



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 11, 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, Hewitt, Jeffries, Kaltenbach, Quinney, Robinson, Wood

ABSENT: Councilmember Dunbar (Arrived at 7:23 p.m.)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Quinney

To approve the printed Council Proceedings of July 21 and 28, and August 4, 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; Approval of an Application from Doyle Eugene David of 2385 Cedar Park Dr., Holt, requesting a Peddlers and Transient Merchants License for the purpose of selling hot dogs, tacos, burritos, polish sausage, and other fast foods and drinks in the City of Lansing

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Impression 5 Science Center Day

Mayor Bernero stated that Impression 5 Museum is a special part of the community and wished the museum another 36 years of success.

Erik Larson thanked the Mayor and City Council for this honor. He spoke about the museum breaking attendance records and how the museum has made a real impact on the lives of youth. He announced a Science Carnival event and thanked everyone associated with the museum.

Council President Jeffries stated that Impression 5 Museum is quite an asset for the City and thanked Erik Larson and other attendees on behalf of the City Council.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Robinson thanked those who attended last weekend's 2nd Saturdays event. She spoke about Riverwalk Theater's production of 'A Raisin in the Sun'. She announced the Sale of the Century event, Lighthouse Community Garden's vegetable sale and a prostate cancer screening event.

Councilmember Hewitt spoke about the Allen Street Market and thanked the attendees of the Car Classic. He announced the Holmes Street School area meeting,

City Clerk Swope thanked the voters and election inspectors who participated in last week's Primary Election. He stated several ways in which voters can receive absentee ballots for the November Presidential Election.

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 on Thursday night was the grand finale of this year's free summer concert series in downtown Lansing – Blues on the Square. He spoke about several items on tonight's agenda, including a request to set a public hearing for the proposed sale of the North Capitol Parking ramp to Lansing Community College, a request to set a public hearing for the proposed Grand Fish Kayak business in the Cherry Hill neighborhood near the boat landing on the Grand River, and approval of the grant application for \$3.2 million in Clean Michigan Initiative funds from the state Department of Environmental Quality.

Councilmember Dunbar arrived at the meeting at 7:23 p.m.

Mayor Bernero spoke about the proposed Market Place development and the new City Market. He announced that on Wednesday night is the season's final edition of our popular Concert in the Park music series and this Saturday morning, August 16, is our next Mobile Food Pantry. He spoke about his Deficit Elimination Plan that closes an estimated \$3.85 million dollar gap in our current fiscal year budget.

Jerry Ambrose, Executive Assistant to Mayor Bernero, gave extensive information regarding the Mayor's Deficit Reduction Plan.

Councilmember Dunbar thanked attendees of the south side planning meeting and announced the next meetings. She also spoke about the next meeting for Benjamin Davis Park Trail.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing to Amend Chapter 6 of the Lansing Codified Ordinances to Add Sections 6.24 and 6.25 to ban motorized scooters in the City of Lansing

Councilmember Quinney gave a brief overview of tonight's Public Hearing.

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

Carl Calille of 306 Harriett Ave. spoke in opposition to the sale of the North Capitol Ramp.

Richard Draper of 209 Clifford St. spoke in support of the moped Ordinance.

John Pollard of 1718 Blair St. stated concerns regarding the moped Ordinance.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. stated concerns regarding the moped Ordinance.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in support of the moped Ordinance.

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

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to tax abatements.

Heidi Beck of 14705 Idylcrest, Dewitt Twp., spoke in support of the moped Ordinance.

Bobbie Miller of 7317 Shell Flower, Delta Twp., spoke in support of the moped Ordinance.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance of the City of Lansing to Amend Chapter 6 of the Lansing Codified Ordinances to Add Sections 6.24 and 6.25 to ban motorized scooters in the City of Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

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

Michael Morofsky of 1300 Woodbine Ave. spoke about issues related to a railroad crossing and a shooting in Colonial Village earlier this year.

Dale Dezess of 331 Ingham St. spoke about various city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about the public improvement for Northrup. St.

Kris Zawisa of 32 Westmoreland Ave. 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.

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

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

John Boise of 4921 Tenny St. spoke about various city matters.

