



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 23, 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, Robinson, Wood

ABSENT: Councilmember Quinney

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

CONSIDERATION OF LATE ITEMS

By Councilmember Jeffries

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 Wood; Tribute; Recognition of Lansing's Pastors for dedication to the community

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; El-Shabazz Academy Dancer and Drumming Performance in Recognition of Black History Month

Dr. Kane of El-Shabazz Academy spoke about Black History Month and introduced the performers who performed a drumming and dancing exhibition.

2. Tribute; Recognizing the Michigan Bulletin on its 15th Anniversary

City Clerk Swope read the following Resolution:

RESOLUTION #2009-033

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

WHEREAS, Marcus Jefferson, Greg Kelley, and Ernie Boone established The Michigan Bulletin in February 1995; and

WHEREAS, The Michigan Bulletin is a bi-weekly newspaper that

publishes articles on a wide variety of issues that affect Lansing area minorities; and

WHEREAS, The Michigan Bulletin is affiliated with numerous fraternal, religious, and civic organizations to aid staff in their mission toward community outreach; and

WHEREAS, The Michigan Bulletin works with young people through its Young Publishers Club to teach middle school students to college students all aspects of the publishing business, in hopes that they will major in journalism in college and/or start their own publication; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates The Michigan Bulletin on its 15th Anniversary. We wish you continued success in the future!

By Councilmember Wood

Motion Carried

Councilmember Wood introduced Marcus Jefferson.

Marcus Jefferson spoke about a Young Publishers Club.

Mayor Bernero spoke about the Michigan Bulletin, its 15 year milestone and the free press.

Councilmember Wood asked Marcus Jefferson to speak about closing the digital gap.

Marcus Jefferson explained the ways the Michigan Bulletin is working to close the digital gap in Lansing.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Wood spoke about the upcoming Bea Christy Award Dinner and two informational meetings on home tax values being presented by the City Assessor. She announced the Averill neighborhood meeting and Walking and Biking Network informational meetings. She spoke about the recent UAW Black History Month event.

Councilmember Hewitt announced the next Northtown and Green Oaks neighborhood meetings and he spoke about upcoming CSO meetings. He announced the next 1st Contact meeting for citizens of the 1st Ward and also announced the next Spring Souper event. He stated that Councilmember Jeffries makes some of the best pies for the Spring Souper. He also announced a family and friends day at a local church.

Councilmember Allen stated that she has received dozens of e-mails regarding the proposed changes to the snow removal Ordinance and assured viewers that the City Council will take its time to work on it. She challenged her fellow councilmembers to make better pies than Councilmember Jeffries for the Spring Souper.

Councilmember Dunbar spoke about the email messages she has received regarding the proposed changes to the snow removal Ordinance. She announced a Building Healthy and Sustainable Communities forum and gave details for citizens about the Home Purchase and Rehabilitation Fund.

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 about the latest Mobile Food Pantry and announced the next event. He spoke about Lansing's portion of President Obama's stimulus package. He spoke about the plights of auto workers and stated that all Lansing citizens should look out for their neighbors.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of SLU-6-2008; Request from Barefoot Christian Church to utilize the building at 2312 E. Michigan Ave. for a church
2. In consideration of Z-8-2008; A request by Sycamore Street Partners, LLC, to rezone, with conditions, the property at the northwest corner of W. Ottawa St. and N. Sycamore St. from "DM-3" Residential and "D-1" Professional Office Districts to "F-1" Commercial District to accommodate a mixed use building with associated site improvements

Councilmember Jeffries gave an extensive overview of the Public Hearings.

Stephanie Whitbeck of 620 W. Ionia St. stated concerns with Z-8-2008.

Harold King of 1563 N. High St. spoke in opposition to tax abatements.

Michael Hamlin of 732 W. Genesee St. spoke in support of Z-8-2008.

Gene Townsend of 815 Bancroft Ct. spoke in support of Z-8-2008.

Tony Beyers of 4800 Alpha St. spoke in support of Z-8-2008.

Matt Waligorski of 1129 Poxson Ave. spoke in support of Z-8-2008.

Alicia Perez-Banuet of 804 W. Shiawassee St. spoke in support of Z-8-2008.

Leticia Rodriguez of 416 N. Sycamore St. spoke in support of Z-8-2008.

