



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 4, 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 Vice President Quinney.

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

ABSENT: Councilmembers Hewitt (arrived at 7:35 p.m.) and Jeffries (arrived at 8:28 p.m.)

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

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Mayor's Hometown Hero Recognition of Donald Lee Argo

Mayor Bernero spoke about Donald Lee Argo's selfless act of chasing kids who robbed a citizen of his wallet. Mr. Argo chased the kids, retrieved the wallet and returned it with all its contents to the victim. Mayor Bernero stated that Mr. Argo shows extraordinary character for thinking of others and presented him with the Hometown Hero Award.

Councilmember Quinney thanked Mr. Argo on behalf of the City Council for making Lansing a better community due to his heroism.

Donald Lee Argo stated that he is a member of his neighborhood watch program and he sees it as his job to look out for his neighbors. He thanked the Mayor and City Council for this honor.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Wood announced the 2008 Faith Sharing event to benefit the Greater Lansing Food Bank. She mentioned that the production of Romeo and Juliet in Hunter Park will be continuing. She announced National Night Out events for the Baker-Donora area, Northern Knights and Genesee Neighborhood. She encouraged residents to come out to meet their neighbors.

Councilmember Robinson thanked Donald Lee Argo, a former teacher of hers who received the Hometown Hero Award earlier. She announced the next 2nd Saturdays event and National Night Out events in Colonial Village, Kensington Meadows, River Estates Mobil Homes, Starlight Lane, Daft and Silverstone Town homes. She thanked all the people who made this past weekend's African American Parade and Picnic for putting on such a wonderful event. She also announced The Sale of the Century yard sale event and the Annual Prostate Cancer Screening event.

Councilmember Dunbar announced Sagamore Hill's National Night Out event, the final Concert in the Park event and the next South Side Master Planning process meeting.

Councilmember Allen thanked all the people who made this past weekend's African American Parade and Picnic for putting on such a wonderful event. She also announced that the 2nd Ward would hold

coffee events similar to the 3rd Ward's 2nd Saturdays meetings.

Councilmember Quinney stated that Council President Jeffries will attend tonight's meeting once he arrives back from a trip this evening.

City Clerk Swope informed citizens that tomorrow's Primary Election is a partisan primary and votes for only one political party's candidates can be cast. He stated that the ballot has races/issues on both sides and reminded citizens to consider votes on each side. He spoke about various ways to obtain an absentee ballot. He also stated that absentee ballots must be received by 8 p.m. tomorrow night and that they can be dropped off at City Hall or the South Washington Armory.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

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

MAYOR'S COMMENTS

Mayor Bernero spoke at length in support tonight's Public Hearing regarding an Agreement to Sell between the City of Lansing and Marketplace Partners LLC for property located at 420 E. Shiawassee St. He encouraged the City Council to support this proposal. He spoke about this past weekend's Jazzfest which drew an estimated 15,000 people to Lansing's original downtown of Old Town. He congratulated Eric Hart and his team at LEPFA – the Lansing Entertainment and Public Facilities Authority, for the amazing job they did today, and over the past 3 or 4 days, in preparing to host Senator Barack Obama, the presumptive Democratic nominee for President of the United States. He announced that our next Concert in the Park is this Wednesday night from 7 until 9 pm at Frances Park and that this Thursday night is the final edition of Blues on the Square. He reminded Lansing residents that tomorrow is not only Primary Election Day, it is our annual National Night Out Against Crime.

ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Agreement to Sell between the City of Lansing and Marketplace Partners LLC for property located at 420 E. Shiawassee St.

Councilmember Wood gave a brief overview of the Public Hearing.

Councilmember Hewitt arrived at the meeting at 7:35 p.m.

Thomas Klever of 322 Westmoreland Ave. spoke in opposition to the proposed sale of the City Market.

Mary Sosulski of 5007 W. Columbia Rd., Mason, spoke in opposition to the proposed sale of the City Market.

