



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 31, 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, Jeffries, Kaltenbach, Quinney, Robinson, Wood

ABSENT: Councilmember Hewitt (Arrived at 7:08 p.m.)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Robinson

To approve the printed Council Proceedings of August 17 and 24, 2009

Motion carried

Councilmember Hewitt arrived at the meeting at 7:08 p.m.

CONSIDERATION OF LATE ITEMS

By Vice President Robinson

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

- From Councilmember Robinson; Confirmation of Appointment of Phil Clacko to the Principal Shopping District Board for as a Business Owner Representative Term to Expire June 30, 2012

SPECIAL CEREMONIES

- Special Ceremonies

- Tribute; Congratulating the Lansing Association for Human Rights on their 30th Anniversary

Councilmember Wood spoke about contributions to the City of Lansing made by the Lansing Association for Human Rights.

City Clerk Swope read the following Resolution:

RESOLUTION #2009-319

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Association for Human Rights (LAHR) was founded by Dr. Mary Hartshorn and Barb Harte and began as a very loosely organized group on August 23, 1979, with nearly fifty attendees at the first meeting; and

WHEREAS, The organization had three purposes; to help coordinate gay and lesbian activities in the Lansing area through increasing communication, organizing social groups and events for area gays and lesbians, and assisting in local, state, and national gay/lesbian activism; and

WHEREAS, the meetings held at Dr. Mary Hartshorn and Barb Harte's home were potlucks, social gatherings, and a venue for people to discuss Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) issues; and

WHEREAS, LAHR tackled tough issues, such as sting operations by police. At a Lansing City Council, in a standing room only meeting, LAHR presented a 100-page report highlighting the community views, statistics and facts about the illegal arrests of over 30 gay men. Of those thirty, only two went to trial and both were found not guilty. It was an historic moment for the LGBTQ community; and

WHEREAS, in 1980, LAHR asked the Lansing City Council for a Civil Rights and a Fair Housing Ordinance, which the Council approved, but the Mayor vetoed. In 1996, LAHR supported the Lansing Equal Rights Task Force to achieve a comprehensive Civil Rights ordinance, which was passed by City Council and approved by Mayor Hollister. Proposal 1 was later overturned by a vote of the public; and

WHEREAS, the first LAHR Newsletter was published in September 1979, and again made history by publishing the first article in Michigan about AIDS in September 1981, long before AIDS had a name; and

WHEREAS, in May 1983, under the leadership of William Sawyer, LAHR President Mike Hendricks and assisted by Jan Sperling, a third year medical student at the MSU College of Human Medicine, formed the Lansing Health Information Network Council as a response to the urgent need for quality health care in Lansing's gay community; and

WHEREAS, LAHR hosts numerous social networking events in Lansing to keep the community vibrant and strong, such as Sistrum, the Lansing Women's Chorus, Social Knit Nights, Greater Lansing Gay Men's Chorus, Great Lakes Pride Band, Suits and the City, LAHR's Coffee Night, LAHR Downtown Lunches, and the Breakfast Club; and

WHEREAS, on Sunday, August 23, 2009, the Lansing Association for Human Rights will celebrate its 30th Anniversary serving Lansing's Lesbian, Gay, Bisexual, and Transgendered Community;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Lansing Association for Human Rights on its 30th Anniversary and extends its appreciation for their service to the community. We wish you continued success!

Penny Gardner, President of the Lansing Association for Human Rights, thanked the City Council for this honor and spoke about the work of her organization.

Bill Beachler spoke about Lansing being a wonderful community.

Penny Gardner presented Councilmember Wood with the Lansing Association for Human Rights' 25th Anniversary Cookbook.

- Mayoral Presentation; Recognition of Local Laborers and Labor Day

Mayor Bernero read the following Proclamation:

“Without labor, nothing prospers.” — Sophocles

WHEREAS: It is a privilege to join with our City’s local workers’ unions and labor organizations in observing Labor Day, a holiday that celebrates the rich and talented community of working Americans who fuel Lansing’s success from day to day; and

WHEREAS: The first Labor Day holiday was celebrated on Tuesday, September 5, 1882, in New York City, in accordance with the plans of the now-defunct Central Labor Union. In 1884, the first Monday in September was selected as the holiday, and the Central Labor Union urged organizations in other cities to follow the example of New York and celebrate a “workingman’s holiday” on that date; and

WHEREAS: Our nation’s and Lansing’s industrial heritage is an example of everything that is right with our economy and with our society. Good jobs with good benefits created the middle class in this country, with the innovation and cooperation of our various units of organized labor. The efforts made by the labor movement have also created safer working conditions for our nation’s laborers; and

WHEREAS: This holiday is dedicated to the social and economic achievements of American workers, the men and women who make up our nation’s social fabric. Labor Day is our annual national tribute to the contributions workers have made to the power, prosperity, and welfare of our country. Unions have strengthened our marketplace, our education, our families, and our livelihood; and

WHEREAS: Lansing is especially blessed to have such a diverse and well-organized community of labor organizations, including the Lansing Labor Council, the MSEA, the UAW, the MEA, AFL-CIO, and numerous others that offer worker protection and who strengthen our middle class by offering fair wages in exchange for superior services and products. To help recognize our local labor leadership and our thousands of working men and women, Lansing 150 will be hosting a ‘Laborfest.’

NOW, THEREFORE, I, VIRG BERNERO, Mayor of the City of Lansing, encourage all citizens to join together in observing Labor Day with their families as day to recognize the world’s greatest labor force—the working men and women of Lansing. I further proclaim September 5th as:

“LaborFest Day”

in Lansing. I encourage residents to attend the activity-filled ‘Laborfest,’ hosted by the Lansing Sesquicentennial Foundation, from 11:00 AM to 9:00 PM at Riverfront Park in downtown Lansing to celebrate our working families.

Paul Hufnagel thanked all of those involved in labor movements for helping create Lansing’s middle class. He also thanked Mayor Bernero for this honor.

Brian Fredline spoke about the future of the auto industry in Lansing.

Randy Freeman spoke about positive things happening in the local auto industry.

Jerry Swartz spoke about solidarity amongst all of the local labor unions.

Deb Vitner thanked the City Council for all of its work and she stated that she is proud of all of the work done by labor unions.

Glen Freeman and Kristin Small spoke about upcoming events for Labor Day.

Council President Quinney invited everyone to the Laborfest activities this Saturday and he stated that volunteers are still needed for the event.

Mayor Bernero thanked all of the labor representatives present for all of their work.

COUNCILMEMBERS’ COMMENTS AND CITY CLERK’S ANNOUNCEMENTS:

Council Member Wood announced the next Genesee Neighborhood meeting where the new community police officer will be introduced. She also announced the Black Child and Family Institute’s Community Cares event. She spoke about the memorial service for Juanita Mitchell-Chapman and asked to keep her family in everyone’s prayers.

Vice President Robinson announced the Barbecue on the Boulevard event. She stated that the 2nd Saturdays meeting for residents of the 3rd Ward would still take place on Saturday, September 12, 2009.

Council Member Dunbar stated that September is the last month for the South Lansing Community Market this year.

Council President Quinney thanked his fellow Council Members for contributing to the creation of backpacks for the Black Child and Family Institute’s Community Cares event. He asked Mayor Bernero about providing bleachers at Gardner Middle School for the Youth Football League.

Councilmember Hewitt spoke about a state caucus that provided more backpacks than the City Council for the Black Child and Family Institute’s Community Cares event.

Council Member Allen also spoke about providing bleachers at Gardner Middle School for the Youth Football League.