Jody Washington of 521 Nantucket Dr. spoke in support of the proposed sale of the City Market.

Carrie Potter of 1400 Ormond Ave. spoke about the City Market.

Cynthia Beal of 1608 Sunnyside Ave. spoke about the City Market.

Samara Washington of 2312 Bernard St. spoke in support of the proposed sale of the City Market.

Madge Harris of 5550 Mall West Dr., Delta Twp. spoke about the City Market.

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

Kitty Lipsky of 1408 W. Kalamazoo St. spoke about the potential layoff of City workers.

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

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

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

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

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

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

LEGISLATIVE MATTERS

RESOLUTIONS

City Clerk Swope read the following Resolution:

RESOLUTION#434

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

WHEREAS, Roberta Knight was born in Hamilton, Ohio, and is survived by her beloved husband, Rev. Dr. John Knight; daughter Yolanda; son, John, Jr.; grandchildren, Femi and Chloe; and numerous relatives and friends; and

WHEREAS, she was a dedicated and committed Christian who loved the Lord with unswerving devotion; and

WHEREAS, over the past 35 years, Roberta faithfully served in Women's Ministries, Sunday School, the Youth Department, and Missions alongside her husband, Rev. Dr. John Knight at Owen and Lane Street Church of God in Hamilton; First Church of God in Junction City, Kansas; and the West Lansing Church of God in Lansing; and

WHEREAS, on Saturday, August 2, at 1:00 p.m., her family will gather to celebrate her life at the Pennway Church of God; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes Roberta Knight for her many contributions to the City of Lansing through her church and community efforts and extends its deepest condolences to her family during this difficult time.

By Councilmember Wood

Motion Carried

RESOLUTION #435

BY COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has received a proposal submitted by Lansing Community College to purchase certain real property titled in the name of the City of Lansing;

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the documentation and details of the sale must be placed on file in the Office of the City Clerk for a thirty (30) day period, and a Public Hearing on the proposed sale of the property held before the City Council subsequent to that time; and

WHEREAS, the documentation and details of the sale were placed on file in the City Clerk's Office on June 12, 2008;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on Monday, August 25, 2008, at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the proposed sale of the property located in Lansing Township Michigan and legally described more particularly in the Purchase Agreement for the property, which has been placed on file with the City Clerk on June 12, 2008.

By Councilmember Wood

Motion Carried

RESOLUTION #436BY 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, September 8, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use, SLU-1-2008, vacant lot, Northwest Corner of Hillsdale and River Streets, Private Recreational Use in a "DM-4" Residential District.

By Councilmember Wood

Motion Carried

RESOLUTION #437BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Public Act 328 of 1998, XYZ Machine Tool & Fabrication Inc. has made Application for Exemption of New Personal Property (PPE-05-08) for an area commonly known as 2127 W. Willow 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 XYZ Machine Tool & Fabrication Inc.'s Application for Exemption of New Personal Property (PPE-05-08), 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 18th day of August, 2008 at 7:00 p.m., on the XYZ Machine Tool & Fabrication Inc.'s application for New Personal Property Exemption on the following described property:

COM ON S LINE W WILLOW ST 132 FT W OF E LINE OF W 1/2 OF NW 1/4 SEC 8, TH S 297 FT, E 132 FT, S 184 FT TO N'LY LINE LM RR, SW'LY ALONG RR TO PT 289.5 FT W OF E LINE OF W 1/2 OF NW 1/4 SEC 8, N 609.5 FT TO S LINE W WILLOW ST, E 160 FT TO BEG; SEC 8 T4N R2W;

Commonly known as 2127 W. Willow St., 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-05-08).