David Hollister of 1943 Brynes Rd. spoke in support of the proposed sale of the City Market.

Gene Townsend of 815 Bancroft Ct. spoke in support of the proposed sale of the City Market.

William Hubbell of 3916 Wedgewood Dr. stated concerns related to the proposed sale of the City Market.

Jesse Keys of 1408 W. Kalamazoo St. spoke in opposition to the proposed sale of the City Market.

Joel Wiese of 311 Strathmore Rd. spoke in opposition to the proposed sale of the City Market.

Steven Hess of 232 S. Capitol Ave. spoke in support of the proposed sale of the City Market.

Todd Tennis of 1924 Fairmont St. stated concerns related to the proposed sale of the City Market.

Joan Nelson of 217 Rosamond St. spoke in support of the proposed sale of the City Market.

Maria Cabrera of 322 Westmoreland Ave. spoke in opposition to the proposed sale of the City Market.

Brian Anderson of 401 S. Washington Ave. spoke in support of the proposed sale of the City Market.

Ralph Yates of 11415 S. Francis Rd., Dewitt, spoke in support of the proposed sale of the City Market.

Chris Wenstrom of 2108 S. Washington Sq. spoke in support of the proposed sale of the City Market.

Katharine Czarnecki of 500 E. Michigan Ave. spoke in support of the proposed sale of the City Market.

David Christian of 13112 Blackwood Dr., Dewitt, spoke in support of the proposed sale of the City Market.

Deb Wedley of 3006 Quincy Ln. spoke in support of the proposed sale of the City Market.

Steve Russell of 208 Brookstone Cir., Dewitt, stated concerns related to the proposed sale of the City Market.

Mark Bailen of 1125 Hitching Post Rd., East Lansing, spoke in support of the proposed sale of the City Market.

Larry Meyer of 16938 Broadview Dr., East Lansing, spoke in support of the proposed sale of the City Market.

Greg Loftus of 6735 Conestoga Dr., Delta Twp., spoke in support of the proposed sale of the City Market.

Joe Joseph of 12379 Mission Hills, Dewitt, spoke in support of the proposed sale of the City Market.

Vince Villegas of 128 N. Magnolia St. spoke in support of the proposed sale of the City Market.

Bradley Baker of 701 Snyder Rd., East Lansing, spoke in support of the proposed sale of the City Market.

Chris Potterpin of 500 E. Michigan Ave. spoke in support of the proposed sale of the City Market.

Gina Nelson of 605 W. Shiawassee St. spoke in support of the proposed sale of the City Market.

Marcella Davis of 2901 Staten Ave. spoke about issues at a City cemetery.

Council President Jeffries arrived at the meeting at 8:28 p.m.

Erik Larson of 430 N. Harrison St., East Lansing, spoke in support of the proposed sale of the City Market.

David Farhat of 601 Kipling Blvd. spoke in support of the proposed sale of the City Market.

Jennifer Charette of 224 Groesbeck Ave. spoke in support of the proposed sale of the City Market.

Margaret Smith of 1618 Osband Ave. spoke in support of the proposed sale of the City Market.

Cynthia Beal 1608 Sunnyside Ave. spoke in opposition to the proposed sale of the City Market.

Loretta Stanaway of 546 Armstrong Rd. spoke in opposition to the proposed sale of the City Market.

Jim Smith of 1618 Osband Ave. spoke in support of the proposed sale of the City Market.

Nancy Mahlow of 430 N. Fairview Ave. spoke in support of the proposed sale of the City Market.

Pat Gillespie of 2501 Coolidge Rd., East Lansing, spoke in support of the proposed sale of the City Market.

Rock Hudson of 1017 E. Grand River Ave. spoke in support of the proposed sale of the City Market.

Diane Thompson of 1611 Osborn Rd. spoke in opposition to the proposed sale of the City Market.