City Clerk Swope spoke about the recent passing of community activist Bill Petry, former election inspector Ron Gunther, and the father of Monica Zuchowski, president of the Downtown Neighborhood Association. He reminded everyone that the next City Council meeting will be on Thursday, September 10, 2009 due to the Labor Day holiday.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR’S COMMENTS

Mayor Bernero stated that he will try to provide bleachers at Gardner Middle School. He spoke about the Mayors’ Ramadan Community Dinner. He announced the Laborfest event. He spoke about several items on tonight’s agenda including referrals for Jackson National Life developments, Moebius Technologies, LLC, His Healing Hands Urgent Care Center, the P.A. 198 for Symmetry Medical Inc. Jet and IFT-02-09 for Demmer Corporation. He spoke about grants for the Police Department and he asked that citizens take special care when driving while students return to school next week.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1023 E. Grand River Ave.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1025 E. Grand River Ave.

There were no speakers for these Show Cause Hearings.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or

Demolish to the owners of property located at 1023 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1025 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

- In consideration of Public Improvement III; Curb and Gutter, Storm Sewer and Drive Approach for all lands fronting Raymond Dr. from Grand River Ave. to the north end, and Bliesener St. from west of Picardy St. to Pheasant Ave., excepting all public streets and alleys and other lands deemed not benefited

Councilmember Dunbar gave a brief overview of the Public Hearing.

Ronald Kruger of 3333 Moores River Dr. spoke about changes to the City Council Rules.

Stan Shuck of 818 Cooper Ave. spoke about changes to the City Council Rules and against tax abatements.

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

Teresa Panetta of 2125 Groesbeck Ave. spoke in support of changes to the City Council rules.

John Pollard of 1718 Blair St. spoke in opposition to the Public Improvement III's and in opposition to tax abatements for Symmetry Medical Inc. Jet.

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

Belinda Fitzpatrick of 224 S. Holmes St. spoke in opposition to changes to the City Council Rules.

Catherine Mercer of 4530 Sycamore St., Holt, spoke about free speech.

Michael Mercer of 4530 Sycamore St., Holt, spoke in opposition to changes to the City Council Rules.

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

Edward Stoffer of 2117 Raymond Dr. spoke in opposition to Public Improvement III; Curb and Gutter, Storm Sewer and Drive Approach for all lands fronting Raymond Dr. from Grand River Ave. to the north end.

REFERRAL OF PUBLIC HEARINGS

- In consideration of Public Improvement III; Curb and Gutter, Storm Sewer and Drive Approach for all lands fronting Raymond Dr. from Grand River Ave. to the north end, and Bliesener St. from west of Picardy St. to Pheasant Ave., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Ronald Kruger of 3333 Moores River Dr. spoke in opposition to changes to the City Council Rules.

Sylvester Stewart of 3601 Berwick Dr. spoke about various city matters.

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

William Hubbell of 3916 Wedgewood Dr. spoke about various city matters.

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

Monique Smith of 1111 Cleveland St. announced the Walk for Christ and Christian Festival.

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

Loni Sychanko of 430 N. Deerfield Ave. spoke about various city matters.

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

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

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

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

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

Gary Andrews of 560 Brookland Blvd. spoke about public access television.

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

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

Belinda Fitzpatrick of 224 S. Holmes St. spoke about various city matters.

Kelly Rossman-McKinney of 5811 Cabrena Dr., Delta Twp., spoke in support of IFT-03-09 for Symmetry Medical Inc. Jet.

Bo Garcia of 614 Riley St. spoke in support of IFT-03-09 for Symmetry Medical Inc. Jet.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2009-323

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Norlan Cavin was born on August 25, 1902, as the fourth child of Robert and Annie Cavin of Baton Rouge, Louisiana; and

WHEREAS, Norlan moved to Duncan Mississippi at age of eleven where he grew up, and in 1925 married Brady Tolbert and had eight adorable children, Norlan, Jr., Robert, Nathaniel, Ella B., William, Louise, Baby Twin, and Velma Lee; and

WHEREAS, as a dedicated spiritual man, he has ministered to many

family members and friends and has served in several ministry leadership positions; and

WHEREAS, after the loss of his wife, Norlan married Ethelene Jackson in 1948 who had six children, Johnny, Velma, Mary, Roni, Michelle, and Herschel and together they had five lovely children, Joyce, James, Almata, Cabot, and Gaynell; and

WHEREAS, Norlan enjoys subjects related to history and politics, including his awareness of our current President Barack Obama as the first African-American President; and

WHEREAS, Norlan has a "remarkable" memory and loves to recollect the "olden days" along with more current memories;

NOW, THEREFORE, BE IT RESOLVED, Lansing City Council, hereby, congratulates Norlan Cavin on his 107th birthday and wishes him a memorable day full of fellowship and festivities with family and friends at the Cavin Family Reunion.

By Council Member Quinney

Motion Carried

RESOLUTION #2009-324

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

WHEREAS, Juanita Mitchell's family moved to Lansing when she was a young girl. She attended Kalamazoo Street Elementary School, West Junior High, Sexton High, and Lansing Community College; and

WHEREAS, Juanita Mitchell-Chapman was blessed with a son and daughter, and later in life a wonderful husband and beautiful granddaughter; and

WHEREAS, Juanita's personal and professional life has been in the field of human service, whether it was through neighborhood or community initiatives or working for the Capital Area Community. She was instrumental in the organization of the Potter/Walsh Neighborhood Association when it began in the Fall of 1992, and served as its president since 1994. As President, she worked with the L.A.N.D. Committee and lent support to new leadership in the Association, helping others to grow into their potential. Juanita was the instigator and leader of many activities and involved herself in almost every project that happened in her neighborhood association; and

WHEREAS, relentless to serve her community, she volunteered in many capacities; programs to improve Lansing Public Schools, the first Citizens Police Academy, Sparrow Hospital's Community Education Board; and served in leadership positions with Lansing Neighborhood Council, a Lansing Police Department Precinct Board, and the outreach board of a neighborhood church. Juanita was present at each housewarming for a new Habitat family, was an adult advisor in a program for local teens, and volunteered as a tutor for a third grade girl, and always acknowledged neighborhood youth for academic accomplishments; and

WHEREAS, Juanita developed partnerships with agencies to improve the quality of life in the neighborhood and throughout the City. She served as Vice-Chairperson and Chairperson of the Strategy and Funding Committee for the Greater Lansing Homeless Resolution Network (GLHRN), the Continuum of Care for Ingham County, and facilitated a Community Needs Assessment that resulted in offering summer programming for the youth in the neighborhood, such as, Boy Scouts and Girl Scouts Troops; and

WHEREAS, it was not unusual for Juanita to work with various churches or agencies to feed the homeless, and during annual neighborhood cleanups, she could be found cooking up some "home cooking" for the volunteers and city workers who have just spent the morning helping to clean up and make the area a better place for residents. At the 2008 Bea Christy Award Dinner, she was honored as a recipient of a Bea Christy Award for her contributions and involvement in the community; and

WHEREAS, Juanita was a dedicated and caring neighbor and a good friend to those she knew and a generous and loving wife, parent, and grandparent;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes Juanita Mitchell-Chapman for her dedication, compassion, and outstanding accomplishments for the City of Lansing through her work and volunteering and extends its deepest condolences to her family, friends, and co-workers during this most difficult time.

By Council Member Wood

Motion Carried

RESOLUTION #2009-325

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

Approving an Industrial Facilities Exemption Certificate

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-3-99) on September 27th on the property located at 5212 Aurelius Rd., in the City of Lansing, Michigan.

