



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 6, 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, Hewitt, Jeffries, Kaltenbach, Quinney

ABSENT: Councilmembers Dunbar, Robinson, and Wood (Arrived at 7:02 p.m.)

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

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

Councilmember Wood arrived at the meeting at 7:02 p.m.

1. Tribute; Congratulating the Immaculate Heart of Mary Eagles Hockey Team on winning the Best Sportsmanship Award for 2009

City Clerk Swope read the following Resolution:

RESOLUTION #2009-090

BY COUNCILMEMBER TIM KALTENBACH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Parks & Recreation Department has awarded two Immaculate Heart of Mary Eagles floor hockey teams the Best Sportsmanship Award for the 2009 season; and

WHEREAS, the IHM Eagles are one of fifty-six teams participating in the Lansing Parks & Recreation youth sports leagues. This is the first year Lansing has rated teams on sportsmanship and granted awards to the teams that demonstrated the greatest sportsmanship; and

WHEREAS, over the course of six weeks, the players, the coaches, and the parents were rated on a scale of 1 to 5, with 5 being the highest score, on sportsmanlike behavior after each game by two officials and the scorekeeper;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wish to congratulate the Immaculate Heart of Mary Eagles Hockey Team on winning the Best Sportsmanship Award for 2009. We wish you continued success!

By Councilmember Kaltenbach

Motion Carried

Council President Quinney recognized the conduct of all of the award recipients.

A school representative thanked the City Council for this honor.

Councilmember Allen stated that she was a hockey lover and spoke about her niece who is a goalie in the Upper Peninsula.

A student stated that a good sportsman is someone who is good during sports.

2. Tribute; Recognition of Sam Brooks' achievement of the Rank of Eagle Scout

City Clerk Swope read the following resolution adopted on April 2, 2009:

RESOLUTION #2009-081

BY COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sam Brooks is a member of Boy Scout Troop 411, chartered to Christ United Methodist Church; and

WHEREAS, Sam completed a project that, with the backing of the American Red Cross, included organizing, advertising, and recruiting donors for a community blood drive, attracting 61 possible donors of which the Red Cross was able to accept 51 donors and successfully collecting 47 usable pints of blood; and

WHEREAS, among the 61 possible donors, Sam was able to provide the American Red Cross with the names of 28 first time donors, making it one of the best Saturday drives held, according to Steve Berger and the staff from the Red Cross; and

WHEREAS, Sam supervised over 15 youths and adults who spent a total of 78 hours completing the project as well as spending almost 34 hours planning the eight hour blood drive; and

WHEREAS, he attended Everett High School where he was on the Honor Roll for four years and graduated with Honors in June 2008 with a GPA over 3.2.

WHEREAS, Sam participated in swimming and football for four years earning a varsity letter each year. He was awarded the "Most Improved Swimmer" and "Most Valuable Swimmer" as well as the "Humor Award" for three years running. He was presented the "Davis West Memorial Award" for his portrayal of dedication, hard work, bravery, and integrity on and off the field during his senior year in football; and

WHEREAS, he was an active member of Pack 401 from Cavanaugh Elementary School where he earned his "Arrow of Light Award" in 2001 and moved up to Troop 411 in the spring of 2001; and

WHEREAS, Sam demonstrated leadership and citizenship throughout his Scout years earning 21 merit badges before reaching his 18th birthday to achieve Eagle Rank; and

WHEREAS, in his letter to the Eagle Advancement Committee, he stated "I joined the Boy Scouts because I wanted to make a difference in my community and become a better person";

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulate Sam Brooks for earning the "Eagle Scout Award," Scouting's highest achievement from the Boy Scouts of America. We wish you continued success in all your future endeavors!

Councilmember Allen stated that Sam is a very special young man.

Sam Brooks spoke about winning a humor award.

A scout leader stated that Sam Brooks is a great human being.

A scout leader stated that Sam Brooks is a wonderful person.

Sam Brooks' mother stated that she is proud of her son.

Sam Brooks' brother stated that he is proud of his brother.

