



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 28, 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: Council Members Allen, Hewitt, Jeffries, Kaltenbach, Quinney, Wood

ABSENT: Council Members Dunbar (Arrived at 7:04 p.m.) and Robinson (Arrived at 8:18 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 Council Member Jeffries

To approve the printed Council Proceedings of September 14 and 21, 2009

Motion carried

CONSIDERATION OF LATE ITEMS

By Council Member Jeffries

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

Motion carried

The following items were added to the agenda:

1. From Council Member Jeffries; Approval of an Application for a Business Financing Assistance Program Loan submitted by Moebius Technologies, LLC for property located at 2127 West Willow St.
2. From Council Member Jeffries; Declaring support for the Urban/Rural Service District/Boundary Committee and its pursuit of research and grant opportunities related to the successful and equitable development of an urban service boundary policy, including the 2009 LIAA Partnerships for Change: Sustainable Communities Grant
3. From Council Member Jeffries; Letter from the Mayor re: Recover Zone Facility Bond; Accident Fund Parking Ramp

Council Member Dunbar arrived at the meeting at 7:04 p.m.

4. From Council Member Kaltenbach; Recognition of Non-Profit Status in the City of Lansing to Michigan Library Association located at 1407 Rensen St.

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Recognition of Bob Cochran and Semone James Howes for their dedicated service on the Board of Water and Light Board of Commissioners

Council Member Wood thanked Bob Cochran and Semone James Howes for their diligent service on the Board of Water and Light Board of Commissioners.

City Clerk Swope read the following resolution:

RESOLUTION #2009-373

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

WHEREAS, Bob Cochran was born and raised in Cleveland, Ohio and attended Arizona State University where he earned his Bachelor's of Science Degree in Aerospace Engineering. He later attended Arapahoe Community College in Colorado and earned his Associates Degree in music theater and art; and

WHEREAS, he served in the United States Air Force for twenty-two and one half years before he retired; and

WHEREAS, Bob has been a member of the Friends of Turner Dodge for four years, Bob volunteers his time to help with events and programs to help preserve the history of the Turner Dodge House; and

WHEREAS, he is a ten year member of the Downtown Neighborhood Association, serving as President for two years, has served on the Lansing Neighborhood Council for three years, was a member on the City Council Ad Hoc on Housing Committee for one year, and served on the Lansing Board of Water and Light Commissioner for three years; and

WHEREAS, Bob has lived in Lansing for the past sixteen years, where he has proven himself an asset to his community. He has shown his dedication to improving the neighborhood in which he resides as well as to the City of Lansing, throughout his residency;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its deepest appreciation to Bob Cochran for his service and dedication to the City of Lansing and its residents. We wish you continued success in all your future endeavors!

By Council Member Wood

Motion Carried

Council Member Allen spoke about Bob Cochran's decision to leave New York for Lansing.

Council Member Kaltenbach stated that Bob Cochran is a great neighbor.

Council Member Wood spoke about Bob Cochran's housing unit.

Bob Cochran stated that his work for the Board of Water and Light was an awesome experience and stated that the Board of Water and Light is a great asset for the City of Lansing. He thanked the City Council for this honor.

2. Presentation; Mayor's Hometown Hero Award to Richard Miller

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about Richard Miller's background and his dedication to beautifying his neighborhood through gardening.

Richard Miller thanked the Mayor for this honor and also thanked the Lansing-Eaton Neighborhood Association for letting him do his gardening in the neighborhood.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Council Member Allen spoke about the Mobile Food Pantry and asked Jerry Ambrose as to why citizens who receive parking refunds have to come downtown to receive them as opposed to other methods.

Council Member Hewitt spoke about the Allen Street Market and announced the 1st Ward 5 Year Parks Master Plan meeting and the next 1st Contact meeting for residents of the 1st Ward.

Council Member Wood thanked the organizers of the Annual African American Parade and Festival for putting on a successful event. She announced the Caesar Chavez Hispanic Heritage Awards and Polish Days events.

Council Member Dunbar congratulated the organizers and participants in Ignite Lansing and she spoke about the Capital City River Run.

City Clerk Swope sent his condolences to the family of Miguel Perez, an election inspector who recently passed away. He stated that the close of registration to vote in the November General Election is October 5, 2009. He also stated that absentee ballots are being mailed out this week and that there is still time to request absentee ballots. He announced that next Monday the National Guard Armory will be open as a secondary office to request, receive, and return absentee ballots.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

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

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about all of the recent entertainment events in Lansing. He discussed the river tail improvements and stated that the Aurelius Rd. Bridge has reopened. He announced the upcoming Trick or Treat on the Square event. He spoke about several items on tonight's agenda including the Public Hearings and the development projects for Jackson National Life Insurance Company and Old Town Temple, LLC.

Council Member Dunbar asked Jerry Ambrose to clarify that the city is not building a ramp for the Accident Fund project and he emphasized that the city is not building the ramp.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Application for a Business Financing Assistance Program Loan submitted by Moebius Technologies, LLC for property located at 2127 West Willow St.
2. In consideration of an Application for a Business Financing Assistance Program Loan submitted by His Healing Hands Urgent Care Center, Inc. for property located at 2025 W. Holmes St.