Carlton McConnell of 5930 S. Martin Luther King, Jr. Blvd. spoke in support of the proposed sale of the City Market.

Carol Rall of 1608 W. Shiawassee St. spoke in opposition to the proposed sale of the City Market.

Jeane Marty of 114 N. Hayford Ave. spoke in opposition to the proposed sale of the City Market.

Charles Tassinare of 1220 E. Hazel St. spoke in opposition to the proposed sale of the City Market.

Rod Shangle of 3203 Westwood Ave. spoke in opposition to the proposed sale of the City Market.

Harry Hawkins of 2209 Harding Ave. spoke in opposition to the proposed sale of the City Market.

Patrick Hawkins of 2209 Harding Ave. spoke in opposition to the proposed sale of the City Market.

Bob Gray of 422 Dadson Dr. spoke in opposition to the proposed sale of the City Market.

Dorothy Hopper of 1210 W. Shiawassee St. spoke in opposition to the proposed sale of the City Market.

Lucy Hartlove of 1701 Victor Ave. spoke in opposition to the proposed sale of the City Market.

Willy Williams of P.O. Box 11042 spoke in support of the proposed sale of the City Market.

Bill Sepic of 500 E. Michigan Ave. spoke in support of the proposed sale of the City Market.

Camron Gnass of 617 E. Michigan Ave. spoke in support of the proposed sale of the City Market.

Dave Anderson of 320 W. Ottawa Street spoke in opposition to the proposed sale of the City Market.

Don LeDuc of 1435 Cambridge Rd. spoke in support of the proposed

sale of the City Market.

Jim Baker of 8615 Juniper St., Delta Twp., spoke in support of the proposed sale of the City Market.

Farhan Bhatti of 201 E. St. Joseph St. spoke in support of the proposed sale of the City Market.

Kelly Rossman-McKinney of 920 N. Washington Sq. spoke in support of the proposed sale of the City Market.

John Mertz of 330 N. Clemens Ave. spoke in opposition to the proposed sale of the City Market.

William Earp of 3748 Dobie Rd., Okemos, spoke in support of the proposed sale of the City Market.

Kris Zawisza of 32 Westmoreland Ave. spoke in opposition to the proposed sale of the City Market.

Ellie Sambaer of 2739 Woodruff Ave. spoke in support of the proposed sale of the City Market.

Debbie Robinson of 1228 Kimberly Dr. spoke in support of the proposed sale of the City Market.

Karrie Potter of 1400 Ormond Ave. spoke in opposition to the proposed sale of the City Market.

Michael Cole of 3424 Braeburn Dr. stated concerns related to the proposed sale of the City Market.

David Vanderklok of 1114 S. Washington Ave. spoke in support of the proposed sale of the City Market.

Ray Michaels 621 E. Willard Ave. spoke in opposition to the proposed sale of the City Market.

David Weliky of 1612 Forbes St. stated concerns related to the proposed sale of the City Market.

Kathi Raffone of 1221 Muskegon Ave. spoke in opposition to the proposed sale of the City Market.

Karen Gagnon of 1617 W. Rundle Ave. spoke in support of the proposed sale of the City Market.

Elliott Glicksman of 1825 Vassar Dr. spoke in support of the proposed sale of the City Market.

James Anderson of 968 Roxburgh Ave., East Lansing, spoke in opposition to the proposed sale of the City Market.

Tim Sambaer of 1917 Kingswood Dr. spoke in support of the proposed sale of the City Market.

David Finet of 5007 W. Columbia Rd., Mason, spoke in opposition to the proposed sale of the City Market.

Denyse Ferguson of 4324 Tacoma Blvd., Okemos, spoke in support of the proposed sale of the City Market.

Rick Preuss of 1127 N. Cedar St. spoke in support of the proposed sale of the City Market.

Norris Gibson of 110 W. Willow St. spoke in opposition to the proposed sale of the City Market.

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to the proposed sale of the City Market.

