declaring Chapter 1034 to be null and void and of no effect

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- 5. In consideration of Z-2-2008; 2908 Andrew Ave., a request filed by DRM Private Home Health Care Providers & International Learning Center to rezone the property at 2908 Andrew Ave. from "A" Residential District to "D-1" Professional Office District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

- Michael Morofsky of 1300 Woodbine Ave. spoke about a shooting on Lenore Ave.
- Jon Miles of 1128 Woodbine Ave. spoke about golf courses.
- Harold King of 1363 N. High St. spoke about various city matters.
- Rod Shangle of 3203 Westwood Ave. spoke about the Michigan Tax Tribunal.
- John Hooper of 333 N. Cedar St. spoke about the City Market.
- Frank S. Curtis X. of 1137 W. Allegan St. spoke about various city matters.
- Ronald Kruger of 3333 Moore River Dr. spoke about retirement.
- John Pollard of 1718 Blair St. spoke about various city matters.
- Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke about various city matters.
- Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.
- Richard Clement of 900 Long Blvd. spoke about various city matters.
- Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#240

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

WHEREAS, in 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 of the Public Acts of 2006, being Section 521a of the Michigan Liquor Control Code of 1998, being MCL 436.1521a, (" Act") which Act established the criteria for development area liquor licenses, and

WHEREAS, pursuant to the Act, a local governmental unit, including the City of Lansing, may authorize the approval of certain on-premises liquor licenses, irrespective of the availability of on-premises licenses from

quota to applicants within a designated development project area meeting certain established criteria; and

WHEREAS, Section 521a(1)(b) of the Act requires a resolution from the governing body of the community that establishes and certifies certain criteria, including a certification that the community has created a qualifying development area, and approving an applicant at a location within a development area before that applicant may apply to the Michigan Liquor Control Commission for a development area liquor license; and

WHEREAS, Section 521a(1)(b) requires that an applicant for a development area liquor license be engaged in the business of dining, entertainment or recreation, be open to the general public and have a seating capacity of not less than 50 persons; and

WHEREAS, Section 521a(1)(b) requires that an applicant for a development area liquor license have expended, or, prior to approval of the development area license by the Michigan Liquor Control Commission, expend, not less than \$75,000 in the rehabilitation or restoration of the building that houses the licensed premises over the preceding 5 years; and

WHEREAS, Progressive Restaurant Services, LLC, d/b/a Famous Taco, a legal entity consisting of members who have evidenced a commitment to economic development and growth within the City of Lansing, has requested the City's approval of a development area license under the Act, and have informed the City that if approved by the City of Lansing and the Michigan Liquor Control Commission, it will use the license at a restaurant to be located at 107 E. Allegan in Lansing; and

WHEREAS, Progressive Restaurant Services, LLC, d/b/a Famous Taco, a legal entity consists of at least one member, Mr. William Stewart, who has expended not less than \$75,000 in restoration or rehabilitation of the proposed licensed premises; and

WHEREAS, Progressive Restaurant Services, LLC d/b/a Famous Taco is a business, open to the general public, is engaged in dining, entertainment, and recreation and has a seating capacity not less than 50 persons; and

WHEREAS, Progressive Restaurant Services, LLC d/b/a Famous Taco has been informed that final approval of a license at 107 E. Allegan will be subject to approval by the Michigan Liquor Control Commission and a background investigation and approval by this body,

NOW, THEREFORE, BE IT RESOLVED that this body makes the following findings in accordance with the requirements of the Act:

- a. In 1996 the City of Lansing created a Principal Shopping District as a redevelopment area pursuant to Michigan law, specifically MCL 125.981 *et seq.*
- b. Progressive Restaurant Services, LLC, d/b/a Famous Taco at 107 E. Allegan Street in the City of Lansing is within the Principal Shopping District and is approved for a development area liquor license above all others at 107 E. Allegan, Lansing, Michigan, pursuant to MCL 436.1521a.

