



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 16, 2009



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 Quinney.

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

ABSENT: Councilmember Robinson (Arrived at 7:11 p.m.)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Jeffries

To approve the printed Council Proceedings of February 9, 2009

Motion carried

TABLED ITEMS

1. BY THE COMMITTEE OF THE WHOLE
 - a. Authorizing Litigation Against the Mayor to Compel the Opening of Waverly and Red Cedar golf courses

SPECIAL CEREMONIES

- Special Ceremonies
 1. Presentation; Poem reading by Dee Freeman for Black History Month

Dee Freeman read the following poem:

TAKING A SEAT
Dee Freeman © 9-08

A hero in her own right, Rosa Parks will forever hold a special place in my heart.
She displayed courage above and beyond the call of duty, with grace and calm.
When destiny came her way, she accepted it with open arms
When chance tugged at her coattail, she stood her ground firmly, with no tears.
When the powers that be demanded obedience, she refused with the pride of four hundred years.
When injustice of the law grabbed at her dignity, she faced it down with no fears.
When ordered to get up from her seat, she sat quietly; with a spirit to fight.
For she knew time had come, time to put the Satan's of injustice to flight.

She would sit in her seat! That infamous SEAT:
Not knowing that resting her tired body on that day would make history; world wide.

Not knowing her sitting down on that day meant
she was 'standing up for justice' as Martin Luther King Jr. so eloquently noted.
Not knowing her sitting down meant
she was putting into action her inalienable right;
Not knowing her sitting down meant
she was showing a people they didn't have to settle for such injustice;
Not knowing her sitting down meant
she was leading a people into their future of equality for all;
Not knowing her sitting down meant
she was speaking out against four centuries of hatred, condescension, apathy, abuse and injustices;
Not knowing her sitting down meant
she was using her love to elevate a downtrodden people;
Not knowing her sitting down meant
she was thinking of what could be
and what should be in a land so tarnished and divided;

Rosa Parks sat down then; now we must get up
now we must wake up
now we must lift our heads up
now we must speak up

She sat down then; now we must stand up...
Stand up in our families...pulling them close together
Stand up in our communities...making them become better
Stand up in our churches...beseeching an Almighty God
Stand up everywhere we go...making the road easier for others to trod
Whenever we get the chance...we must stand up for good and for right

Stand up when the prison bars hold us from making a productive life
We must stand up when scrubbing floors on our knees
Stand up when times are hard and we're expected to succeed Stand up at the voting booths...to bring in a caring government...
A governing body that will help us to help ourselves, as it is meant...

We must continue to make Rosa Parks' sitting down mean more than just taking a seat on a bus...
We must make it mean we've grown over these past years
we must make it mean we have broken down negative myths and fears
we must make it mean we are finally straightening our backs and getting our bodies and our minds on track
we must make it mean we are willing:
to walk together
to talk together
to play together
to pray together
to laugh together
to cry together
to work together
to bond together
to unite and stand together
to march and press forward together
We are our sister's and our brother's keepers
and as such, we must fight and even die together
for a just cause that's of benefit to us all...

As Rosa Parks sits in heaven, watching us carry the torch of commitment
Let's make her proud of our stance and proud of our accomplishments Let's now take our seats...on the bus of life:

On the seat of right
 On the seat of justice
 On the seat of peace
 On the seat of love
 In a seat in the Oval Office
 On a seat of remembrance and honor
 And to the world's most Humble and beloved SITTER;
 We thank you as I begin to take my seat of Action!

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Hewitt announced the Foster Your Neighborhood meeting. He asked Jerry Ambrose, Executive Assistant to Mayor Bernero, what department citizens would call if they had questions regarding overnight parking regulations.

Jerry Ambrose stated that citizens can call the Police Department or the Traffic Division regarding overnight parking violations.

Councilmember Wood announced the Churchill Downs, Colonial Village and Lewton-Rich neighborhood meetings. She asked Jerry Ambrose about hiring more fire inspections for construction projects.

Councilmember Robinson arrived at the meeting at 7:11 p.m.

Councilmember Allen stated that she placed information on the table in the back of the City Council Chamber regarding the Tri-County Office on Aging's description of areas services. She announced the Old-Everett Neighborhood meeting and stated that State Rep. Joan Bauer would be the guest speaker. She thanked citizens who sent her cards and called her regarding her recent surgery.

Councilmember Dunbar announced two informational meetings being presented by the City Assessor regarding taxable home values, and she announced the Annual Lansing Police Department Citizen's Academy.

Councilmember Robinson thanked the attendees of the recent 2nd Saturdays meeting and announced its next meeting. She spoke about the successful Delta Sigma Theta Sweetheart Dance.

Councilmember Wood announced a Friends of Historic Cemetery presentation.

Councilmember Dunbar commented on Councilmember Robinson's singing voice.

