



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF JUNE 22, 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 Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney, Wood

**ABSENT:** Councilmembers Allen and Robinson (Arrived at 9:21 p.m.)

Council President Quinney asked folks to remember Frank Garrison of the Michigan AFL-CIO who recently passed away during the moment of Meditation. 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 June 15, 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. Mayoral Presentation; Recognition of the National Association of Letter Carriers' 17th Annual Stamp Out Hunger Food Drive

Mayor Bernero spoke about the history of the food drive. He thanked the letter carriers for filling the area food pantries. He highlighted points in his proclamation to the letter carriers.

President Quinney stated that this event is an extension of the labor movement and thanked the letter carriers on behalf of the City Council.

Rita Seyka thanked the community for its involvement in the event. She stated that 97,000 pounds of food have been collected in the Lansing area.

Mayor Bernero asked all to participate.

Councilmember Kaltenbach applauded all letter carriers.

Councilmember Dunbar praised her letter carriers for participating in neighborhood activities.

2. Presentation; Recognition of the Winners of the Pac Mac Spelling Bee held on June 13, 2009

Councilmember Wood spoke about the 21st annual spelling bee. She spoke about Pac Mac's involvement in children's' education.

Audrey Smith spoke about the children in the program and thanked Ethel Williams for her passion for the program.

Ethel Williams stated that she joined Pac Mac 25 years ago. She gave detailed history of the program and thanked the parents for their involvement.

Audrey Smith introduced the students present.

The students introduced themselves and stated their grade level and stated which place in the competition they placed.

Audrey Smith encouraged students to participate in the future.

Councilmember Wood thanked the students, their parents and all of the professionals who participated in the program.

#### **COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Dunbar announced the Sagamore Hill Summer Barbecue, the next Concert in the Park at Moores Park, Blues on the Square, Averill Woods Neighborhood meeting, Festival of the Moon and Sun and the South Lansing Farm Market.

Councilmember Hewitt announced the next Gier Neighborhood Watch #154 meeting.

Councilmember Wood spoke about a neighborhood center at 119 E. Barnes and the Zeineh Garden behind the Women's Center of Greater Lansing.

City Clerk Swope stated that absentee ballots for the August Primary should be arriving in his office this coming week. He also stated that there is still time to request ballots and spoke about the ways in which request them.

#### **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 several items on tonight's agenda including his referral regarding the CSO Project Plan Amendment. He stated that the new City Market is under construction. He spoke about the recent Mobile Food Pantry, the Touch A Truck event, the next Concert in the Park and the next Blues on the Square event. He also spoke about Common Ground and the Festival of the Moon/Festival of the Sun event.

#### **PUBLIC COMMENT ON LEGISLATIVE MATTERS**

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Z-2-2009; 600 W. Maple St., a request filed by the Greater Lansing Housing Coalition to rezone the property located at 600 W. Maple St. from "B" Residential District to "D-1" Professional District to permit the building at this location to be used for 3 Head Start classrooms and offices that provide housing assistance and community support services
2. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 292 of the Lansing Code of Ordinances by Amending Sections 292.14, 292.155, 292.20, 292.21, 292.26, 292.35, 292.37b and Section 292.37c of Chapter 292, Employees Retirement System to provide for membership in the Retirement System for those FOP 911 Operators' Division employees who were previously members of the Defined Contribution Plan; to provide for age and service requirements; to modify employee contributions to the system and for retirement health care; to modify final average salary calculation; and to provide vesting requirements for retirement health care
3. In consideration of 2009-2010 Principal Shopping District Special Assessment

Lynn Martinez of the Greater Lansing Housing Coalition gave an overview of Public Hearing #1.

Councilmember Wood gave a brief overview of Public Hearing #2 and #3.

Daniel Bradley of Vertical Properties spoke in support of SLU-4-08.

Darnell E. Oldham, Sr. of 3825 Berwick Dr. spoke in support of Z-2-2009 and in opposition to SLU-4-08.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in support of Z-2-2009.

Robert Bennett of 907 Chicago Ave. spoke in support of Z-2-2009.

Kathi Raffone of 1221 Muskegon Ave. spoke in support of Z-2-2009.

Thelma Garrett of 8065 Grand River Ave. spoke in support of SLU-4-08.

Christine Timmon of 2519 S. Washington Ave. spoke in support of Z-2-2009 and SLU-4-08 and stated concerns with the Ordinance to Amend Chapter 292 of the Lansing Code of Ordinances.