Chris McCarus of 320 N. Butler St. urged city planning not involving the use automobiles.

Scott Schmidt of 535 N. Cedar St. spoke in support of Z-8-2008.

Jody Washington of 521 Nantucket Dr. spoke in support of Z-8-2008 and NEZ #24.

Vince Villegas of 500 E. Michigan Ave. spoke in support of Z-8-2008.

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

John Pollard of 1718 Blair St. spoke in opposition to Z-8-2008 and the OPRA District and Certificate for Cool City Developers, LLC.

Stan Shuck of 818 Cooper Ave. spoke in opposition to Z-8-2008.

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

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

REFERRAL OF PUBLIC HEARINGS

1. In consideration of SLU-6-2008; Request from Barefoot Christian Church to utilize the building at 2312 E. Michigan Ave. for a church

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-8-2008; A request by Sycamore Street Partners, LLC, to rezone, with conditions, the property at the northwest corner of W. Ottawa St. and N. Sycamore St. from "DM-3" Residential and "D-1" Professional Office Districts to "F-1" Commercial District to accommodate a mixed use building with associated site improvements

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Penny Gardner of 1035 Seymour Ave. spoke about positive aspects of Lansing.

Michael Morofsky of 1300 Woodbine Ave. spoke about neighborhood watch.

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

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

Stephanie Whitbeck of 620 W. Ionia St. spoke about snow removal, Z-8-2008 and spoke about positive aspects of Lansing.

Mary Marshall of 3921 Calvin Dr. spoke about various city matters.

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

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

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

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

Michigan of Lansing, MI spoke about life.

Jesse Cao of 3909 Wainwright Ave. spoke about racism.

Jean-Philippe Lebleau of 25513 5 mild Rd., Redford Twp., spoke about the Home Foreclosure and Bank Protection Act.

Bill Roberts of 29723 Mason St., Livonia, spoke about the Home Foreclosure and Bank Protection Act.

Linda Appling of 4010 Thackin Dr. spoke about clearing sidewalks of snow.

Rob Wilcox of 1104 Pershing Dr. spoke about various city matters.

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

matters.

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

Queen Darlene Rhodes of 1200 Parkview St. spoke about Black History Month.

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

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

Christopher Davis of 122 W. Howe spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2009-034

BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Pearl Nomvume Magaqa is in Lansing to further good relations and opportunities between the Republic of South Africa and the Midwestern States of the United States; and

WHEREAS, in June, 2008, Pearl Nomvume Magaqa was appointed as the Consul General of South Africa in Chicago with responsibilities for 14 states, including Michigan; and

WHEREAS, previously Consul General Pearl Nomvume Magaqa served as Chief Director in the Office of the Ministers of Public Enterprises and of Transport; and

WHEREAS, Consul General Magaqa was her nation's ambassador to Thailand in 2005, Ambassador Extraordinary and Plenipotentiary and Permanent Observer to the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP); and

WHEREAS, during more than a decade Pearl Nomvume Magaqa has served in various capacities in the African National Congress, including researching education issues for the first historic meetings between Nelson Mandela and F.W. de Klerk before the African National Congress took power in the first democratic election in 1994; and

WHEREAS, Pearl Nomvume Magaqa speaks Bulgarian, Swahili, German, Zulu, Xhosa, English, Swazi, and Afrikaans at various levels of proficiency; and

WHEREAS, Lansing is looking forward to working with Consul Pearl Nomvume Magaqa to further develop Lansing-South African relations in cultural, diplomatic, and economic avenues;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, welcomes Consul General Pearl Nomvume Magaqa to Lansing and congratulates her on her appointment as Consul General of South Africa to Chicago;

BE IT FURTHER RESOLVED that this document is presented in token of respect and friendship being offered to Pearl Nomvume Magaqa by the Lansing City Council and on behalf of the Mayor and the citizens of Lansing. We offer good will to the people of the nation and the Republic of South Africa.