WHEREAS, the City of Lansing received and filed an application from "Symmetry Medical Inc. Jet," and Symmetry Medical, Inc. is the parent company of Jet Engineering, Inc., requesting an Industrial Facilities Exemption Certificate (IFT-03-09) for personal property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held Monday, August 10, 2009 at 7:00 p.m., on the Industrial Facilities Exemption Certificate (IFT-03-09) filed by Jet Engineering Inc., at which all owners of real and personal property within (IDD-3-99), other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the (IDD-3-99) area had the opportunity to appear and be heard; and

WHEREAS, Jet Engineering, Inc. has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for personal and/or real property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Jet Engineering, Inc., for an Industrial Facilities Exemption Certificate (IFT-03-09), for personal property investments in the area of (IDD-3-99) legally described as:

Lots 1 & 2 – Jet Place, City of Lansing, Ingham County, Michigan

for a period of 12 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between Jet Engineering Inc., and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

By Council Member Jeffries

Motion Carried with Council Member Hewitt voting "Nay"

RESOLUTION #2009-326

BY THE PLANNING AND DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing received and filed an application from Demmer Corporation requesting an Industrial Facilities Exemption Certificate (IFT-02-09) for personal property, pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on Demmer Corporation's application for an Industrial Facilities Exemption Certificate (IFT-02-09), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 14th day of September, 2009 at 7:00 p.m., on the Demmer Corporation's application for an Industrial Facilities Exemption Certificate (IFT-02-09) for personal property located at 705 E. Oakland Ave., Lansing, MI, 48906, within the boundary more particularly described as:

COM W LINE BALLARD ST 345.35 FT S OF S LINE PORTER ST, TH S 288.87 FT, N 89DEG 35MIN W 798 FT +/- TO W LINE SEC 10 T4N R2W, N'LY ON SAID LINE 413 FT +/-, N 89DEG 31MIN 30SCD E 450 FT +/-, S PAR'L WITH W LINE BALLARD ST 78.45 FT, S 57DEG 27MIN E 99 FT, S 89DEG 59MIN E TO BEG, EXC THAT PART LYING S OF N'LY R/W LINE RELOCATED OAKLAND AVE JAMES SEYMOURS SUB

and that the City Clerk cause to be published in a publication of general circulation, giving notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real and personal property located within the stated boundary, be notified by certified mail of this application and the scheduled public hearing.

By Council Member Jeffries

Motion Carried with Council Member Hewitt voting "Nay"

RESOLUTION #2009-327

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

WHEREAS, on December 11, 2008, the City of Lansing's Department of Parks and Recreation received written notification from the Michigan Department of Natural Resources (MDNR) that our grant application to acquire approximately 28.5 acres with 500 feet of Grand River Shoreline, commonly referred to as "Hunter's Ridge" (the "Parcel") was recommended for funding by the Michigan Natural Resources Trust Fund (MNRTF); and

WHEREAS, the amounts and sources of the project funding are as follows:

Total Estimated Land/Property Value\$997,500

Estimated Incidental Costs\$49,460

Total Project Cost\$1,046,960

Amount Requested from MNRTF (75% grant)\$785,300

Amount Donated by Owners (25% match)\$261,660
;and

WHEREAS, the MDNR requires the City of Lansing to sign two copies of the Project Agreement which describes the purpose and scope of the acquisition project, as well as the responsibilities the City of Lansing will be committing to undertake by accepting this acquisition grant; and

WHEREAS, the MDNR requires the City of Lansing to submit a certified resolution from our local governing body accepting the terms of the Project Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council does, hereby, accept the terms of the Project Agreement as received from the MDNR, and the City of Lansing does, hereby, specifically agree, but not by way of limitation, as follows:

1. To complete the project during the project period and to provide the Owner-donated 25% match of up to \$261,660.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the MDNR for auditing at reasonable times.
3. To regulate the use of the property acquired and reserved under this Project Agreement to assure the use thereof by the public on equal and reasonable terms.

To comply with any and all terms of said Project Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

By Council Member Jeffries

To place an affirmative roll on the resolution

By Council Member Dunbar

To amend the NOT, THEREFORE, BE IT RESOLVED clause bullet #1 following "donated" by striking "match of" and inserting "25% match of up to"

Motion Carried

The question being the motion to place an affirmative roll on the resolution

Motion Carried

RESOLUTION #2009-328

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING
Moebius Technologies, LLC – Equipment Purchase

WHEREAS, Moebius Technologies, LLC has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan for an equipment purchase proposed to be located at 2127 West Willow Street (the Project); and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within the City of Lansing, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the LEDC's mission to facilitate the growth of economic activity within the city of Lansing; 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:

Legal Description of Project Area

Parcel #: 33-01-01-08-301-011

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

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

2127 West Willow Street

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 Charles Janssen & Timothy 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 September 14, 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 up to \$240,000 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.
7. The City Clerk shall forward three (3) certified copies of this Resolution to the Lansing Economic Development Corporation.

By Council Member Jeffries

Motion Carried

RESOLUTION #2009-329

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING

His Healing Hands Urgent Care Center, Inc. – Building Purchase

WHEREAS, His Healing Hands Urgent Care Center, Inc has made application with the Lansing Economic Development Corporation (LEDC) for a business financing assistance loan for the purchase of property proposed to be located at the 2025 W. Holmes Street (the Project); and

WHEREAS, in an effort to foster business development, expansion and renovation of properties within the city of Lansing, the LEDC has initiated a Business Financing Assistance Program and finds the Project to be within the mission of the Lansing EDC to foster economic growth within the city of Lansing; 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:

The building is divided into 4 different condominiums as well as land with the following parcel numbers:

33-01- 01-32-101-777 (land)
33-01-01-32-101-382
33-01-01-32-101-384
33-01-01-32-101-383
33-01-01-32-101-385

Legal description of the project area:

33-01-01-32-101-777 (land): ALL LANDS WITHIN THE PLATED CONDOMINIUM PROJECT, AND AS AMENDED, REFERRED TO AS THE GENERAL COMMON ELEMENTS; HOLMES ROAD MEDICAL-DENTAL CONDOS INGHAM COUNTY CONDOMINIUM PLAN NO 17

33-01-01-32-101-382: SUITE NO 1 HOLMES ROAD MEDICAL-DENTAL BUILDING CONDOMINIUM

33-01-01-32-101-383: SUITE NO 2 HOLMES ROAD MEDICAL-DENTAL BUILDING CONDOMINIUM

33-01-01-32-101-384: SUITE NO 3 HOLMES ROAD MEDICAL-DENTAL BUILDING CONDOMINIUM

33-01-01-32-101-385: SUITE NO 4 HOLMES ROAD MEDICAL-DENTAL BUILDING CONDOMINIUM

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

2025 W. Holmes Road

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 Charles Janssen & Timothy 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 September 14, 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 \$50,000 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.
7. The City Clerk shall forward three (3) certified copies of this Resolution to the Lansing Economic Development Corporation.

By Council Member Jeffries

Motion Carried

RESOLUTION #2009-322

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

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has received a request from the Michigan Brewing Company, Inc for a new Micro Brewer License with Outdoor Service to be located on city property at 402 S. Washington, Lansing; and

WHEREAS, Michigan Brewing Company, Inc. of 402 S. Washington has obtained the appropriate signatures to add a new Micro Brewer License with Outdoor Service; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, to review the request and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves a new Micro Brewer License with Outdoor Service to be located on city property at 402 S. Washington, Lansing for Michigan Brewing Company, Inc;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

By Councilmember Kaltenbach

To reconsider the vote by which Resolution #322 of 2009 was adopted

Motion Carried

By Councilmember Kaltenbach

To accept a substitute for the resolution originally adopted

Motion Carried

The question being the original motion to adopt the resolution

Motion Carried

RESOLUTION #2009-330

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

WHEREAS, On the Boulevard Business Association has requested \$500.00 to defray costs for the rental for the showmobile and other costs associated with the Barbeque On the Boulevard to be held on September 12, 2009; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, and reviewed the request; and

WHEREAS, the maximum total amount of Community Promotion Funds to be awarded an organization in one fiscal year is \$500.00;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves an allocation from the Community Promotion Account to On the Boulevard Business Association to defray costs for the rental of the showmobile and other costs associated with the Barbeque On the Boulevard to be held on September 12, 2009;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$500.00 to the Council Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED that On the Boulevard Business Association shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended, and residual funds to the Lansing City Council within 60 days after the event.