John Pollard of 1718 Blair St. spoke in support of Z-2-2009 and in opposition to SLU-4-08.

Stan Shuck of 818 Cooper Ave. spoke in opposition to SLU-4-08.

Bryan Decker of 543 E. Edgewood Blvd. spoke in support of Z-2-2009 and in opposition to SLU-4-08.

### REFERRAL OF PUBLIC HEARINGS

1. In consideration of Z-2-2009; 600 W. Maple St., a request filed by the Greater Lansing Housing Coalition to rezone the property located at 600 W. Maple St. from "B" Residential District to "D-1" Professional District to permit the building at this location to be used for 3 Head Start classrooms and offices that provide housing assistance and community support services

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 292 of the Lansing Code of Ordinances by Amending Sections 292.14, 292.155, 292.20, 292.21, 292.26, 292.35, 292.37b and Section 292.37c of Chapter 292, Employees Retirement System to provide for membership in the Retirement System for those FOP 911 Operators' Division employees who were previously members of the Defined Contribution Plan; to provide for age and service requirements; to modify employee contributions to the system and for retirement health care; to modify final average salary calculation; and to provide vesting requirements for retirement health care

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

3. In consideration of 2009-2010 Principal Shopping District Special Assessment

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

### PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Arlene Parrish of 3521 Wildwood Ave. spoke about the Administration's response to issues related to an independent contractor who worked on her house.

Sandra Shafley of 918 McKim Ave. spoke about safety issues.

Ronald Kruger of 3333 Moores River Dr. spoke about various city matters.

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

Jim Harken of S. 315 Bingham St. spoke about the Board of Water and Light.

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

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

Daniel Pesina of 424 Willow St. spoke about various city matters.

Jason Riley of 207 Mifflin Ave. spoke about recycling in the city.

Corinne Riebow of 2117 Devonshire Ave. spoke about recycling in the city.

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

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

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

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

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

Norris Gibson of 100 W. Willow St. spoke about various city matters.

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

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

LEGISLATIVE MATTERS

RESOLUTIONS

**RESOLUTION #2009-210**

BY THE DEVELOPMENT AND PLANNING COMMITTEE  
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
 RESOLUTION TO SET A PUBLIC HEARING  
 Blue Coyote Brewing Company – 113 Pere Marquette Dr.

WHEREAS, Angevine Inc. has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan for the Blue Coyote Brewing Company proposed to be located near the NW intersection of Pere Marquette Dr. and Michigan Ave. at 113 Pere Marquette Dr. (the Project); and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within the downtown area, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the targeted area for downtown revitalization; and

WHEREAS, the Business Financing Assistance Program will utilize a portion of the LEDC's capital to make funds available for financing the Project; and

WHEREAS, the LEDC Board of Directors, in conformity with Public Act 338 of 1974, as amended (the "Act"), has approved the Project Plan, including a Project Area and Project District Area for the Project; and

WHEREAS, Section 8 of the Act requires that before the LEDC acquires an interest in property or incurs obligations for a specific project, the corporation shall prepare a project plan, conduct a public hearing on the matter and secure the approval of the City Council; and

WHEREAS, at such hearing, the City Council shall provide an opportunity for all interested persons to be heard on this matter;

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING CITY COUNCIL AS FOLLOWS:

1. The following Project Area, as designated by the LEDC, is hereby certified as approved:

COM SE COR LOT 33, TH N 64.10 FT TO CENTER WALL, W ON CL WALL 172 FT TO W LINE LOT 33, S 63.58 FT TO S LINE LOT 33, E 172 FT TO BEG. ASSESSORS PLAT NO 36 OF BLOCK 243

Land in the City of Lansing, County of Ingham, Michigan more particular described as:

113 Pere Marquette Dr.

2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area is hereby established having the same description as the Project Area herein certified as approved.
3. The Lansing City Council hereby advises and confirms to the appointment by the Mayor of Charlie Janssen and Tim Murphy as two additional directors to the Board of Directors of the LEDC solely for this project, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project.
4. A public hearing upon the Project Plan for such Project shall be held at 7:00 p.m. on July 6, 2009, in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, Michigan. At such hearing, the City Council shall provide an opportunity for

interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

5. The Lansing Economic Development Corporation has a proposed loan in the amount of \$250,000 for this project.
6. The City Clerk shall provide notice of the time and place of the hearing given by publication once in a newspaper of general circulation designated by the municipality, not less than 10 days before the date set for the hearing.