Council President Quinney spoke about events related to the kickoff to Lansing's Sesquicentennial celebration, including an art exhibition at the Historical Museum. He announced the winners of an art competition.

City Clerk Swope spoke about technical issues related to the posting of the City Council meeting packet on the City website. He stated that this is a good time to sign up and receive the City Council agenda through the City's listserv.

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

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about the kickoff to Lansing's Sesquicentennial celebration. He stated that there was one day left for citizens to pay their winter property tax bill without

receiving a penalty. He spoke about several items on tonight's agenda including the proposed ordinance changes related to snow removal. He announced the next City Hall on the Road event, the next Mobile Food Pantry and the PBS show "Unique Assets".

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Application for Obsolete Property Rehabilitation Act (OPRA) District filed by Cool City Developers, LLC for property located at 1522 N. Turner St./310 E. North St
2. In consideration of in consideration of an Application for Obsolete Property Rehabilitation Exemption Certificate filed by Cool City Developers, LLC for property located at 1522 N. Turner St./310 E. North St
3. In consideration of an Ordinance of the City of Lansing to Amend Chapter 1020, Section 6 of the Lansing Codified Ordinances, providing for removal of snow and ice on public sidewalks by the City if the property owner fails to do so, and for assessment of costs against the property owner

Councilmember Jeffries gave a brief overview of Public Hearing #1 and #2.

Councilmember Dunbar gave a brief overview of Public Hearing #3.

Otto Graesser of 2215 Wellesley Dr. gave suggestions regarding the proposed ordinance changes related to snow removal.

William Hubbell of 3916 Wedgewood Dr. spoke about the proposed ordinance changes related to snow removal.

Glenna DeJong of 1522 N. Turner St. spoke in support of Public Hearing #1 and #2.

Bryon Decker of 543 E. Edgewood Blvd. spoke about snow removal and potholes in the city.

Harold King of 1563 N. High St. stated concerns with the proposed ordinance changes related to snow removal.

Dale Blakeslee of 5117 Wexford Rd. stated concerns with the proposed ordinance changes related to snow removal.

Terry Terry of 1522 N. Turner St. spoke in support of Public Hearing #1 and #2.

Jason Miller of 423 W. Willow St. stated concerns with the proposed ordinance changes related to snow removal.

Darnell E. Oldham, Sr. 3815 Berwick Dr. spoke in opposition to the proposed ordinance changes related to snow removal.

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

John Pollard of 1718 Blair St. stated concerns with all three Public Hearings.

Dayle Benjamin of 1323 N. Chestnut St. stated concerns with the proposed ordinance changes related to snow removal.

Russell Terry of 121 E. Mt. Hope Ave. spoke in opposition to the proposed ordinance changes related to snow removal.

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

the proposed ordinance changes related to snow removal.

Rick Kibbey of 1609 E. Kalamazoo St. spoke in support of the proposed ordinance changes related to snow removal.

Kathi Raffone of 1221 Muskegon Ave. returned to finish speaking about various matters.

Bob Gray of 422 Dadson Dr. spoke in opposition to the proposed ordinance changes related to snow removal.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Application for Obsolete Property Rehabilitation Act (OPRA) District filed by Cool City Developers, LLC for property located at 1522 N. Turner St./310 E. North St

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of in consideration of an Application for Obsolete Property Rehabilitation Exemption Certificate filed by Cool City Developers, LLC for property located at 1522 N. Turner St./310 E. North St

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of an Ordinance of the City of Lansing to Amend Chapter 1020, Section 6 of the Lansing Codified Ordinances, providing for removal of snow and ice on public sidewalks by the City if the property owner fails to do so, and for assessment of costs against the property owner

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

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

Gerald Rowley of 737 N. Pennsylvania Ave. spoke about various city matters.

Catherine Mercer of 4530 Sycamore St., Holt, spoke about various city matters.

Michael Mercer of 4530 Sycamore St., Holt, spoke about various city matters.

Ammahad-Shekarakki of 902 Willow St. spoke about Malcolm X.

Dale Blakeslee of 5117 Wexford Rd. spoke about various city matters.

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

Jason Miller of 423 W. Willow St. spoke about various city matters.

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

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

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

Russell Terry of 121 E. Mt. Hope Ave. spoke about various city matters.