By Councilmember Wood

Motion Carried

RESOLUTION #438BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION EXEMPTION CERTIFICATE
3215 S. Pennsylvania Avenue

WHEREAS, 3215 S. Penn, LLC, owner of the property located at 3215 S. Pennsylvania Ave. 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 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

WHEREAS, an Obsolete Property Rehabilitation District was established by the Lansing City Council on April 21, 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 25th day of August, 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 #439BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

**Obsolete Property Rehabilitation Act
3323 N. East Street
Establishment of OPRA District**

WHEREAS, the intending purchaser of property located at 3323 N. East Street 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 3323 LLC, 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 52, 53, 54, 55, 56, & N 100 FT OF OUTLOT A SUPERVISORS PLAT OF SCHWORERS BLOOMFIELD FARMS; 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 July 28, 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 52, 53, 54, 55, 56, & N 100 FT OF OUTLOT A SUPERVISORS PLAT OF SCHWORERS BLOOMFIELD FARMS, 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 #440

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

ACT-6-2008 (Part A), to authorize negotiations to acquire property at the west terminus of W. Howe St. (including parts of parcels 33-01-01-04-155-001 and 33-01-01-04-155-011)

WHEREAS, the Public Services Department desires to acquire parts of two parcels at the west terminus of West Howe Street; and

WHEREAS, the acquisitions will enable the separation of the sanitary sewer and storm systems, extension of these systems to the impacted properties and immediate vicinity, and construction of a cul-de-sac at the west end of W. Howe; and

WHEREAS, **Parcel 1 of Part A** consist of an L shaped portion of the southeast corner of parcel 33-01-01-04-155-001; and

WHEREAS, **Parcel 2 of Part A** consist of the north 25 ft. of parcel 33-01-01-04-155-011; and

WHEREAS, the Planning Board found, based on its review of Act-06-08 in accordance with its Act 285 Review procedures, that:

1. The location of the properties to be acquired is appropriate and necessary to accommodate the extension of the separated sewer facilities and to serve the abutting properties.
2. The sanitary sewer, storm sewer, and street improvements will enhance the delivery of municipal services in the area, thereby, having a positive impact on the residential character of the area.
3. The extent of the acquisitions is appropriate to provide the infrastructure improvements proposed by Public Service; and

WHEREAS, the Planning Board, at its meeting on May 6, 2008, voted unanimously (6-0) to recommend approval of Act-06-08; 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 hereby approves Act-6-08, and authorizes the administration to enter negotiations for the acquisition of property located at the west terminus of West Howe Street, Parcel 1, more particularly described as:

A parcel of land being the North 25.00 feet of the East 64.00 feet of the South 330.00 feet of Lot 1 of Mayfield Farms Subdivision of a part of the South ½ of the South ½ of the Northwest ¼ of Section 4, Town 4 North, Range 2 West, Lansing Township, Ingham County, Michigan as recorded in Liber 6 on Page 49 of Plats, Ingham County Records,

by deed, for the purchase price of One Thousand, Six Hundred Dollars (\$1,600.00).

BE IT FURTHER RESOLVED, that the Lansing City Council hereby approves Act-6-08, and authorizes the administration to enter into negotiations for the acquisition of property located at the west terminus of West Howe Street, Parcel 2, more particularly described as:

A parcel of land being part of the plat of Mayfield Farms Subdivision of a part of the South ½ of the South ½ of the Northwest ¼ of Section 4, Town 4 North, Range 2 West, Lansing Township, Ingham County, Michigan as recorded in Liber 6 of Plats on Page 49, Ingham County Records, being more particularly described as: Commencing at the West ¼ corner of said Section 4; thence East, 437.00 feet along the South line of said Mayfield Farms; thence Northerly, 330.00 feet along the East line of Lot 1 of said Mayfield Farms to the point of beginning of the following described parcel; thence West, 80.00 feet; thence North, 90.00 feet; thence East, 110.00 feet to the East line of Lot 1; thence South, 65.00 feet along said East line to the North line of Howe Street; thence West, 30.00 feet along said North line to the West line of Howe Street; thence South, 25.00 feet along said West line to the point of beginning.

by deed, for the purchase price of Nine Thousand One Hundred Fifty Dollars (\$9,150.00).

BE IT FINALLY RESOLVED, that the administration is authorized to recommend the terms of the purchase of the properties, individually or collectively, to the Committee and Development and Planning upon the completion of negotiations, and that the purchase of each property remains subject to final review and approval, or other action, by City Council.