By Councilmember Dunbar

Motion Carried

RESOLUTION #2009-035

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

WHEREAS, today, more than ever, our religious leaders play a critical role keeping the community nurtured and motivated to take on every day challenges and celebrate its triumphs. These leaders carry significant influence in our lives and are among the most highly respected individuals in the community; and

WHEREAS, the Divine Connection, in association with Swanson Funeral Home and New Citizen Press, will play host in honoring some of the City's most esteemed and influential pastors, who have made a positive effect on the community. The Pastors Salute will publicly observe and applaud the contributions of the pastors recognized this year and each year to follow as well as showcase their good works in the community; and

WHEREAS, on Saturday, February 28, 2009, the Pastors Salute will pay tribute to the pre-selected pastors through an event and special commemorative plaque from Swanson Funeral Home as well as letters written by their congregation in a gift box to be treasured for years to come, both as a commemoration of the community's heroes and a testament to the community's strong faith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize Lansing's pastors for dedication to the community and celebrate their triumphs as leaders, mentors, and motivators.

By Councilmember Wood

Motion Carried

RESOLUTION #2009-036

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

RESOLUTION TO ESTABLISH NEIGHBORHOOD ENTERPRISE ZONE No. 24 EAST VILLAGE

WHEREAS, the City of Lansing supports the efforts to complete and revitalize the residential neighborhood commonly known as East Village in Lansing, Michigan; and

WHEREAS, Public Act 147, 1992 of the State of Michigan, the Neighborhood Enterprise Zone Act, was enacted to encourage new housing construction and the rehabilitation of existing housing units and structures in older established cities in the State, including the City of Lansing, by allowing communities to grant tax abatement on specific residential properties located within districts which are designated by the community; and

WHEREAS, as required by P.A. 147 of 1992, the City Assessor and each taxing unit were notified on December 1, 2008 of the City's intent to establish a new Neighborhood Enterprise Zone, and that written notice was received not less than 60 days before the passage of a resolution for designation of a Neighborhood Enterprise Zone; and

WHEREAS, as required by P.A. 147 of 1992, prior to acting on this request, on December 8, 2008 a public hearing was held on the establishment of a new Neighborhood Enterprise Zone. The public hearing was held not later than 45 days after notification of the taxing units; and

WHEREAS, as required by P.A. 147 of 1992, the City Council has been furnished with the amount of the True Cash Value of the property located within the proposed Neighborhood Enterprise Zone has been calculated by the City Assessors Office at \$13,275,000;

NOW THEREFORE BE IT RESOLVED, that as required by P.A. 147 of 1992, the City Council makes the following findings:

- 1) The City Council has previously adopted a housing inspection code ordinance which meets the requirements of P.A. 147 of 1992.
- 2) The proposed Neighborhood Enterprise Zone is consistent with the area master plan, and the neighborhood preservation and economic development goals of the City.
- 3) The goals, objectives and policies prepared for the five-year U.S. Department of Housing and Urban Development Consolidated Plan and the *Goals & Objectives for the Twenty-first Century* as adopted by the City Council meet the intended goals, objectives and policy for the Neighborhood Enterprise Zones relative to the maintenance, preservation, improvement, and development of housing for all persons regardless of income level living within a Neighborhood Enterprise Zone.

BE IT FURTHER RESOLVED that the Lansing City Council approves the boundaries for the new Neighborhood Enterprise Zone as described below:

East Village, No. 24

Boundaries: COM 40 FT S OF N 1/4 COR SEC 15, TH E 816.53 FT, S 938.68 FT, W 1055.47 FT, N 115.77 FT, W 99.59 FT, N 827.99 FT TO S LINE E SAGINAW ST, E 335.85 FT TO BEG; SEC 15 T4N R2W.

BE IT FURTHER RESOLVED that the Lansing City Council hereby establishes a Neighborhood Enterprise Zone with the intended purpose of promoting residential development, as listed by parcel number in "Attachment A" and as represented on the map as "Attachment B".

BE IT FURTHER RESOLVED that the administration through its contractual obligation with the Economic Development Corporation of the City of Lansing is authorized to implement the Neighborhood Enterprise Zone program in Zone 24, East Village in accordance with P.A. 147, of 1992.

BE IT FINALLY RESOLVED that the City Clerk forward three certified copies of this resolution to the Economic Development Corporation so that this action shall be filed with the State Department of Treasury.