By Councilmember Wood

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

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#241

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

P-1-2007, McCrackin Plat
Valencia Boulevard
Final Plat Approval

WHEREAS, the proprietor, Karrie McCrackin, has requested final plat approval to create 10 single family lots on the vacant, 2.563 acre parcel of land at the southwest end of Valencia Boulevard, and

WHEREAS, the property is zoned "A" Residential District, which district is appropriate for the proposed single family residential development with a net density of approximately 4 dwelling units per acre, and

WHEREAS, the final preliminary plat was approved by the City Council on April 7, 2008, and

WHEREAS, Chapter 1234 of the Planning & Zoning Code states that if the final plat is in substantial agreement with the approved preliminary plat, the Planning Board shall prepare a report on its recommendations to Council and immediately forward the plat and accompanying recommendations to Council, and

WHEREAS, the Planning Board, at its meeting held on May 6, 2008, found that the plat is in complete agreement with the approved preliminary plat and voted unanimously (4-0) to recommend that it be approved by the City Council, and

WHEREAS the Committee on Development and Planning of City Council has reviewed the report of the Planning Board and concurs therewith,

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the final plat (P-1-2007) for 10 single family residential lots on the 2.563 acre parcel of land at the southwest end of Valencia Boulevard.

By Councilmember Wood

Motion Carried

RESOLUTION#242

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

RE: Act-12-07, Flowage easement for soundwall project

WHEREAS, the Michigan Department of Transportation (MDOT) has built a soundwall on the west side of U.S. 127 to mitigate the highway noise impact on nearby properties, which are primarily residential; and

WHEREAS, the City of Lansing, by its Board of Water and Light (LBWL) owns a parcel located between U.S. 127 and Homer Street, and described as Outlot A, Kimberly Downs No. 1, a subdivision on part of the West ½ of the East ½ of Section 11, T4N, R2W, City of Lansing, Ingham County, Michigan; and

WHEREAS, MDOT requests a flowage easement for drainage and access across a small portion of the subject property; and

WHEREAS, the LBWL approved the attached flowage easement document, which allows MDOT to drain stormwater onto the easement area and remove trees as necessary, and prohibits the City from removing trees or installing billboards on the subject property; and

WHEREAS, at its meeting on September 4, 2007, the Planning Board reviewed the location, character, and extent of this proposal in accordance with its Act 285 Review procedures, and found that the size

and location of the proposed easement are appropriate for the soundwall project, and it will have no impact on the character of the property or the surrounding area; and

WHEREAS, on September 4, 2007, the Planning Board voted unanimously (4-0, with Williams abstaining) to recommend approval of the proposed easement, and further recommended that MDOT replace any trees it removes with new trees, subject to approval by the City Forester; and

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

NOW, THEREFORE BE IT RESOLVED the Lansing City Council, on behalf of the City of Lansing (Grantor) hereby concurs with the Board of Water and Light that the easement interest in the following described property is no longer required to continue the operation of the BWL, and approves Act-12-07, and grants and conveys an easement for the benefit of the Michigan Department of Transportation (Grantee) parcel over the subject City parcel, legally described as:

That part of Tract "A" described as: beginning at the intersection of the East-West ¼ line of said Section 11 and the East line of Outlot "A", of Kimberly Downs No. 1, a subdivision on part of the West ½ of the East ½ of Section 11, T4N, R2W, City of Lansing, Ingham County, Michigan, also being the westerly line of Highway US-127; thence N 89 degrees 48'52" West along said East-West ¼ line 20.00 feet; thence N 0 degrees 08'41" E parallel with said east line, 70.00 feet; thence S 89 degrees 48'52" E parallel with said East-West ¼ line 20.00 feet; thence S 0 degrees 08'41" West along said East line of Outlot "A" 70.00 feet to said East-West ¼ line, to the point of beginning. Lands described above in easement contain 1367 square feet, more or less,

for One Dollar (\$1.00) good and valuable consideration.

BE IT FURTHER RESOLVED, the Mayor, on behalf of the City, is authorized to sign and execute the easement document, subject to its approval as to form by the City Attorney.

BE IT FINALLY RESOLVED, that the City Clerk within 30 days of passage of the resolution shall forward certified copies of the resolution to the Ingham County Register of Deeds for recording and upon return, transmit a copy of the recorded resolution to the Michigan Department of Consumer and Industry Services, Subdivision Control Unit, the Michigan Department of Transportation, the Planning and Assessor's Offices, and the Department of Public Service.

By Councilmember Wood

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

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#243

BY THE COMMITTEE ON PERSONNEL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the position of the City TV Manager 32 became vacant on May 12, 2008; and

WHEREAS, Dominic Cochran has worked in the capacity of the Production Assistant 28 for City TV for seven years; and

WHEREAS, the Personnel Committee met on May 28, 2008, and took affirmative action to promote Dominic Cochran to the City TV Manager position;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, grants a promotion to Dominic Cochran from Production Assistant 28 to City TV Manager 32.