John Pollard of 1718 Blair St. spoke in opposition to the proposed sale of the City Market.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to the proposed sale of the City Market.

Rick Kibby of 1609 E. Kalamazoo St. spoke in support of the proposed sale of the City Market.

Cherie Oxender of 15436 Dr., Dewitt, spoke in opposition to the proposed sale of the City Market.

Lenore Ojibway, no address, given, spoke in opposition to the proposed sale of the City Market.

Glenn Hills of 908 Hampshire Dr. spoke in opposition to the proposed sale of the City Market.

Kathie Kuhn of 731 W. Genesee St. spoke in opposition to the proposed sale of the City Market.

Joe Manzella of 500 E. Michigan Ave. spoke in support of the proposed sale of the City Market.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Agreement to Sell between the City of Lansing and Marketplace Partners LLC for property located at 420 E. Shiawassee St.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Joel Wiese of 311 Strathmore Rd. spoke in opposition to the proposed sale of the City Market.

Diane Thompson of 1611 Osborn Rd. spoke in opposition to the proposed sale of the City Market.

Willy Williams of P.O. Box 11042 spoke about various city matters.

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

Charles Tassinare of 1220 E. Hazel St. spoke in opposition to the proposed sale of the City Market.

John Brady of 614 W. Northrup St. spoke about the public improvement for Northrup. St.

Ted Boettcher of 320 W. Northrup St. spoke about the public improvement for Northrup. St.

Jesse Keys of 1408 W. Kalamazoo St. spoke in opposition to the proposed sale of the City Market.

David Finet of 5007 W. Columbia Rd., Mason, spoke in opposition to the proposed sale of the City Market.

Kris Zawisza of 32 Westmoreland Ave. spoke in opposition to the proposed sale of the City Market.

Michael Cole of 3424 Braburn Dr. spoke about the Capital Area District Library millage.

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

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

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

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

city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #429

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

WHEREAS, a request for a waiver of the noise ordinance was filed by CEI-Michigan LLC to allow construction for the replacement of roof and metal panel re-caulking of the Michigan Library and Historical Museum at 702 W. Kalamazoo Street from June 1, 2008, to September 30, 2008, between the hours of 1 p.m. to 10 p.m. Monday through Friday and Saturdays; and

WHEREAS, a waiver is required to comply with the specifications issued by Facilities and Administration Design and Construction Division of the State of Michigan to complete the re-roofing project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a waiver of the noise ordinance to permit CEI-Michigan LLC to allow construction for the replacement of roof and metal panel re-caulking of the Michigan Library and Historical Museum at 702 W. Kalamazoo Street from June 1, 2008, to September 30, 2008, between the hours of 1 p.m. to 10 p.m. Monday through Friday and Saturdays.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #430

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

WHEREAS, the Colonial Village Neighborhood Association has requested \$300.00 to defray costs associated with the replacement of a Neighborhood Sign damaged in a recent storm; and

WHEREAS, the Committee on General Services met on July 28, 2008, and reviewed the request; and

WHEREAS, the maximum total amount of Community Promotion Funds to be awarded an organization in one fiscal year is \$500.00;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$300.00 allocation from the Community Promotion Account to the Colonial Village Neighborhood Association to defray costs associated with the Neighborhood Sign;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$300.00 to the Council Community Promotion Account – 101.112101.741289.0.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #431

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

WHEREAS, the City Clerk has forwarded an application for a City Permit, which has been routinely processed without objection, and is ready for final action by this Council; and

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display permit;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City Permit as follows:

FIREWORKS DISPLAY PERMIT:

Lansing Lugnuts and Night Magic Displays/Roger Bonney for a public display of fireworks in the City of Lansing at Oldsmobile Park to be held on August 9, 22, and 28, 2008, with an undetermined rain date.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #432