Sam Brooks' girlfriend stated that Sam has good morals.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Hewitt thanked those who attended the recent 1st Contact meeting for residents of the 1st Ward. He spoke about an Easter Egg event in the Allen neighborhood. He stated that three City departments did not show up for a recent neighborhood meeting.

Councilmember Wood announced an Easter egg hunt in Filley Park. She asked Jerry Ambrose, Executive Assistant to Mayor Bernero, for a follow-up on a guard rail for a Mr. Holbrook located at 6327 Grovenburg Rd.

Councilmember Allen asked Jerry Ambrose to look into a situation involving overflowing trash bins at 5609 Joshua St. and a boarded up house at 5624 Joshua St.

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 recent CREATE Lansing event. He announced the upcoming Feed the Children Spring Break event and the next Diversity Day Event.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of creating a Michigan Avenue Corridor Improvement Authority

Councilmember Jeffries gave a brief overview of the Public Hearing.

Joan Nelson of 217 Rosamond St. spoke in support of creating a Michigan Avenue Corridor Improvement Authority.

Loretta Stanaway of 546 Armstrong Rd. stated concerns with creating a Michigan Avenue Corridor Improvement Authority.

Faron Supanich of 711 Sparrow Ave. spoke in support of creating a Michigan Avenue Corridor Improvement Authority.

John Pollard of 1718 Blair St. spoke in opposition to creating a Michigan Avenue Corridor Improvement Authority.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke in opposition to creating a Michigan Avenue Corridor Improvement Authority.

Charlene Decker 2711 Pleasant Grove Rd. spoke in opposition to creating a Michigan Avenue Corridor Improvement Authority.

Richard Clement of P.O. Box 26123 spoke in support of creating a Michigan Avenue Corridor Improvement Authority.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of creating a Michigan Avenue Corridor Improvement Authority

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

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

Jonathan Braun of 405 E. Saginaw St. spoke about Oliver Towers.

Devin Lester of the Lansing City Rescue Mission spoke about Oliver Towers.

Mike Morofsky of 1300 Woodbine Ave. spoke about the Lansing Police Department.

William Hubbell of 3916 Wedgewood Dr. spoke about tree damage.

Bob Gray of 422 Dadson Dr. spoke about the CATA bus turn around on Edgewood Blvd.

Pamela Miller of 515 W. Kilborn St. invited the City Council to dine in her new Old Town restaurant.

Loretta Stanaway of 546 Armstrong Rd. spoke about various city matters.

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

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

Bonnie Eastman of 1901 Vermont Ave. spoke about Riverfront Apartments.

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.

Richard Clement of P.O. Box 26123 spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2009-091

BY COUNCILMEMBER SANDY ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1235 W. Michigan Avenue**, Parcel # **33-01-01-17-401-511** and Legal Description: **Lot 18 Assessors Plat No 8** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **January 28, 2009**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on , the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

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

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that 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;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, April 20, 2009** at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1235 W. Michigan Avenue** to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

City Clerk Swope read the following Resolution:

RESOLUTION #2009-092

BY COUNCILMEMBER A'LYNNE ROBINSON

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mrs. Gilmore has been a resident of Lansing for over sixty years, graduating from Sexton High School, and is the sole survivor of her siblings, John Davis Jr., Alonzo Davis, Willie Davis, and Sarah Jackson; and

WHEREAS, Betty is the proud mother of two daughters, Terrilyn James Jones and LaTonya Burke and grandmother to three grandsons; Alonzo, Armand, and Marlon Burke; and

WHEREAS, Mrs. Gilmore retired from Consumers Power Company, now Consumers Energy, after over thirty years of service. As an active volunteer in the Lansing community, she has served as a board member

and volunteer to several local organizations; and

WHEREAS, Betty has generously volunteered her time to the City of Lansing as a Crossing Guard and Voting Polls Coordinator. She has served as a member of the Consumers Power MAP Committee, Letts Community Center Board, Lincoln Center Reunion, the Pilgrim Rest Senior Saints ministry, Mt. Zion Choir, Kitchen and Nurses ministries, NAACP Lansing Board of Directors, and the Richard D Letts Memorial Scholarship Board of Directors; and

WHEREAS, Mrs. Gilmore has served as Chairperson of the Lansing Association of Women's Clubs and the NAACP State Membership; and

WHEREAS, Betty is being honored for her contributions to the community at a 12th Annual Letts Memorial Scholarship Tournament on Friday, April 17, 2009;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, proclaims April 17, 2009 Betty Gilmore Day in honor of her dedication to the Lansing Community.