By Councilmember Quinney

Motion Carried

RESOLUTION#244

BY THE COMMITTEE ON PERSONNEL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council City TV position known as the Production Assistant was established in 2001 to assist the City TV Manager; and

WHEREAS, the Production Assistant responsibilities include, but are not limited to: "Provides media services to the City of Lansing by utilizing audio and video equipment to record City Council meetings, media events, training sessions, city department programming, seminars for distribution and broadcast on City TV, Channel 12"; and

WHEREAS, the title of "Production Assistant" has been found to not adequately describe the overall job description;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, modifies the title of the "City TV Production Assistant" to "City TV Videographer".

BE IT FURTHER RESOLVED that the Council Staff Personnel Rules dated November 3, 2003 be amended to reflect this change.

By Councilmember Quinney

To place an affirmative roll on the Resolution

By Councilmember Wood

To amend the resolution following the resolved clause by inserting "Be it Further Resolved that the Council Staff Personnel Rules dated November 3, 2003 be amended to reflect this change."

Motion Carried

The question being placing an affirmative roll on the resolution

Motion Carried

RESOLUTION#245

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

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity, and provide for the maintenance, security, and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose

of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services;

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning - A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of

E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning –A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning - B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning –B.

Zone C - North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning - C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple

Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C - South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning - C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A - 13.2 cents per square foot for first floor and 6 cents per

square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$392,688.72.

ZONE B - 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$22,609.76.

ZONE C (North & South) - 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$28,724.09.

BE IT FURTHER RESOLVED, that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD08-A/PSD08-B/PSD08-C, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 11, 2008 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FURTHER RESOLVED, that a public hearing be held June 16, 2008, at 7:00 pm in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll.

BE IT FURTHER RESOLVED, that the City Clerk publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing.

BE IT FINALLY RESOLVED, that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Dunbar

Motion Carried

RESOLUTION#246

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

WHEREAS, Fire Station #5 currently serves as the Polling Place for Ward 4, Precinct 6;
and

WHEREAS, Lansing City Clerk Chris Swope has identified issues with continuing to use Fire Station #5 as a Polling Place; and

WHEREAS, Clerk Swope has surveyed voters in Ward 4, Precinct 6 regarding a replacement Polling Place; and

WHEREAS, a majority of voters in Ward 4, Precinct 6 responding to the survey believe Moores Park Elementary School is the best replacement Polling Place; and

WHEREAS, Moores Park Elementary School meets the requirements of the Michigan Election Law as Polling Place;

NOW, THEREFORE, BE IT RESOLVED that Moores Park Elementary School, 316 Moores River Dr., Lansing, MI 48910 is assigned as the polling location for Ward 4, Precinct 6 beginning with the August 5, 2008 Primary Election.

By Councilmember Quinney

Motion Carried

RESOLUTION#247

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

WHEREAS, according to the requirements of the Michigan Department of Transportation (MDOT) Local Bridge Program, the City of Lansing Public Service Department would like to submit the 2008 funding applications for the following three structures for the 2011 funding year projects:

Replacement

- 1) Aurelius Road over Pawlowski Drain (South)

Rehabilitation

- 2) Aurelius Road Bridge over Grand Trunk Railroad
- 3) Mt. Hope Ave. Bridge over Sycamore Creek

WHEREAS, if successful, the City will receive State funding to finance 95% of construction costs, and the City will fund 5% of the construction and 100% of the engineering costs;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of a funding applications for the MDOT's Local Bridge Program for the following three structures;

Replacement

- 1) Aurelius Road over Pawlowski Drain (South)

Rehabilitation

- 2) Aurelius Road Bridge over Grand Trunk Railroad
- 3) Mt. Hope Ave Bridge over Sycamore Creek

BE IT FURTHER RESOLVED that upon notification of the grant being awarded, the Administration shall bring such grant back to the City Council of acceptance.

By Councilmember Quinney

Motion Carried

RESOLUTION#248

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

WHEREAS, the City Council on March 3, 2008, pursuant to resolution #73 authorized construction of certain public improvements on Northrup Street; and

WHEREAS, in authorizing Public Improvement I/II, it was Council's intent to provide for a sidewalk on the southside of the roadway on Northrup Street from Shaffer Street to Cedar Street and to construct a 22 foot roadway with two 11 foot lanes, curb and gutter, and necessary storm and sanitary drain facilities;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council authorizes construction of a sidewalk on the southside of the roadway on Northrup Street from Shaffer Street to Cedar Street and to construct a 22 foot roadway with two 11 foot lanes, curb and gutter, and necessary storm and sanitary drain facilities;

BE IT FURTHER RESOLVED that improvements shall be sufficiently constructed to accommodate the necessary storm and sanitary drainage facilities and include enough right-of-way to accommodate necessary snow removal and other safety concerns.