The City Clerk shall forward three (3) certified copies of this Resolution to the Lansing Economic Development Corporation.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-211**

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

Act-4-09, 2525 E. Cavanaugh, Vacate segment of Bear Swamp Drain.

WHEREAS, Scott and Cara Doerfler, owners and residents of 2525 Cavanaugh, request that the City vacate that segment of the Bear Swamp Drain easement that traverses their property; and

An Act 285 Review is conducted as the procedure to evaluate the public purpose of a given City property, and that property's necessity for City operations; and

WHEREAS, The Bear Swamp Drain runs southeasterly across Duncel Road, into the Trappers Cove subdivision, across the Sonnybrook Plat (between Duncel, Cavanaugh, and Dier roads) and into the Sycamore Creek to the west; and

WHEREAS, It is an enclosed drain, located in a 100' single-purpose drain easement, with no other utilities allowed within the easement, and is under the jurisdiction of the Public Service Department; and

The subject property at 2525 E. Cavanaugh is in a low-density residential area, zoned "A" Residential; and

WHEREAS, The Bear Swamp Drain easement hooks its way through the neighborhood, taking out a substantial area that would otherwise be buildable; and

WHEREAS, Public Service has done an extensive analysis of the drain and its necessity for operations, and found that this segment of the Bear Swamp Drain is *no longer necessary* for City operations; and

WHEREAS, *Public Service has recommended the abandonment of the drain* in the Sonnybrook Plat, with these conditions (see attached):

1. The drainage conditions for Lots 2, 3, 4, 5, 6 and 7 of Sonnybrook Plate as of May 7, 2009 shall remain as allowed by common drain (case) law. Any changes to these drainage conditions that may adversely affect an upstream or downstream property may open the property owner to liability,
2. The City abandons all rights, interest and responsibility to the pipe located under the Sonnybrook Plat that conveyed the Bear Swamp Drain; and

WHEREAS, the Planning Board reviewed the location, character, and

extent of the proposal in accordance with its Act 285 procedures, and concurred with the finding and recommendation of the Department of Public Service that the Bear Swamp Drain is *no longer necessary* for City operations, and could be vacated as requested; and

WHEREAS, the Planning Board, at its meeting on May 19, 2009 voted unanimously (4-0) to recommend approval of Act-4-09, the request by Scott and Cara Doerfler, owners and residents of 2525 Cavanaugh, that the City vacate that segment of the Bear Swamp Drain easement that traverses their property; and

WHEREAS, the Development and Planning Committee of City Council has reviewed the report of the Planning Board, concurs therewith.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-4-09, and abandons and vacates a segment of the Bear Swamp Drain particularly described as:

That portion of the Bear Swamp Drain which lies within Lots 5 and 6, Sonnybrook Plat, Section 35 of Lansing Township, City of Lansing, Ingham County, Michigan,

provided that the drainage conditions for Lots 2, 3, 4, 5, 6 and 7 of Sonnybrook Plat as of May 7, 2009 shall remain as allowed by common drain (case) law. (Any changes to these drainage conditions that may adversely affect an upstream or downstream property may open the property owner to liability).

BE IT FINALLY RESOLVED, that the City abandons all rights, interest and responsibility to the pipe located within the vacated portion of the Bear Swamp Drain.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-212**

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

SLU-4-2008  
5405 S. M.L. King Boulevard  
Wireless Communication Tower in the "A" Residential District

WHEREAS, the applicant, Vertical Properties, LC, has requested a Special Land Use permit (SLU-4-08) to construct a wireless communication tower at 5405 S. M.L. King Blvd., and has provided all information required by Ordinance 1298.07; and

WHEREAS, the property is zoned "A" Residential District where wireless communication towers are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on February 17, 2009, at which time the property owner's representative spoke in favor of the request and two area residents expressed concerns about the proposal; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its February 17, 2009 meeting, voted unanimously (5-0) to recommend approval of SLU-4-08 to permit a wireless communication tower at 5405 S. M.L. King, with certain conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-4-08 on April 13, 2009; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith; and

WHEREAS, the ordinance regulating wireless communication towers requires a setback of 225 feet from the north property line, 112.5 feet from the south property line of 5405 S. ML King and a separation distance of 1,500 feet between towers in excess of 75 feet in height; and