By Council Member Kaltenbach

Motion Carried

RESOLUTION #2009-331

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

WHEREAS, Old Town Business & Art Development Association has requested \$500.00 to defray costs associated with rentals for the 16th Annual Old Town BluesFest to be held on Friday, September 18, 2009, and Saturday, September 19, 2009; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, and reviewed the request; and

WHEREAS, the maximum total amount of Community Promotion Funds to be awarded an organization in one fiscal year is \$500.00;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves an allocation from the Community Promotion Account to Old Town Business & Art Development Association to defray costs associated with rentals for the 17th Annual Old Town BluesFest to be held on Friday, September 18, 2009 and Saturday, September 19, 2009;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$500.00 to the Council Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED that Old Town Business & Art Development Association shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended, and residual funds to the Lansing City Council within 60 days after the event.

By Council Member Kaltenbach

Motion Carried

RESOLUTION #2009-332

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

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Harry's Lounge, Inc.

to Transfer Stock In 2009 Class C Licensed Business with Dance-Entertainment Permit, located at 404 Verlinden, Lansing, MI 48915, Ingham County through Transfer of 2,550 shares from Existing Stockholder, Aristides Arvanites to New Stockholder, Harea Bates; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Harry's Lounge, Inc. to Transfer Stock In 2009 Class C Licensed Business with Dance-Entertainment Permit, located at 404 Verlinden, Lansing, MI 48915, Ingham County through Transfer of 2,550 shares from Existing Stockholder, Aristides Arvanites to New Stockholder, Harea Bates;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

By Council Member Kaltenbach

Motion Carried

RESOLUTION #2009-333

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

WHEREAS, Cynthia Sewell sought to eliminate special assessments of \$342.52, \$359.34 and \$527.46, (totaling \$1,229.32) for grass, board-up, and trash and debris, respectively, and all associated penalties and interest on the property tax bill of 311 E. Gier Street, Lansing, Michigan 48906; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, grants the claim filed by Cynthia Sewell on special assessments of \$342.52 and \$359.34 for grass and board-up, respectively, and denies the claim of \$527.46 for trash and debris assessment and offers a settlement of a reduction of \$250.00 on the property tax bill of 311 E. Gier Street, Lansing, Michigan 48906;

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

By Council Member Kaltenbach

Motion Carried

RESOLUTION #2009-334

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

WHEREAS, Carl McDaniel sought to eliminate special assessments of \$729.92, \$375.52, and \$356.56 for three Board-Up and Title Searches and all associated penalties and interest on the property tax bill of 622 S. Clemens, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, August 24, 2009, to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Carl McDaniel of \$729.92, \$375.52, and \$356.56 (totaling \$1,462.00) for special assessments on three Board-Up and Title Searches and all associated penalties and interest on the property tax bill of 622 S. Clemens, Lansing, Michigan;

BE IT FURTHER RESOLVED that no further action is required by the City Attorney for processing this claim.

By Council Member Kaltenbach

Motion Carried

RESOLUTION #2009-335

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

WHEREAS, the Committee General Services (the Committee) met over an extended period of time to consider a comprehensive review of and revision to the City Council Rules (the Rules), last amended September 11, 2006; and

WHEREAS, on July 27, 2009, the Committee finalized its review of a series of proposed revisions to the Rules; and

WHEREAS, pursuant to Rule 17 of the current Rules, the Committee has jurisdiction to "review and prepare amendments or revisions to Council Rules"; and

WHEREAS, the Committee has unanimously recommended proposed revisions to the City Council; and

WHEREAS, pursuant to Rule 42 of the current Rules, the proposed revisions shall be placed on the Agenda for Council receipt and review, but "shall not be considered for adoption sooner than the next Council meeting"; and

WHEREAS, the Committee's recommended revisions were placed on the Council Agenda for receipt at the August 10, 2009, Council meeting and may be considered for adoption at the August 17, 2009, Council meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the City Council Rules, which are fully set forth below.

BE IT FURTHER RESOLVED that the City Council Rules, as amended pursuant to this Resolution, shall be kept on file in the Office of the City Clerk, and the City Clerk shall make copies thereof available to City Council, the Administration, and the public.

The Resolution was previously moved by Council Member Kaltenbach and a substitute was adopted.

By Council Member Allen to divide the question by having a separate vote on Rule 15, #19, the final two sentences.

Motion Carried

The question being the adoption of the resolution except the last two sentences of Rule 15, #19.

Motion Carried by the following Roll Call vote:

YEAS: Allen, Dunbar, Kaltenbach, Quinney, and Robinson

NAYS: Hewitt, Jeffries, and Wood

The question being the adoption of the last two sentences of Rule 15, #19.

Motion Failed by the following Roll Call vote:

YEAS: Dunbar and Quinney

NAYS: Allen, Hewitt, Jeffries, Kaltenbach, Robinson, and Wood

LANSING CITY COUNCIL RULES
(As amended on August 31, 2009)

Rule 1. Sessions of Council. Regular meetings of Council, unless otherwise set forth by resolution of City Council, shall be held on Monday evenings of each week at a time, place and date to be set by resolution of Council. Special meetings may be called as provided in Section 3-202 of the City Charter.

Rule 2. Quorum; Attendance; Call of Council. Five members of Council shall constitute a quorum for the transaction of business, but a lesser number may compel the attendance of absentees or adjourn any meeting or hearing until a later date.

No Council member shall absent himself or herself from the Council meeting without first having obtained leave from the Presiding Officer. The Presiding Officer may revoke leaves of absence at any time.

A call of Council may be ordered by the majority of Council members present, whether a quorum or not, and in pursuance thereof, the Chief of Police, or any other person duly authorized by a majority of the Council members present and voting, may be dispatched for, and take into custody and bring before Council any Council members absent without leave.

THE PRESIDENT - POWERS AND DUTIES

Rule 3. Presiding at Sessions. The President of Council shall preside over all sessions of Council, or, in his or her absence, the Vice President shall preside. If both the President and Vice President are temporarily absent, then the most recent past President shall preside as Acting President.

Rule 4. Appointment of Committee Members: Creation of Ad-Hoc Committees. The President shall appoint all Council members to the standing committees, any Council ad-hoc advisory committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of three Council members. The President may, at his or her discretion, create or discharge any ad-hoc advisory committees.

Rule 5. Staff Operations. The President of Council shall be responsible for Council staff operations. The President may, at any time, delegate in writing the responsibility for Council staff operations to the Vice President.

THE CLERK'S DUTIES

Rule 6. Calling the Roll and Noting Absentees. The Clerk, or his or her Deputy Clerk, shall call the roll at the opening of each meeting of Council and announce whether or not a quorum is present. He or she shall announce the names of the Council members absent and enter the names of all absentees upon the record of proceedings.

Rule 7. Notice by the Clerk. The Clerk shall give notice, in writing, to committees, members of Council and City officers concerning the agenda items which have been referred to them by City Council.

Rule 8. Preparation of Agenda. The Clerk's office shall prepare and provide copies of packets to Council and the Mayor of an agenda of business to be considered at each regularly scheduled Council meeting and any special meetings of City Council. No item of business shall be placed on the agenda for a regular meeting of Council unless the original document, annotated with such approvals as may be required, has been presented for filing in the office of the Clerk by 4:00 p.m. on the Thursday immediately preceding the day of the Council meeting. The agenda for each such meeting shall be posted in the lobby of City Hall and Council Chambers not later than eighteen hours prior to the time of each such meeting, and at such other places as Council may deem appropriate.