By Councilmember Jeffries

Motion Carried

RESOLUTION #2009-037

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

Obsolete Property Rehabilitation Act: 1522 North Turner/310 E North Street

WHEREAS, the owner of property located at 1522 North Turner and 310 E North 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 current owner is Cool City Developers, LLC, hereinafter called the Developer, and

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

WHEREAS, the owner 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:

PART OF LOTS 4, 5, 6 & 7 COM NW COR LOT 5, TH S 82 FT, E 66 FT, S 80 FT, W 66 FT, S 118.5 FT, E 124 FT, N 261.72 FT, NWLY 115 FT +/- TO BEG; BLOCK 8 ORIG PLAT and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on February 16, 2009;

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: PART OF LOTS 4, 5, 6 & 7 COM NW COR LOT 5, TH S 82 FT, E 66 FT, S 80 FT, W 66 FT, S 118.5 FT, E 124 FT, N 261.72 FT, NWLY 115 FT +/- TO BEG; BLOCK 8 ORIG PLAT and,

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

By Councilmember Jeffries

Motion Carried

RESOLUTION #2009-038

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

Obsolete Property Rehabilitation Tax Exemption Certificate Approval,
1522 N Turner and 310 E. North Street

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Cool City Developers, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1522 North Turner and 310 E. North Street, Lansing, Michigan (Obsolete Property); and

WHEREAS, Cool City Developers, LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District is expected to be legally established by resolution on February 23, 2009, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on February 16, 2009 on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than December 31, 2011, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office, and retail commercial use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to Cool City Developers, LLC, for

the Obsolete Property located at 1522 North Turner and 310 E North Street, Lansing, Michigan, legally described as:

PART OF LOTS 4, 5, 6 & 7 COM NW COR LOT 5, TH S 82 FT, E 66 FT, S 80 FT, W 66 FT, S 118.5 FT, E 124 FT, N 261.72 FT, NW'LY 115 FT +/- TO BEG; BLOCK 8 ORIG PLAT

for the period of twelve (12) consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing and does not substantially impede the operation of the City of Lansing or impair its financial soundness.
2. The applicant is not delinquent in any taxes related to the facility.
3. All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.
4. The application is for an obsolete property as defined in section 2(h) of PA 146 of 2000.
5. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.
6. The application relates to the rehabilitation program for the building located at 1522 N Turner St and 310 E North St., Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.
7. The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.
8. The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.

The rehabilitation must be completed not later than December 31, 2011 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #2009-039

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

WHEREAS, the Mayor made the appointment of Marcie Alling, 514 Fulton Place, Lansing, Michigan 48915 to an At Large position on the Board of Zoning Appeals, for a term to expire June 30, 2010.

WHEREAS, the Committee on Development and Planning met on February 18, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Marcie Alling, 514 Fulton Place, Lansing, Michigan 48915 to an At Large position on the Board of Zoning Appeals, for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION #2009-040

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

WHEREAS, the Committee reviewed a memo from the Human Resources Director, Terri Singleton, regarding the Compensation and Fringe Benefits for the City Council staff; and

WHEREAS, the Committee recommends that the Council authorize the changes to have the Compensation and Fringe Benefits for its employees to be in accordance with provisions provided to other City employees and Teamsters Local 214;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the recommendation from the Human Resources Director, Terri Singleton, to make adjustments to the City Council staff Fringe Benefit package to have the Compensation and Fringe Benefits for its employees to be in accordance with provisions provided to other City employees and Teamsters Local 214:

- 1) Wage Increases and Cash Payment:

August 1, 2007:	0.00% increase hourly wage
February 1, 2009:	1% cash payment
August 1, 2009:	1.25% increase hourly wage
August 1, 2010	1.25% increase hourly wage
- 2) Add an additional two (2) Steps at the Bottom of the Pay Scale: (the new step 1 will be 10% less than the existing step 1 and the new step 2 will be 5% less than the existing step 1; the existing steps will be renumbered).
- 3) Sick Leave Incentive: Eliminate current incentive (\$150 if use less than 8 hours sick leave in a year) and replace it with the following incentive:

Employees who have accumulated sixty (60) days (480 hours) of sick leave shall have the option at the end of the calendar year ending September 30th to receive reimbursement for up to the first four (4) unused sick leave days accrued that year. If an employee did not use a sick leave day during that year he/she may be reimbursed for up to four (4) days. If an employee used one (1) sick leave day he/she shall be eligible for three (3) days of reimbursement. If an employee uses two (2) sick leave days he/she shall be eligible for two (2) days of reimbursement. If an employee uses three (3) sick leave days he/she shall be eligible for one (1) day of reimbursement.