WHEREAS, the applicant is proposing a setback of 178 feet from the north property line, 52 feet from the south property line at 5405 S. ML King and a separation distance of 1,080 feet between the proposed tower and the existing tower on the west side of S. ML King; and

WHEREAS, the Lansing City Council hereby determines that the goals of the wireless communication tower ordinance can be met by allowing the reduced setbacks and separation distance;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-4-08, for a wireless communication tower at 5405 S. M.L. King, as depicted on the plans most recently revised on 1/28/09, with the following conditions:

1. The proposed monopole tower provide for at least 5 co-locations of antennas,
2. The tower shall not interfere with telemetry communications of local hospitals and emergency services,
3. The tower be appropriately accessible and fenced for security, without the use of barbed wire, and
4. The tower shall have a setback of 178 feet from the north property line, 52 feet from the south property line at 5405 S. ML King and a separation distance of 1,080 feet between the proposed tower and the existing tower on the west side of S. ML King.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council has considered the factors listed in Section 1298.07(B)(2), and determines the following:

1. The proposed wireless communication tower is compatible with the essential character of the surrounding area, as designed.
2. The proposed wireless communication tower will not change the essential character of the surrounding area.
3. The proposed wireless communication tower will not interfere with the general enjoyment of adjacent properties.
4. The proposed wireless communication tower will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration.
5. The proposed wireless communication tower will not impact the health, safety and welfare of persons or property in the surrounding area.

6. The proposed wireless communication tower can be adequately served by essential public facilities and services.
7. The proposed wireless communication tower will not place any demands on public services and facilities in excess of current capacities.
8. The proposed wireless communication tower is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed wireless communication tower will comply with the requirements of the "A" Residential District.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-213**

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

WHEREAS, the Mayor made the reappointment of Dean Taylor to an At Large position on the Building Board of Appeals for a term to expire June 30, 2010.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Dean Taylor to an At Large position on the Building Board of Appeals for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-214**

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

WHEREAS, the Mayor made the reappointment of Randall Kamm as the Citizen Representative on the Building Board of Appeals for a term to expire June 30, 2010.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Randall Kamm as the Citizen Representative on the Building Board of Appeals for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-215**

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

WHEREAS, the Mayor made the reappointment of Donald Heck as the Engineer Representative on the Building Board of Appeals for a term to expire June 30, 2010.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Donald Heck as the Engineer Representative on the Building Board of Appeals for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-216**

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

WHEREAS, the Mayor made the reappointment of James Drake as the Architect Representative on the Building Board of Appeals for a term to expire June 30, 2011.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of James Drake as the Architect Representative on the Building Board of Appeals for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-217**

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

WHEREAS, the Mayor made the reappointment of James Butler as an At Large Member on the EDC/TIFA/LBRA Board for a term to expire February 28, 2015.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of James Butler as an At Large Member on the EDC/TIFA/LBRA Board for a term to expire February 28, 2015.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-218**

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

WHEREAS, the Mayor made the reappointment of Nathalie Winans as an At Large Member on the Historic District Commission for a term to expire June 30, 2012.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Nathalie Winans as an At Large Member on the Historic District Commission for a term to expire June 30, 2012.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-219**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of John Ruge as the First Ward member on the Planning Board for a term to expire June 30, 2013.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of John Ruge as the First Ward member on the Planning Board for a term to expire June 30, 2013.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-220**

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

WHEREAS, the Mayor made the reappointment of Holly Cordill as an At Large member on the Planning Board for a term to expire June 30, 2013.

WHEREAS, the Committee on Development and Planning met on June 10, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Holly Cordill as an At Large member on the Planning Board for a term to expire June 30, 2013.

By Councilmember Jeffries

Motion Carried

**RESOLUTION #2009-221**

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 Parks & Recreation Department and Charles Holm of Wolverine Fireworks Display for a public display of fireworks in the City of Lansing at Oak Park to be held on July 4, 2009 with a rain date of July 5, 2009.