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

WHEREAS, the Michigan Liquor Control Commission received a request from On The Grand, Inc. for a new Dance Permit to be held in conjunction with 2008 Class C Licensed business, located at 201 E. Grand River, Lansing, Michigan 48906; and

WHEREAS, the Committee on General Services met on July 28, 2008, to review the request and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from On The Grand, Inc. for a new Dance Permit to be held in conjunction with 2008 Class C Licensed business, located at 201 E. Grand River, Lansing, Michigan 48906.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #433

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

WHEREAS, Matt Woolman sought to eliminate the special assessment in the amount of \$1665.50 on Trash and Debris violation and all associated penalties and interest on the property tax bill for the property at 1627 Illinois Avenue, Lansing, Michigan 48906; and

WHEREAS, the General Services Committee met on July 28, 2008, to review the claim filed by Mr. Woolman;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Matt Woolman to eliminate the special assessment in the amount of \$1665.50 on Trash and Debris violation and all associated penalties and interest on the property tax bill for the property at 1627 Illinois Avenue, Lansing, Michigan 48906;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

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. Providing notice of the placement on file of the Board of Water and Light's Proposed Economic Development Rider for Potential New Chilled Water Customers

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Submitting an Application for a Peddler and Transient Merchants License filed by Doyle Eugene David of 2385 Cedar Park Dr., Holt to sell food and soft drinks at 600 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- iii. Submitting a request from On The Grand Inc. for a New Dance Permit to be held in conjunction with 2008 Class C Licensed Business, located at 201 E. Grand River Ave.

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
- i. Reappointment of Jan Kolp to the Board of Police Commissioners for a 2nd Ward Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- ii. Resolution granting Participating Municipality Status to Mason from Capital Area District Library Board

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- iii. Proposed Resolution; FY 2008 District Court Grant for Sobriety Court Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Letters from the State of Michigan Liquor Control Commission proving notice:
- i. To A&C Brothers, Inc. of the Denial of an Application to Transfer Ownership of Escrowed 2008 SDD Licensed Business with Sunday Sales Permit and Gas Pumps from Cedar Food & Gas, Inc. and Transfer Location from 4600 S. Cedar St. to 4114 S. Cedar St. and change the nature of business deleting gas pumps

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. To G Spot, Inc. of the Cancellation of an Application to Transfer Ownership of 2008 SDM Licensed Business with Gas Pumps located at 1600 S. Washington Ave. from Excell II, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from Dan Dowsett, General Manager of Gabriels Community Credit Union regarding future snow removal at 1901 E. Michigan Ave.

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

- c. Letter from Jamie Jansz of 328 Hungerford St., Lansing Twp. appealing a claim denial for property located at 1239 Dakin St.

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

- d. Letter from Robert "Rock" Hudson, Secretary of NorthTown Neighborhood Association requesting a change in lane striping in Pennsylvania Ave.

REFERRED TO THE TRANSPORTATION DIVISION AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. Letter from Richard Miller of 4100 Sheffield Blvd. stating concerns related to a proposed Ordinance to ban motor scooters in the City of Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

- f. Letter from Fred Williams, no address given, regarding Councilmember remarks at the July 28, 2008 City Council meeting

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Councilmember Hewitt asked Jerry Ambrose, Executive Assistant to Mayor Bernero, to see if lighting could be added to the bridge on Dakin St.

Councilmember Allen requested that Thursday's Committee of the Whole meeting be televised due to discussions related to the sale of the City Market.

Council President Jeffries asked Jerry Ambrose about grass cutting in the medians on Martin Luther King, Jr. Blvd.

Jerry Ambrose stated that he has contacted the State regarding grass cutting but talks haven't progressed as he'd like.

Council President Jeffries asked Jerry Ambrose to have a report on the grass cutting prepared for Thursday's Committee of the Whole meeting. He spoke about the trip he returned from tonight as being the reason he was delayed in arriving at tonight's meeting.

ADJOURNED TIME 11:26 P.M.

CHRIS SWOPE, CITY CLERK