Rule 9. Items Upon Agenda: Designated Items for Action. Any item of business not placed upon the Council agenda in accordance with the terms of Section 3-103.2 of the City Charter and the provisions of these Rules shall not be considered at any meeting of Council, unless this Rule is suspended by the affirmative vote of six members of Council. Individual Council members or committees may sponsor resolutions or ordinances (except initiatives and referendums presented by the citizenry) and place them on the Council agenda.

Resolutions may be sponsored by the Committee of the Whole if placed on the Council agenda by the President, or, in the President's absence, the Vice President, or by any four Council members when their names are typed at the top of each resolution so sponsored. Committee reports may be sponsored and placed on the Council agenda by committee Chairpersons or by any two members of the appropriate committees. Any committee report can be removed from the Council agenda at the committee Chairperson's discretion. City Council staff shall inform the Clerk's office of those items upon which action is to occur at the Council meeting. The Clerk's office shall be responsible for designating those items which are on the Council agenda for action.

Rule 10. Consent Agenda. In preparing the agenda, the Clerk's office shall place all Legislative Matters, except for those requiring more than five votes or a roll call vote, on the Consent Agenda.

All Legislative Matters on the Consent Agenda may be acted upon in one vote; provided, however, that any Council member may identify specific items that are not to be included in the single Consent Agenda vote, but which are to be discussed and voted upon separately. These items shall be removed from the Consent Agenda. Items removed from the Consent Agenda are to be considered as part of the regular portion of the meeting to which they relate.

SERGEANT-AT-ARMS

Rule 11. Powers and Duties. A police officer shall be present at all meetings of Council. The police officer shall be under the direction of the Presiding Officer, shall serve as security and as Sergeant-at-Arms of Council and shall have general charge and supervision of the Council Chambers, Council member offices, committee rooms, Council staff offices and work areas and all connecting hallways and passages.

COUNCIL MEMBERS

Rule 12. Speaking. When a Council member desires to speak, he or she shall first address the Chair. Debate shall be governed by Mason's Manual of Legislative Procedure, except where superseded by these Rules. When the Presiding Officer desires to speak on any agenda item identified as an action item, he or she shall turn over the Chair to the Vice Chair.

Rule 13. Compulsory Vote; Conflict of Interest. Each member of the Council shall vote on each question before the Council for a determination, unless excused therefrom by the affirmative vote of two-thirds of the members serving, except that no member shall vote on any question upon which that member has a conflict of interest or a financial interest other than as a citizen of the City. If a conflict of interest question is raised under this section at any Council meeting, such question shall be determined by a majority those Council members present and qualified to vote before the main question shall be voted on, but the Council member affected shall not vote on such determination.

Rule 14. Important Items: Vote Requested. Any matter of business requiring the vote of more than five members of Council, which is defeated at a meeting at which all members of Council are not present, may be reconsidered at either of the first two meetings thereafter.

ORDER OF BUSINESS

Rule 15. Generally. The order of business of the City Council shall be on a printed agenda prepared by the City Clerk. The order of business for Council meetings shall be as follows:

1. Roll Call;
2. Meditation and Pledge of Allegiance;
3. Reading and approval of printed Council Proceedings;

4. Consideration of Late Items (Late items are to be considered as part of the regular portion of the meeting to which they relate);

5. Tabled Items, if any (Tabled items are to be considered as part of the regular portion of the meeting to which they relate);

6. Special Ceremonies;

7. Comments by Council members and City Clerk

8. Community Event Announcements (Time, Place, Purpose, or Definition of Event – 1 min.

9. Speaker registration for public comment on Legislative Matters;

The Clerk or his or her designee will announce that the public comment registration form(s) for those intending to address Council on legislative matters will be collected;

10. Mayor's Comments;

11. Show Cause Hearings;

Only persons who have received notice from the City as an interested party, or the interested party's agent with written permission, may speak on the agenda item which is the subject of a show cause hearing, for up to a total of 3 minutes.

12. Public Comment on Legislative Matters;

Comment on legislative matters consists of the following items as listed on the agenda: Public Hearings (other than show cause hearings), Consent Agenda Items, Resolutions, Ordinances for Introduction, and Ordinances for Passage.

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on legislative matters. The Presiding Officer may reduce the amount of time allowed for each speaker if he or she determined that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.

13. Council Consideration of Legislative Matters;

Council will consider its agenda and legislative matters in the following order:

- a) Referral of Public Hearings;
- b) Consent Agenda;
- c) Resolutions for Action;
- d) Reports from Council Committees;
- e) Ordinances for Introduction and Setting of Public Hearings;
- f) Ordinances for Passage.

14. Speaker Registration for Public Comment on City Government Related Matters;

The Clerk or his or her designee will announce that the public comment registration form(s) for those intending to address council on City Government Related Matters will be collected;

15. Reports from City Officers or Boards and Commissions, Communications, Petitions, and other City Government Related Matters.

16. Motion of Excused Absence;

17. Remarks by Council members;

18. Remarks by the Mayor or Executive Assistant;

19. Public Comment on City Government Related Matters;

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A City Government Related Matter is an issue or topic relevant to the operation or governance of the City. The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.

20. Adjournment.

Rule 16. Standing Committees. The standing committees of Council and their functions are as follows:

Development and Planning. Reviews economic development matters, E.D.C. projects and the five-year plan covering development goals, policies, services and overall direction; reviews all matters having to do with land use, including zoning, plats and historical designations; reviews proposed modifications to the Master Plan; reviews acquisition and disposition of public property; and reviews changes to C.D.B.G. programming.

General Services. Reviews licensing and regulation matters, personnel matters and human services; reviews matters pertaining to the arts, cultural and community-wide activities, special events and leisure time programs; has general oversight of City government operations (except those more specifically covered by another standing committee); reviews and prepares amendments or revisions to Council Rules; and develops policies that would turn over routine matters to the Administration wherever possible.

Intergovernmental Relations. Represents Council in outreach efforts to improve working relationship with other political entities, with regional agencies and, internally, with such bodies as the Board of Water and Light, the Housing Commission, and the Entertainment and Public Facilities Authority. Its primary charge is to lead in the exploration of intergovernmental cooperation, toward provision of needed services in the best manner by the most appropriate jurisdiction with the least duplication of effort, to include specific emphasis on achieving a regional approach to various issues.

Public Safety. Reviews service levels and issues related to public safety, including police, fire, ambulance, emergency services, traffic environment and the building inspection program.

Public Services. Reviews all matters pertaining to wastewater treatment, sewer and street needs, long range infrastructure and parks and recreation needs and development and the Municipal parking system, including parking enforcement and policies.

Ways and Means. Reviews all proposed modifications to the City's annual Budget and program audits prepared by the Internal Auditor, the City's short-range and long-range financial condition, workforce needs for City operations and financial impact statements developed on proposed actions; and reviews and develops policy recommendations on City financial and budget matters.

Council Personnel. This committee shall be comprised of four members and shall include the president, the vice-president, one at-large councilperson, and one ward councilperson. The vice-president shall serve as chair of the committee.

The Committee on Council Personnel shall consider, study and recommend with respect to the following council staff matters: recruitment; selection; discipline; performance evaluations; job descriptions; policy and procedure manual development; any other personnel matter referred to it by the council.

Except as may otherwise be provided herein, the President shall appoint a Chairperson and Vice Chairperson of each standing committee. In the temporary absence of the Chairperson, the Vice Chairperson shall act as Chairperson. The standing committees' functions shall be reviewed by the Council President and shall be adopted by resolution of Council during January of each year.

Rule 17. Duties of Committees; Quorum; Discharge of Committees.

All committees appointed by Council shall thoroughly investigate such matters as are referred to them and report their findings in a timely manner.