By Councilmember Kaltenbach

Motion Carried

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

*Vice President Robinson arrived at the meeting at 9:21 p.m.*

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. Letter from the City Clerk submitting an Application for a Public Display of Fireworks filed by Lansing Parks & Recreation and Charles Holm of Wolverine Fireworks Display to be held on July 4, 2009 with a rain date of July 5, 2009

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
  - i. Transfer of Funds; Michigan Justice Training Fund per Public Act 302 for Training of Police Officers; Estimated Revenues from State of Michigan per Public Act 32 for 911 Dispatcher Training; Donations Received from Barron Enterprises and Accident Fund Insurance for the Neighborhood Watch Program; Donations from Auto-Owners Insurance for the Neighborhood Watch Program; General Fund Monies from Donations from Dover's Crossing and Granger III and Associates, LLC to LPD Radio Lab for Neighborhood Cameras; Donation from Dora Hetrick to LPD Radio Lab for Neighborhood Cameras; Reserved Donations Available for LPD Radio Lab for Neighborhood Camera Lease Payment

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

- ii. Combined Sewer Overflow Control Project Plan, Amendment No. 4

REFERRED TO THE COMMITTEE OF THE WHOLE

- iii. City Property Report – 2009 Inventory List of City-Owned Properties

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Environmental Quality providing notice of the City of Lansing's application for a permit to allow for the placement of 2,109 Cubic yards of fill for the construction of a concrete riverwalk on the east and west side of the Grand River, including a pier supported pedestrian bridge on the west side of the river, the construction of 687 feet of retaining wall, some utility rework, river bank regrading and the construction of the City Market Building. All these activities are located in the City of Lansing and within the 100-year floodplain of the Grand River. Compensatory cut in the amount of 1,625 cubic yards has been proposed to offset the fill placement within the 100-year floodplain in addition to the net compensatory of 2,495 cubic yards provided by the Accident Fund Project, Permit Number 09-33-0008-P. The combined total net compensatory cut for both projects is equal to 2,011 cubic yards

RECEIVED AND PLACED ON FILE

- b. Contracts between the State of Michigan Department of Transportation and the City of Lansing to allow for:

- i. PART A — FEDERAL PARTICIPATION

Hot mix asphalt cold milling and paving work along East Michigan Avenue from Highway US-127 to Friendship Court; including drainage improvements, concrete curb and gutter, and concrete sidewalk work; and all together with necessary related work

PART B — NO FEDERAL PARTICIPATION

Audiovisual taping work along East Michigan Avenue from Highway US-127 to Friendship Court; and all together with necessary related work

REFERRED TO THE CITY ATTORNEY

ii. PART A — FEDERAL PARTICIPATION

Hot mix asphalt cold milling and resurfacing work along Washington Avenue from Miller Road to Jolly Road; including sidewalk ramps and pavement marking work; and all together with necessary related work

PART B — NO FEDERAL PARTICIPATION

Sanitary sewer work along Washington Avenue from Miller Road to Jolly Road; and all together with necessary related work.

REFERRED TO THE CITY ATTORNEY

- c. Resolution #09-180 from the Ingham County Board of Commissioners Adopting the Recommendation of the 911 Steering Committee to select a site for an Ingham County 911 Consolidated Dispatch Center Facility

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Letter from Ingham Intermediate School District submitting Okemos Public Schools' 2009 Tax Levy and Millage Reduction Fraction Computation and their 2009 Summer of Summer Sinking Fund

REFERRED TO THE CITY TREASURER AND REFERRED TO THE CITY ASSESSOR

- e. Claims appeal filed by Cynthia Wallace and Kathy Parker for property located at 3523 Jewell Ave.

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

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

RECEIVED AND PLACED ON FILE

- g. Letter from Fred Williams of 350 E. Gier St. regarding the enforcement of the Fireworks Ordinance

RECEIVED AND PLACED ON FILE

**MOTION OF EXCUSED ABSENCE**

By Councilmember Kaltenbach

To excuse Councilmember Allen from tonight's proceedings

Motion Carried

**REMARKS BY COUNCILMEMBERS**

Council Kaltenbach stated that O'Reilly's Auto Parts is a great place to get your car fixed and to ask for Bonnie Bennett.

Councilmember Dunbar wished Councilmember Kaltenbach a happy 61st birthday.

Vice President Robinson addressed comments made by speakers at the podium tonight regarding safety and decorum issues at City Council meetings. She thanked the City Council for revisiting the Council's rules.

Councilmember Dunbar stated that the proposed Council safety changes were suggestions of the Lansing Police Department.

Councilmember Wood announced the Tri-County Regional Planning meeting held with MDOT concerning Martin Luther King, Jr. Blvd.

**ADJOURNED TIME 9:30 P.M.**

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**CHRIS SWOPE, CITY CLERK**