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 #441

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

WHEREAS, Doyle Eugene David of 2385 Cedar Park Dr., Holt, Michigan 48842 has applied for a Peddlers and Transient Merchants License for the purpose of selling hot dogs, tacos, burritos, polish sausage, and other fast foods and drinks in the City of Lansing; and

WHEREAS, the Committee on General Services met on Monday, August 11, 2008, and recommends approval of the application filed by Doyle Eugene David for a 2008 Peddlers and Transient Merchants License;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the 2008 Peddlers and Transient Merchants License for Doyle Eugene David for the purpose of selling hot dogs, tacos, burritos, polish sausage, and other fast foods and drinks in the City of Lansing.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #442

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

WHEREAS, the Code Compliance Manager has determined that the building located at **1108 N. High, Parcel # 33-01-01-10-304-101** legally described as: **Lot 13 Smith G Youngs Sub of a part of Lots 4 and 5 James Seymours Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **April 5, 2005**; and

WHEREAS, a hearing was held by the Hearing Officers on **June 28, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **July 26, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require 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

WHEREAS, the City Council held a public hearing on **September 17, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1108 N. High** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty days** from the date of this resolution, **Monday, August 11, 2008**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION #443

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

WHEREAS, the Code Compliance Manager has determined that the building located at **1344 Christopher, Parcel # 33-01-01-09-156-001** legally described as: **N ½ Lot 4 Block 2 Glendale** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **February 12, 2007**; and

WHEREAS, a hearing was held by the Hearing Officers on **May 22, 2008**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **June 26, 2008**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require 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

WHEREAS, the City Council held a public hearing on **July 21, 2008**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1344 Christopher** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty days** from the date of this resolution, **Monday, August 11, 2008**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION #444

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

Support of DEQ Waterfront Development Grant Request
In Association with the Redevelopment of the Former Ottawa Power
Station
for the Accident Fund Insurance Company of America

WHEREAS, the Lansing Brownfield Redevelopment Authority (LBRA) desires to apply on behalf of the City of Lansing (City) for a Michigan Department of Environmental Quality (MDEQ) Waterfront Development Grant; and

WHEREAS, The LBRA is seeking the grant funds to fund demolition, infrastructure and public facility improvements on public property adjacent to the Grand River between Shiawassee Street and Michigan Avenue in the City of Lansing, Michigan; and

WHEREAS, the LBRA is applying on behalf of the City of Lansing in support of funding for specific activities included in the previously approved and executed Property Purchase and Development Agreement (Agreement) between the City, Lansing Economic Development Corporation (EDC), Lansing Board of Water and Light (LBWL) and Christman Capital Development Company; and

WHEREAS, the implementation of the agreement will result in the redevelopment of the former Ottawa Power Station property to facilitate the expansion of the Accident Fund Insurance Company of America; and

WHEREAS, the project is consistent with local development and redevelopment plans, and zoning ordinances, specifically, the City of Lansing's Central Lansing Comprehensive Plan and Waterfront Redevelopment Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing supports the application to the MDEQ for Waterfront Development Grant funds to be used for the above purposes.

By Councilmember Quinney

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. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
i. Transfer of Funds; Parks Millage Capital Projects, Wainwright Improvements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Deficit Elimination Plan

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO THE INTERNAL AUDITOR

• Communications and Petitions, and Other City Related Matters:

- a. Application for Community Funding filed by Old Town Commercial Association for their Old Town Oktoberfest, Fundraiser Festival to be held October 3-4, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Community Funding Reporting Statement filed by Martin Luther King, Jr. Holiday Commission for their MLK Diversity Celebration Luncheon held January 21, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from Barbara Payton of 4121 Glenwood Ave. requesting No Parking signs on Glenwood Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- d. Letter from Barry Sedgwick of 1840 Lyndhurst Way, Haslett regarding burials at Evergreen Cemetery

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letters, petitions and electronic mail messages regarding the proposed sale of the City Market
i. In support of the proposal
ii. In opposition to the proposal
iii. Expressing concerns or questions with the proposal

REFERRED TO THE COMMITTEE OF THE WHOLE

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar addressed comments made by speakers at the podium tonight.

ADJOURNED TIME 9:30 P.M.

CHRIS SWOPE, CITY CLERK