All committees appointed by Council, other than standing committees, shall have a fixed term of life and shall expire at such times unless extended by a majority vote of Council.

A quorum of a committee shall be a majority of the committee members serving.

A committee shall be discharged of any matter referred to it by an affirmative vote of two-thirds of the Council members at the Committee of the Whole or City Council meeting.

No Council committee, ad-hoc or standing, shall meet during a session of Council unless prior permission has been granted by Council. Any Council committee, ad-hoc, standing or Committee of the Whole, shall follow these Rules and Mason's Manual of Legislative Procedure whenever applicable. Every committee, standing or ad-hoc, shall provide an opportunity for the public to speak on items designated for action by the committee. The Chairperson of each committee, standing or ad-hoc, shall be responsible for setting and enforcing the rules governing public comment at his or her committee.

Rule 18. Rules of Decorum for Meetings. The Presiding Officer shall conduct Council meetings in an orderly manner. Members of Council and others in attendance shall obey directions of the Presiding Officer. Citizens and others attending Council meetings may address Council as specified in this Rule and Rule 14. Speakers will be requested to print their name, address, and the topic to be addressed on the appropriate registration form (Legislative or City Government Related Matters). The forms will be used to call speakers to the podium, allow Council members to determine if the speaker is from his or her Ward, and to assist in the accuracy of recording Council Proceedings.

Council meetings are business meetings. Their purpose is to conduct the City's business. Public speaking at the Council meeting is to provide citizens the opportunity to be heard, express their views, and inform the Council and the Administration. In no case is the opportunity of a citizen to speak to be in the nature of a debate and neither the Council nor the Administration is under any obligation to respond specifically to any speaker. All remarks shall be addressed to the Council, the Mayor, and Administration representatives through the Presiding Officer. Individual Council members, the Mayor, or representatives of the Administration present shall address the Presiding Officer for permission to inquire of speakers or members of the audience whenever he or she deems that such an inquiry may be helpful to City business.

No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting. Speakers shall adhere to the time limits established by these Rules and the Presiding Officer. Extension of a speaker's time limit is permissible at the discretion of the Presiding Officer; or on a motion of a Council member, by affirmative vote of two-thirds of the Council members serving.

No person in the audience at a Council meeting shall engage in speech or conduct which disturbs, disrupts, delays, interferes with or otherwise impedes the orderly conduct of the Council meeting, including, but not limited to whistling, stomping, clapping other than during special ceremonies, interrupting a speaker, or heckling.

The Presiding Officer may rule any member of the public who is a speaker, meeting attendee, or audience member out of order for failing to follow Council's Rules or the Presiding Officer's directions, and may take whatever action is necessary to restore order to the meeting.

ADOPTION OF ORDINANCES

Rule 19. Introduction; Consideration. Ordinances may be introduced by Council members at any regular meeting of Council in the regular order of business. All ordinances must be in writing and shall be approved as to form and section numbers by the City Attorney.

The regular order for consideration of ordinance proposals shall be:

- 1) Introduction, first reading by title;
- 2) Referral to the appropriate committee;
- 3) Public hearing on the ordinance scheduled by Council, which hearing shall be scheduled to be held not sooner than five days after notice of the hearing is posted on City bulletin boards; and
- 4) Second reading by title and passage.

These four steps shall take place in not less than two regular meetings of Council. This Rule shall not be suspended except by the affirmative vote of six Council members.

Rule 20. Manner of Introduction; Form. In each ordinance amending an existing ordinance, changes or new matter shall be placed in capital type, and matter which has been omitted shall be indicated by printing in stricken through type. Every ordinance shall have endorsed thereon the name of the Council member introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. The City Clerk's office shall meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City Council of the City of Lansing until they are finally enacted.

Rule 21. First Reading, Referral and Report. All ordinances, on introduction, shall be read by title and shall be referred to the appropriate committee.

Rule 22. Readings. Every ordinance shall receive two readings by title previous to its being passed, and no ordinance shall be amended or committed until it has been read by title once..

Rule 23. Amendment at Final Reading. A vote of five Council members is required to adopt any amendment at the second reading of any ordinance recommended for passage.

Rule 24. Commitment Before Final Passage. It shall be in order at any time before the final passage of any ordinance to move its commitment or recommitment.

Rule 25. Final Vote; Publication. On final passage of all ordinances, the vote shall be taken by yeas and nays and entered upon the record of proceedings. No ordinance shall be declared passed unless five or more Council members have voted therefor. Upon passage, all ordinances shall be published in a newspaper of general circulation within the City with notice of their passage.

COMMITTEE OF THE WHOLE

Rule 26. Chairperson of Committee. When Council resolves itself into a Committee of the Whole, the President shall preside, except that in his or her absence, the Vice President shall preside. In the absence of both the President and the Vice President, the most recent past President of Council shall preside.

Rule 27. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate and moving to vote immediately. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole.

MOTIONS AND RESOLUTIONS

Rule 28. Statement; Reduction to Writing; Withdrawal. No motion or resolution shall be adopted until stated by the Chair. A motion shall be reduced to writing if required by any Council member, and, when presented in writing, shall be read by the Clerk before the same shall be open to debate. A resolution shall always be reduced to writing before being adopted. A request by any Council member for a reasonable recess to reduce a motion or resolution to writing shall always be in order and shall be granted. Any motion or resolution may be withdrawn by the sponsor at any time before decision or amendment.

Rule 29. Precedence of Motions. When a question is under debate, no motion shall be received except:

- 1) To adjourn;
- 2) To take a recess;
- 3) To lay on the table;
- 4) Call to question;
- 5) To postpone to a day certain;
- 6) To refer or re-refer;
- 7) To amend; or
- 8) To postpone indefinitely.

Such motions shall take precedence in the order in which they appear above.

Rule 30. Motion to Adjourn; Nondebatable Motions. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay upon the table or to vote immediately, and all questions relating to the priority of business, shall be decided without debate.

Rule 31. Motion to Lay on the Table. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal (as explained in Rule 40) on the table.

Rule 32. Indefinite Postponement. A motion to postpone indefinitely the further consideration of any ordinance, motion, resolution or other matter shall require the votes of five Council members to carry it, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table, or a motion to reconsider the vote by which any ordinance, motion or resolution has failed to pass Council, if agreed to, shall have the effect of postponing indefinitely the consideration hereof, and shall require the votes of five Council members to carry it.

Rule 33. Reconsideration. When a question has been once decided, it shall be in order for any Council member to move the reconsideration thereof, but no motion for reconsideration shall be in order unless made on the same day the vote was taken, or at the next regular meeting of Council. No question shall be reconsidered more than once. A motion to reconsider the vote by which any ordinance, motion or resolution has passed Council shall require the votes of five Council members to carry it.

Rule 34. Effect of Tabling Motion to Reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

MISCELLANEOUS

Rule 35. Division of Question. Any Council member may call for a division of any pending question, which shall be divided if it comprehends propositions so distinct that if one is taken away, a substantive proposition shall remain.

Rule 36. Roll Call Vote. The affirmative and negative votes shall be taken and recorded on all ordinances, and whenever requested by one or more Council members, on any other matter.

Rule 37. Other Business Cannot Interrupt Roll Call. When the yeas and nays are demanded upon any question, and after the question is stated by the Chair, the Clerk is directed to call the roll. After the first vote is given, no Council member shall be entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result declared.

Rule 38. Appeals. Any Council member may appeal from any decision of the Chair. On all appeals the question shall be: "shall the decision of the Chair stand as the judgment of Council?" Appeals shall be debatable except when Council is under operation of the order to vote immediately, or when the decision appealed from relates to the priority of business.

Rule 39. Laying Appeal Upon the Table. Any appeal may be laid upon the table, but it shall not carry with it the subject matter before Council at the time such appeal is taken.