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

matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2009-028

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

WHEREAS, Lansing Neighborhood Council has requested \$1,000 to defray costs associated with the rental of the facility for the Bea Christy Award Dinner to be held on Friday, February 27, 2009; and

WHEREAS, the Committee on General Services met on Monday, February 9, 2009 and reviewed the request; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$1,000 allocation from the Community Promotion Account to the Lansing Neighborhood Council to defray costs associated with the rental of the facility for the Bea Christy Award Dinner to be held on Friday, February 27, 2009;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$1,000 to the Council Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED that the Lansing Neighborhood Council shall submit a written analysis of the event, including information regarding the number of attendees and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #2009-029

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

WHEREAS, Surin Boonyasith sought to eliminate Special Assessments of \$661.60 on Trash & Debris and \$639.33 on Board up and all associated penalties and interest on the property tax bill of 226 South Foster Avenue, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, February 9, 2009 to review the claims;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, deny the claims filed by Surin Boonyasith on Special Assessments of \$661.60 on a Trash & Debris and \$639.33 on Board up and all associated penalties and interest on the property tax bill of 226 South Foster Avenue, Lansing, Michigan;

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

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #2009-030

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

WHEREAS, Amal Elbast sought to eliminate Special Assessment of \$2,899.97 on 2nd Notice Fees and Board Ups and all associated penalties and interest on the property tax bill of 316 West Berry Avenue, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, February 9, 2009 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Amal Elbast of \$2,899.97 on 2nd Notice Fees and Board Ups and all associated penalties and interest on the property tax bill of 316 West Berry Avenue, Lansing, Michigan;

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

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #2009-031

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves acceptance of the Community Forestry Grant received from the State of Michigan Department of Natural Resources with funding from the USDA Forest Service and that the following FY 2009 transfer be approved:

\$20,000.00 From State & Fed. Programs–Forestry Grant
273.000000.579201 .19533

\$20,000.00 to State & Fed. Programs–Forestry Grant
273.733821.741000.19533

(Explanation: Community Forestry Grant received from the State of Michigan Department of Natural Resources with funding from the USDA Forest Service. This grant expires 9/1/2009.

The project funds will be used for "...contracted service expenses to conduct Community Tree Inventory...". Match will be provided by the \$150,000.00 appropriated from Park Millage Funds in the FY 2009 budget for Forestry Tree Inventory, account 412.933890.974000.12133.)

By Councilmember Wood

Motion Carried

RESOLUTION #2009-032

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

That the following FY 2009 transfers be approved:

State/Federal Programs
Dispatcher Training – Public Act 32

\$20,921.00 from State Revenue 273.0.547000.14328
\$20,921.00 to Training – PA 32 273.343230.747000.14328

(To provide for distribution of the second of semiannual payments for the training of dispatchers in the 911 Communications Center of the Lansing Police Department. Calendar 2008 dispatcher training resources from the state equal \$ 41,395.00.)

By Councilmember Wood

Motion Carried

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;

**COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Robinson that all items be considered as being read in full and that President Quinney make the appropriate referrals

Motion Carried

Reports from City Officers, Boards and Commissions:

- a. Letters from the Mayor re:
 - i. Sole Source Purchase; Lansing Fire Department request for Tall Pines LLC as the vendor for services to develop promotional exams

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- ii. Appointment of Josh Hovey to the Traffic Board for a 3rd Ward Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- iii. Appointment of Peter Mormon to the Traffic Board for a 4th Ward Term to Expire June 30, 2012

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- iv. Appointment of Vincent Pecora to the Traffic Board for an At-Large Term to Expire June 30, 2009

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Communications and Petitions, and Other City Related Matters:

- a. Letter from the Treasurer of Lansing Sesquicentennial Foundation, Timothy Adams, submitting its monthly report of expenditures for January 2009

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. Application for Community Funding submitted by Lansing Neighborhood Council for their Bea Christy Award Dinner to be held February 27, 2009

RECEIVED AND PLACED ON FILE

- c. Community Funding Reporting Statement submitted by Lansing Neighborhood Council for their Bea Christy Award Dinner held February 22, 2008

RECEIVED AND PLACED ON FILE

- d. Letter of resignation from the Board of Ethics submitted by Paul Teszlewicz

RECEIVED AND PLACED ON FILE

- e. Letter from John Pollard of 1718 Blair St. regarding property taxes of a potential City Council candidate

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Councilmember Wood asked City Clerk Swope if communications received by the City Council regarding the snow removal ordinance could be a part of the Public Hearing referral and he stated that they

could.

Councilmember Kaltenbach stated that Peter Mormon was a terrific choice for the Traffic Board.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that citizens can call the Police Department or the Traffic Division regarding overnight parking violations. He addressed comments made by speakers tonight regarding the proposed changes to the snow removal ordinance. He announced the next City Hall on the Road event, the next Mobile Food Pantry and two informational meetings being presented by the City Assessor regarding taxable home values. He stated that there was one day left for citizens to pay their winter property tax bill without receiving a penalty.

Councilmember Robinson asked Jerry Ambrose about the barrels on Edgewood Blvd. and to look into the issue regarding snow removal at Wexford School mentioned by a speaker tonight.

ADJOURNED TIME 9:26 P.M.

CHRIS SWOPE, CITY CLERK