- 4) Health Insurance - Effective 4/1/09 (or as soon as is practicable):

- a. 5% Employee Monthly Premium Share
- b. Prescription Co-Pays: \$10/20/40 (BCBS) and \$15/25/50 (PHP) or if the City obtains a Prescription Benefit Manager, \$10/20/40 under either plan.
- c. Mail Order Prescription Drug Rider: MOPD2 (90 days w/2 co-pays)
- d. Retail 90 Rider: 90 days w/2 co-pays
- e. Mandatory Generic Rider: unless approval is received, an individual must accept the generic version of brand name drugs or pay the brand name co-pay plus the difference in cost between the generic and brand name drug.
- f. Healthcare Co-pays: \$20 Office/Urgent Care Visit, \$50 Emergency Room Visit
- g. City employees married to City employees are entitled to one coverage only and are not entitled to opt-out payment.
- h. Retiree Healthcare: new employees hired after ratification are entitled to retiree only healthcare coverage after retirement.

The City will hold a Special Open Enrollment for employees who wish to change health coverage prior to the effective date of the changes.

Note: the City agrees to increase the maximum cap on medical expense reimbursement flexible spending account provided through AFLAC to \$2,500 per year.

- 5) Dental Insurance Coverage: Effective 4/1/09 (or as soon as is practicable):

Increase the maximum benefit for Class I, II, and III services from \$800 to \$1,200 and the maximum benefit for Class IV (Orthodontic) services from \$1,000 to \$3,500.

- 6) Vision Insurance Coverage: Effective 4/1/09 (or as soon as is practicable):

The City will provide Blue Cross Blue Shield VSP 12/12/12 vision insurance coverage.

The benefit package adjustments recommended above are well within the parameters of the costs and provisions in recently negotiated labor contracts and other personnel group rules.

By Councilmember Allen

Motion Carried

RESOLUTION #2009-041

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 **529 Ash Street**, Parcel # **33-01-01-09-430-221** legally described as: **Lot 29 Assessors Plat No 30 of Block 19 Orig Plat** 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 23, 2008**; and

WHEREAS, a hearing was held by the Hearing Officers on **August 28, 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 **September 25, 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 **October 27, 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 **529 Ash Street** 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, February 23, 2009**.

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 #2009-042

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 **612 N. Larch**, Parcel # **33-01-01-16-227-161** legally described as: **Com 374.17 Ft S & 25 Ft W of NE Cor Lot 1 Th S'y Par L to E Line Sec 16 250.19 Ft to S'y line Lot 4, W'y along S'y Line Said Lot 4 170.15 Ft, N'y Par L with E Line Sec 16 437.83 Ft, SE'y on 373.06 Ft Rad Curve Conv to NE With Long Chord of 253.45 Ft to Beg; Block 248 Orig Plat** 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

issued four separate housing code violation letters between January and July 2008; and

WHEREAS, a hearing was held by the Hearing Officers on **December 4, 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 **January 4, 2009**; 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 **February 9, 2009**, 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 **612 N. Larch** 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, February 23, 2009**.

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 #2009-043

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

WHEREAS, the Transportation and Parking Office received a request from Hotwater Works located at 2116 Michigan Avenue to implement a two-hour time limit along the south side of Michigan Avenue between Fairview Avenue and Magnolia Avenue;

WHEREAS, based on the Transportation and Parking Office's evaluation, the Transportation and Parking Office installed two-hour time limit signs along the south side and the appropriate corner clearance signs along the north and south sides of Michigan Avenue between Fairview Avenue and Magnolia Avenue on a trial basis;

WHEREAS, based on field observations during the trial period and the fact that no negative comments were received, the Transportation and Parking Office recommends that the existing two-hour parking signs along the south side and the appropriate corner clearance signs along the north and south sides of Michigan Avenue between Fairview Avenue and Magnolia Avenue be made permanent;