Rule 40. Suspension of Rules. Any Rule may be suspended by a vote of six Council members.

Rule 41. Amendment; Repeal and Re-Adoption of Rules. A motion to amend or repeal any Council Rule shall require the votes of five Council members. These Rules may be revised or amended and re-adopted by Council as it deems appropriate. A motion made under this Rule shall not be considered for adoption sooner than the next Council meeting.

Rule 42. Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern in all cases in which they are not inconsistent with the standing Rules and orders of Council or the City Charter during all meetings of Council and its committees and committees appointed by Council.

Rule 43. Closed Sessions. Council may meet in Closed Session pursuant to and consistent with the Michigan Open Meetings Act.

A closed session may be requested by the Mayor, the President or any two Council members at any regular or special meeting. The person requesting a closed session shall state the purpose of such session. The stated purpose of the closed session shall constitute the only agenda item(s) for the closed session.

Whenever Council enters a closed session in the tenth floor Conference Room of City Hall, all persons not required for the closed session shall immediately leave the Conference Room and clear adjacent areas. The Council lobby shall be the nearest congregating area for those waiting to re-enter the meeting upon completion of the closed session when the closed session is held in the tenth floor Conference Room of City Hall.

Rule 44. Council Parking. Each member of Council shall have a permanently assigned parking space in the basement of City Hall. These parking bays shall be nonassignable and shall be used exclusively by the Council members unless prior approval has been given by that Council member.

Rule 45. Compensation of Judges. If Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court, before action is taken thereon, the President of Council shall appoint an ad-hoc citizens advisory committee of five members, which committee shall examine the Judges' salaries and any proposals to raise them and recommend to Council what, if any, increase is appropriate. Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Rule 46. Physical Presence Required. A member of Council must be physically present at any Council meeting, any Committee of the Whole meeting, any standing Council meeting or any special ad-hoc Council meeting, in order to vote or be counted as part of a quorum.

RESOLUTION #2009-336

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

WHEREAS, the Committee on Personnel established a selection process for hiring the City Council Principal Clerk – Level 25; and

WHEREAS, the Committee on Personnel held interviews on Thursday, August 6, 2009, and recommends Danielle Denise Stubbs for the position of the City Council Principal Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints Danielle Denise Stubbs for the position of the City Council Principal Clerk – Level 25, Step 5.

By Council Member Quinney

Motion Carried

RESOLUTION #2009-337

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

WHEREAS, the Lansing Police Department (LPD) submitted a 100% Federally-funded grant application (#2009-RK-WX-0440) to the U.S. Bureau of Justice Assistance for a four-year Community Oriented Police Services (COPS) Hiring Recovery Program, also known as CHRP; and

WHEREAS, the LPD application was accepted by the Bureau of Justice Assistance, Office of Community Oriented Policing Services; and

WHEREAS, the CHRP grant is designed to prevent impending loss of community oriented police officers and to increase capacity for crime prevention; and

WHEREAS, the COPS administration will award \$867,768 for the duration of three (3) years, to be followed by one (1) additional year of non-federal funding at the same level of service; and

WHEREAS, the federal award of \$867,768 requires no local funding for the first three (3) years of the four-year grant agreement; and

WHEREAS, the CHRP grant will fund the compensation (entry-level rate, then two steps) of two (2) officers previously associated with Community Development Block Grant (CDBG) community policing, and also the compensation (entry-level rate, then two steps) of two (2) officers who will assist with the re-entry of prison parolees to the community and also will monitor registered sex offenders in the community;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the COPS Hiring Recovery Program grant in the total amount of \$867,768 (requiring only fourth-year city funding) for the grant period beginning July 1, 2009, and ending June 30, 2013, to fund four officers both for CDBG areas and for parolee and sex offender monitoring;

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Wood

Motion Carried

RESOLUTION #2009-338

BY THE COMMITTEE ON WAYS AND MEANS
APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Byrne Grant - Approval to Accept the American Recovery and Reinvestment Act of 2009, Byrne Justice Assistance Grant

WHEREAS, the City of Lansing and the City of Lansing Domestic Violence Court has applied through the State of Michigan, the Office of Drug Control Policy, and the Reinvestment Act of 2009 Byrne Justice Assistance Grant; and

WHEREAS, the Lansing Mayor's Office reviewed the grant and authorized its submission to the Office of Drug Control Policy; and

WHEREAS, the Office of Drug Control Policy has awarded \$271,662 in grant funds to be used over a three-year period to prevent future crimes and ensure domestic violence victim safety in the City of Lansing through the use of an electronic monitoring tether system and random home visits; and

WHEREAS, there are no matching funds required by the City of Lansing; and

WHEREAS, the Byrne Justice Assistance Grant will provide funds for active GPS tether monitoring of domestic violence offenders that will allow proper law enforcement officials and the victims of crimes to be alerted if an offender has violated a protected zone; and

WHEREAS, the Byrne Justice Assistance Grant will provide funds for the assigned Domestic Violence Court probation officer to perform random home visits to offenders' residences to ensure adherence to court orders; and

WHEREAS, the GPS Electronic Monitoring tether program and random home visits are expected to:

- reduce Domestic Violence-related homicides,
- prevent further violence in the Lansing community,
- ensure Domestic Violence victim safety,
- hold batterers accountable for their actions, and
- reduce the City of Lansing's expenses associated with future crimes, including the cost of arrests, investigation, prosecution, and judicial resources; and

WHEREAS, Lansing Police Department Chief Mark Alley has agreed to assist the assigned Domestic Violence Court probation officer to protect the public; and

WHEREAS, the use of the GPS tether system and random home visits will further the Lansing Domestic Violence Court's recognition throughout the nation as a model for Domestic Violence Courts:

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves acceptance of the Byrne Justice Assistance Grant in the amount of \$271,662, for completion of the activities funded by the grant;

BE IT FINALLY RESOLVED, that Mayor Virg Bernero, on behalf of the City of Lansing, is authorized to accept the above described award; that he is hereby authorized to sign the grant agreement, to establish new and separate expenditure accounts for it as necessary, and to take such other action as may be required to implement the grant.

By Council Member Wood

Motion Carried

RESOLUTION #2009-339

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

That the following FY 2009 transfer be approved:

Public Service
Storm Sewer Maintenance

\$ 33,697.17 from Fringe Benefits 101.453615.715000.0
 \$ 33,697.17 to Operating Transfer – Police 101.966000.999273.00032

(To provide the majority local match previously unbudgeted for an annual renewable federal grant to the Lansing Police Department for the Gang Resistance Education and Training (GREAT) project, a project operating in the curricula of selected elementary and middle schools. The Operating Transfer provides the majority local match only for the six months period beginning January 1, 2009 and ending June 30, 2009. The FY09 adopted budget already provides \$7,500 original operating transfer for the GREAT project, in addition to this transfer.)

State/Federal Programs
 Gang Resistance Education and Training (GREAT)

\$42,029.43 from Federal Revenue (County Sub-Grant)
 273.0.527001.17083

\$ 41,197.17 from Operating Transfer 101 (Police)
 273.0.696101.17083

\$ 57,499.02 to GREAT Salaries
 273.343251.702000.17083

\$ 14,885.87 to GREAT Fringe Benefits
 273.343251.715000.17083

\$10,841.71 to GREAT Miscellaneous Operating
 273.343251.741000.17083

(To appropriate the first \$83,226.60 part of the GREAT renewal grant covering actual expenses attributed to the six months grant operation beginning January 2009 and ending June 2009. The remainder \$155,493.40 part of the \$238,720.00 adjusted grant award will be appropriated in a separate FY10 Council resolution.)