By Councilmember Hewitt

Motion Carried

RESOLUTION #2009-093

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

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

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

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

FIREWORKS DISPLAY PERMIT:

Lansing Lugnuts and Night Magic Displays for a public display of fireworks in the City of Lansing at Oldsmobile Park to be held on April 9, 2009 with a rain date of August 1, 2009.

By Councilmember Kaltenbach

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 President Quinney make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:

- a. Letters from the City Clerk
 - i. Submitting the Elected Officers Compensation Commission's Salary Determination and Elected Officers Fringe Benefits report

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Providing notice of the Memorial Review Board's recommendations regarding an Application for Naming and Renaming Memorials in the City of Lansing filed by Joe Schramek to rename the Sycamore Driving Range in honor of Paul Bondeson

RECEIVED AND PLACED ON FILE

- iii. Submitting an Application for a Public Display of Fireworks filed by Lansing Lugnuts and Roger Bonney of Night Magic Displays to be held on April 9, 2009 with a rain date of August 1, 2009

RECEIVED AND PLACED ON FILE

- iv. Submitting Applications for a Public Display of Fireworks filed by Lansing Lugnuts and Roger Bonney of Night Magic Displays to be held on May 8th, 9th, 16th, 29th, and 30th, 2009, June 6th, 12th, 13th, 26th, and 27th, 2009 and July 4th, 17th, 18th, 31st, 2009 with rain dates of August 1st, 7th, 8th, and 15th, 2009 and September 4th, 2009

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- v. 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. Golf Fee Schedule for 2009

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

- ii. Special Recreation Fees

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

- iii. Transfer of Funds; State/Federal Programs, State Homeland Security Program (2007 SHSP)

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

- iv. Transfer of Funds; State/Federal Programs, State Homeland Security Program (2007 LETPP)

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

- v. Transfer of Funds; LPD Special Operations

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

- vi. Transfer of Funds; Police Administration, Problem-Solving Overtime

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

• Communications and Petitions, and Other City Related Matters:

- a. Letters from Comcast Cable:

- i. Providing notice of its upcoming Comcast Cares Day

RECEIVED AND PLACED ON FILE

- ii. Providing notice of new service effective March 30,

2009

REFERRED TO THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD

- b. Application for Community Funding filed by Old Town Commercial Association for its Festival of the Moon/Festival of the Sun event to be held June 26-27, 2009

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Request for Recognition of Non-Profit Status in the City of Lansing submitted by Debra Dawsey, President of Gardner Music Boosters located at 333 Dahlia Dr.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letters in support of the Request for Revocation of Liquor License for the Cadillac Club submitted by:
 - i. John Nakfoor of WENCO Properties
 - ii. Larry Nakfoor of WENCO Properties
 - iii. Michael Shafer, no address given

RECEIVED AND PLACED ON FILE

- e. Letter from Nancy Parsons, no address given, in support of the North Capitol Parking Ramp Buy/Sell Agreement

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmembers Dunbar and Robinson from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked Jerry Ambrose, Executive Assistant to Mayor Bernero, to have the parking office review the situation in downtown where 22 of 32 parking meters have been bagged on recent days.

Councilmember Wood asked Jerry Ambrose when the City Council would receive the budget detail.

Jerry Ambrose stated that the City Council would receive the detail tomorrow.

Councilmember Wood asked President Quinney to change one of the upcoming east side budget meetings to the south side.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, announced the next City Hall on the Road event and stated that the guard rail issue raised by Councilmember Wood was being addressed.

Council President Quinney announced that City Hall would be closed this Friday, April 10, 2009 in observance of Good Friday.

ADJOURNED TIME 8:39 P.M.

CHRIS SWOPE, CITY CLERK