WHEREAS, based upon the results of this study, the Traffic Board, due to a lack of quorum, is forwarding a positive, but unofficial, recommendation concurring with the Transportation and Parking Office that the existing two-hour time limit signs along the south side and the appropriate corner clearance signs along the north and south sides of Michigan Avenue between Fairview Avenue and Magnolia Avenue be made permanent;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Transportation and Parking Office;

WHEREAS, the Committee on Public Safety concurs with the recommendation of the Transportation and Parking Office;

WHEREAS, pursuant to Section 2.53(2) of the Codified Ordinances of Lansing the Transportation Engineer installed the two-hour time limit signs along the south side and the appropriate corner clearance signs along the north and south sides of Michigan Avenue between Fairview Avenue and Magnolia Avenue;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 08-051 thereby authorizing the Transportation Engineer to regulate the parking regulations on Michigan Avenue between Fairview Avenue and Magnolia Avenue;

BE IT FINALLY RESOLVED that Traffic Control Order No. 08-051 shall become effective when signed by the Transportation Engineer, filed with the City Clerk and any additional signs are installed.

By Councilmember Allen

Motion Carried

RESOLUTION #2009-044

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

PUBLIC IMPROVEMENT V

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

AREA BOUNDED BY JOLLY RD., CROCUS AVE., BLUEBELL DR., AND S WASHINGTON AVE.. ALSO AN AREA BOUNDED BY JOLLY RD., BALLARD RD., INGHAM ST., AND FIELDING DR.. ALSO AREA BOUNDED BY CAVANAUGH RD., S. PENNSYLVANIA AVE., VERNON AVE. AND PARKWAY BLVD.. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LANDS DEEMED NOT BENEFITTED.

ASSESSMENT ROLL B086	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	\$94,522.67	\$94,215.42	\$-307.25

RESOLVED, by the City Council of the city of Lansing, that the supplementary Special Assessment Roll B086 Public Service # 01091, known as **SIDEWALK REPAIR** as returned by the City Assessor, be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Dunbar

Motion Carried

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that Vice President Robinson 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 updated Buy/Sell Agreement from Lansing Community College to purchase the North Capitol Ave. Parking Ramp from the City of Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Submitting reports of Board, Authority and Commission Term Expirations, Appointments Pending Council Confirmation, City Boards, Authorities and Commissions (Comprehensive listing) and Vacant Board, Authority and Commission Positions

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
 - i. Appointment of Margaret Bossenbery to the Board of Water and Light Board of Trustees for a 2nd Ward Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Withdrawal of Appointment of Mary Welch to the Board of Zoning Appeals

RECEIVED AND PLACED ON FILE

- iii. Sole Source Purchase; Police Department request for iyeTek Company as the vendor for Electronic Crash & Citation Reporting Software

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

- iv. Sole Source Purchase; Police Department request for Corrugated Metals, Inc. as the vendor for Blast Wall for Emergent Biosolutions

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

• Communications and Petitions, and Other City Related Matters:

- a. Notices from the State of Michigan Public Service Commission providing notice of public hearings to:
 - i. The Electric customers of Consumers Energy Company Case No. U-15744 to be held March 3, 2009

RECEIVED AND PLACED ON FILE

- ii. The Electric and Gas Customers of Consumers Energy Company Case Nos. U15805 and U-15889 to be held February 27, 2009

RECEIVED AND PLACED ON FILE

- b. Letter of Resignation from the Traffic Board submitted by Katie Olender

RECEIVED AND PLACED ON FILE

- c. Letter from Rebecca Payne of 101 Bessemaur Dr., East Lansing, in opposition to the Board of Water and Light's proposed new coal burning plant

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Letter from Christine Timmon of 2519 S. Washington Ave. regarding the Lansing City Council

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Dunbar

To excuse Council President Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar explained that councilmembers who use laptop computers during City Council meeting are recording the comments of speakers so that they may contact them at a later time. She spoke about the Ottawa/Butler project.

Councilmember Jeffries spoke about the Ottawa/Butler project.

Councilmember Dunbar spoke about two informational meetings on home tax values being presented by the City Assessor. She addressed comments made by a speaker tonight regarding Lansing's creative class.

Councilmember Wood spoke about the Ottawa/Butler project.

ADJOURNED TIME 10:13 P.M.

CHRIS SWOPE, CITY CLERK