By Council Member Wood

Motion Carried

RESOLUTION #2009-340

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

That the following FY 2010 transfer be approved:

Police
 North Precinct (Patrol)

\$ 43,542.20 from Fringe Benefits 101.343251.702000.0
 \$ 37,780.63 from Fringe Benefits 101.343251.715000.0
 \$ 81,322.83 to Operating Transfer – Police 101.966000.999273.00032

(To provide the remainder local match previously unbudgeted for an annual renewable federal grant to the Lansing Police Department for the Gang Resistance Education and Training (GREAT) project, a project operating in the curricula of selected elementary and middle schools. The Operating Transfer provides the local match only for the eight months period beginning July 1, 2009 and ending approximately February 19-26, 2010.)

State/Federal Programs
 Gang Resistance Education and Training (GREAT)

\$74,170.57 from Federal Revenue (County Sub-Grant)
 273.0.527001.17083

\$81,322.83 from Operating Transfer 101 (Police)
 273.0.696101.17083

\$73,243.39 to GREAT Salaries
 273.343251.702000.17083

\$ 63,551.72 to GREAT Fringe Benefits
 273.343251.715000.17083

\$18,698.29 to GREAT Miscellaneous Operating
 273.343251.741000.17083

(To appropriate the last \$155,493.40 part of the GREAT renewal grant covering project operations beginning July 1, 2009 and ending approximately February 19-26, 2010.)

By Council Member Wood

Motion Carried

THIS ITEM WAS RETURNED TO THE COMMITTEE OF THE WHOLE
 Confirmation of Reappointment of Thomas Hay to the Elected Officers Compensation Commission for an At-Large Term to Expire June 30, 2016

By Council Member Robinson

To recommit this item

Motion Carried

RESOLUTION #2009-341

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Phil Clacko as a Business Owner Representative on the Principal Shopping District Board for a term to expire June 30, 2012.

WHEREAS, the Committee of the Whole met on August 31, 2009 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Phil Clacko as a Business Owner Representative on the Principal Shopping District Board for a term to expire June 30, 2012.

By Council Member Robinson

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION #2009-342
 COMMITTEE REPORT

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on Wednesday, August 26, 2009, and reviewed the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located at 1141 N. Pine Street, Z-1-2009, from "B" Residential District to "D-1" Professional Office District.

The Committee recommends approval of the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located at 1141 N. Pine Street, Z-1-2009, from "B" Residential District to "D-1" Professional Office District.

By the Committee on Development and Planning

Signed: Brian Jeffries, Chair
 Sandy Allen, Vice Chair
 Derrick Quinney, Member

By Council Member Jeffries

To receive this Committee Report

Motion Carried

RESOLUTION #2009-343
COMMITTEE REPORT

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on Wednesday, August 26, 2009, and reviewed the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located at 1114 W. Ionia Street, Z-3-2009, from "B" Residential District to "C" Residential District.

The Committee recommends approval of the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located at 1114 W. Ionia Street, Z-3-2009, from "B" Residential District to "C" Residential District.

By the Committee on Development and Planning

Signed: Brian Jeffries, Chair
Sandy Allen, Vice Chair
Derrick Quinney, Member

By Council Member Jeffries

To receive this Committee Report

Motion Carried

ORDINANCES FOR PASSAGE

ORDINANCE #2549

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-1-2009
Address: 1141 N. Pine Street
Parcel Number: PPN: 33-01-01-08-427-091
Legal Descriptions:

Part of the SW 1/4 of Section 9, T4N-R2W, City of Lansing, Ingham County, Michigan and part of Lots 1,2 & 3 of Block 26 of the "Map of the Subdivision of Blocks 26 and 27 in Town of Michigan", more particularly described as beginning at a M.A.G. nail at the intersection of the W line of N. Pine Street (82.5 feet) and the S line of W. Willow Street (variable width), said point also being the NE Corner of Lot 1, Block 26, thence S01'45'54" W, 292.14 feet along the W line of N. Pine Street for a place of beginning; thence continuing on said W line of Pine Street S01'45'54"W, 101.60 feet to the SE Corner of Lot 3, Block 26 of said plat and the N line of vacated W. Grand River Avenue; thence N88'08'49"W. 240.00 feet; thence N01'45'54"E, 101.49 feet; thence S88'10'25"E, 240.00 feet to the point of beginning. Containing .56 acres +/-, City of Lansing, Ingham Co., MI, from "B" Residential District to "D-1" Professional Office District, with the following conditions, which shall run with the land and be binding upon the successor owners of the land:

(1) Building uses shall be limited to professional and business offices, such as attorneys, accountants, architects, engineers, designers, insurance agents, consultants and non-profit agencies (except those agencies addressing formerly or currently criminal or addictive behaviors), or other similar uses;

(2) Surface parking shall be limited to 9 spaces; and

(3) Exterior lighting shall use low-intensity, shielded fixtures in order to limit light-trespass to the standard for Lighting Zone 3 set by ASHRAE 90.1 – 2004.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on August 31, 2009, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

YEAS: Councilmembers Allen, Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney, Robinson and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2550

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2009
Address: 1114 W. Ionia Street
Parcel Number: PPN: 33-01-01-17-255-091
Legal Descriptions: West 5 Rods of the South 8 Rods of Lot 1, Block 1, French's Subdivision, City of Lansing, Ingham Co., MI, from "B" Residential District to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on August 31, 2009, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI

48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

YEAS: Councilmembers Allen, Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney, Robinson and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

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

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

Motion Carried

• Reports from City Officers, Boards and Commissions:

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

RECEIVED AND PLACED ON FILE

b. Letters from the Mayor re:

i. Public Improvement IV; Curb and Gutter, Storm Sewer and Drive Approach for all lands fronting Raymond Dr. from Grand River Ave. to the north end, and Bliesener St. from west of Picardy St. to Pheasant Ave., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

ii. Requests for Public Hearings regarding Applications for Business Financing Assistance Program Loans submitted by

1. Moebius Technologies, LLC for property located at 2127 West Willow St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. His Healing Hands Urgent Care Center, Inc. for property located at 2025 W. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

iii. Request for Public Hearing regarding IFT-02-09; Application for Industrial Facilities Tax Exemption Certificate filed by Demmer Corporation for property located at 705 E. Oakland Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

iv. Brownfield Plan #8B Amendment – Jackson National Life, Lansing Data Center

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

v. Application for Exemption of New Personal Property submitted by Jackson National Life Insurance Company for property located at 2005 Seager St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

vi. Transfer of Funds; Community Development Block Grant

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

• Communications and Petitions, and Other City Related Matters:

a. Letter from the State of Michigan Department of Environmental Quality providing notice of the issuance of a permit to Peckham, Inc. to allow for the construction of a 12 inch diameter storm water outfall with 50 cubic yards of riprap

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

b. Letters from the Ingham County Drain Commissioner's Office providing notice of meetings of the Statutory Drainage Board to be held August 31, 2009 for the following Chapter 20 Drains:

i. Pawlowski Creek and Bogus Swamp

RECEIVED AND PLACED ON FILE

ii. Smedley Coolidge and Montgomery

RECEIVED AND PLACED ON FILE

c. Letters from the Capital Area Transportation Authority (CATA) Submitting a copy of its 2009 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE CITY TREASURER AND REFERRED TO THE CITY ASSESSOR

d. Request for Recognition of Non-Profit Status in the City of Lansing submitted by ACORN of Lansing, a Local Group affiliated with ACORN Institute, Inc., located at 809 Center St.

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

e. Community Funding Reporting statement submitted by Gier Area Neighborhood Watch #158 for its National Night Out Family Event held August 4, 2009

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

f. Application for Community Funding submitted by Capital Area African American Cultural Association for its Parade and Festival to be held September 26, 2009

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

ADJOURNED TIME 11:57 P.M.

CHRIS SWOPE, CITY CLERK