By Councilmember Allen

To place an affirmative roll on the resolution

Motion Carried by the following Roll Call vote

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

NAYS: Councilmember Dunbar

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#249

REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on May 21, 2008 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 1038 E. Oakland Avenue from "C" Residential District to "E-2" Local Shopping District.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 1038 E. Oakland Avenue from "C" Residential District to "E-2" Local Shopping District.

Signed: Carol Wood, Chairperson

Sandy Allen, Vice Chairperson

Brian Jeffries, Member

By Councilmember Wood

To receive this Committee Report

Motion Carried

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER WOOD

That we move to the passage of Ordinances

BY COUNCILMEMBER WOOD

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

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-1-2008; 1038 E. Oakland Ave., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-1-2008; 1038 E. Oakland Ave., be now passed.

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

NAY: 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 #2541

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2008
 Address: 1038 E. Oakland Avenue
 Parcel Number: PPN: 33-01-01-10-376-211
 Legal Descriptions: Lots 4, The Metlin Addition, City of Lansing, Ingham County, Michigan, From "C" Residential District to "E-2" Local Shopping District, with the condition that the site cannot be used for alcohol sales, a gasoline station or a parking lot that is not associated with another on-site use.

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

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the 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 an Application from Robert Borton of 4075 Holt Road, Holt, MI requesting a Peddlers and Transient Merchants License to sell Frozen Food products at Martin Luther King Jr. Blvd. and Holmes St. and at Mt. Hope Ave. and Cedar St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Submitting an Application from Big Deluxe Car Sales of 1009 S. Clinton, Stockbridge, MI requesting exemption from Peddlers, Solicitors, and Transient Merchant License Requirements

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- iii. Submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Board of Water and Light Budget for FY Ending June 30, 2009

REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Letters from the Mayor re:
 - i. Application for Obsolete Property Rehabilitation Exemption Certificate filed by 3215 S. Penn, LLC for property located at 3215 S. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Engagement letter; Rehmann Robson as Auditors for Lansing Entertainment and Public Facilities Authority for the year ended June 30, 2008

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the Ingham County Treasurer's office submitting a foreclosure list for properties located in the City of Lansing

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

- b. Michigan Tax Tribunal Appeals filed on behalf of:
 - i. Colonial Place, LLC for property located at 812 and 800 W. Lenawee St.

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

- ii. NuUnion Credit Union for property located at 501 S. Capitol Ave.

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

- iii. R-Roof VI, LLC for property located at 3615 Dunckel Rd.

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

- iv. Giving Tree Farm, Inc. and Robert Bower for property located at 3317, 3320 and 3329 Westwood Ave.

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

- v. Seymour Street LLC for property located at 518-520 N. Seymour Ave.

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

- vi. Sprint Nextel Corporation for property located at 3410 S. Waverly Rd., 100 Dadson Dr., 5428 S. Martin Luther King Jr. Blvd., 925 Stanley St., 700 E. Kalamazoo St., a vacant lot on Dunckel Rd., 3414 Aurelius Rd., 2820 E. Saginaw St., 3110 Turner St.

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

- c. Applications for Community Funding filed by:
 - i. United Voices of Harmony for their United Voices of Harmony Annual Gospel Fest to be held September 13, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Woodmere Neighborhood Association, Neighborhood Watch for their Block Party National Night Out to be held August 5, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Josephine Larson of 6234 S. Washington Ave. regarding overturned tombstones at North Cemetery

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

REMARKS BY COUNCILMEMBERS

Councilmember Allen stated that this week's Public Safety Committee

meeting will take place at 3:30 instead of 3:00.

Councilmember Quinney requested an update on the South Side Community Center. He asked Jerry Ambrose, Executive Assistant to Mayor Bernero, to address a crater sized pothole at the intersections of Mt. Hope and Park, and a pothole on Washington Ave. at St. Joe Hwy.

Councilmember Wood asked the Administration about golf courses and stated her concerns.

Councilmember Allen spoke about potholes and asked the Administration about the Alpha Street survey.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, expressed the disappointment of the Administration over the late resolution for Northrup St.

ADJOURNED TIME 10:36 P.M.

CHRIS SWOPE, CITY CLERK