3. In consideration of an Ordinance of The City of Lansing, Michigan, to Amend Chapter 888, Section 31, of the Lansing Codified Ordinances by clarifying the date of commencement and extending the duration for a total of 20 years, and to repeal Section 06

Council Member Jeffries gave a brief overview of the Public Hearings.

Sagar Sheth of 2127 W. Willow St. spoke in support of an Application for a Business Financing Assistance Program Loan submitted by Moebius Technologies, LLC for property located at 2127 West Willow St.

Christopher Davis of 122 W. Huron St. stated concerns with all three Public Hearings.

Eleanor Kue of 3960 Breckenridge Dr., Okemos, spoke in support of an Application for a Business Financing Assistance Program Loan submitted by His Healing Hands Urgent Care Center, Inc. for property located at 2025 W. Holmes St.

Lynne Martinez of 1017 W. Lapeer St. spoke in support of an Ordinance of The City of Lansing, Michigan, to Amend Chapter 888, Section 31, of the Lansing Codified Ordinances by clarifying the date of commencement and extending the duration for a total of 20 years, and to repeal Section 06.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke in support of all three Public Hearings and in opposition to tax abatements for Jackson National Life Insurance Company.

Stan Shuck of 818 Cooper Ave. spoke in support of an Ordinance of The City of Lansing, Michigan, to Amend Chapter 888, Section 31, of the Lansing Codified Ordinances by clarifying the date of commencement and extending the duration for a total of 20 years, and to repeal Section 06 and in opposition to tax abatements.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Application for a Business Financing Assistance Program Loan submitted by Moebius Technologies, LLC for property located at 2127 West Willow St.

RECEIVED AND PLACED ON FILE

2. In consideration of an Application for a Business Financing Assistance Program Loan submitted by His Healing Hands Urgent Care Center, Inc. for property located at 2025 W. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of an Ordinance of The City of Lansing, Michigan, to Amend Chapter 888, Section 31, of the Lansing Codified Ordinances by clarifying the date of commencement and extending the duration for a total of 20 years, and to repeal Section 06

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

LEGISLATIVE MATTERS

RESOLUTIONS

City Clerk Swope read the following resolution:

RESOLUTION #2009-374
BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mattie Mae Taylor was born January 15, 1928 in Albion, Michigan to John and Arlener Burch. She attended Albion High School and Lansing Business College; and

WHEREAS, on August 1, 1954, she married her loving husband, George "Jesse" Taylor, and gave birth to two daughters, Desiree Quinney and Terri Singleton, and helped raise a step-son, Eric Taylor; and

WHEREAS, Mattie was dedicated to family life and always placed her children's and husband's needs and desires before her own; and

WHEREAS, left to honor her memory and legacy, her cherished husband and children; a dedicated sister, Agnes Wright of Albion, Michigan; grandchildren Dekeea Quinney-Davis, Brandon, Satitra, Dominick, Rodney II, and Taylor; five great grandchildren, Kalani, Kiyon, Jacob, Brandon II, and Malachi; a host of nieces, nephews, cousins, and loving friends, including special friends Jean Gillespie, Mary Churchill, and the classic "Golden Girls"; and

WHEREAS, she developed many passions and talents in life, including collecting antiques, Christmas bears, birds, and teacups; green thumbing, and making her infamous potato salad; and

WHEREAS, Mattie accepted Christ at a young age under Pastor Liston Stone, who served from 1938-1948, and continued to be a devoted member of the Friendship Baptist Church until she passed September 18, 2009. She gave unselfishly of time and energy to the Friendship Baptist Church and Vacation Bible School; and

WHEREAS, Mattie embraced her work as heartily as she did her family obligations, working for the Style Shop, and John Deer, and later as an Administrative Assistant for General Motors, where she retired in 1987;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its deepest condolences to the family and friends of Mattie Mae Taylor. She will be dearly missed.

By Council Member Dunbar

Motion Carried

RESOLUTION #2009-375

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

WHEREAS, Semone M. James Howes is a lifelong resident of Michigan and has enjoyed living in Lansing for over fifteen years. As a mother to Justin and Samantha James and wife to Robert, she is both devoted and loving; and

WHEREAS, she earned her Bachelor of Business Administration Degree from Eastern Michigan University with dual majors in Finance and Real Estate. She is a State of Michigan licensed real estate Broker and Certified General Appraiser. She often volunteers her real estate and financial expertise to several community and faith based organizations; and

WHEREAS, Semone was appointed as the First Ward Commissioner to the Lansing Board of Water and Light on February 20, 2006 with her service concluding on June 30, 2009; and

WHEREAS, in her three and a half years of service to the Board, Semone has served as the Chair and Vice-Chair for the Board of Commissioners, Chair of the Committee of the Whole, Finance Committee, Nominating Committee, the Board's Executive Committee, and Ad Hoc Committee to revise the Rules of Administrative Procedure, and as an alternate member of the Finance and Human Resource Committees; and

WHEREAS, Semone has lent her financial and business expertise as well as her leadership skills in governing the Lansing Board of Water and Light and encouraging it to reach its goals and remain an exceptional utility

company with a sustainable future for many generations to come; and

WHEREAS, in addition to her working diligently to support the Lansing community, Semone has also worked to cultivate a successful career with the State of Michigan for over fifteen years. In 2005, she was appointed as Executive Director of the State of Michigan Land Bank Fast Track Authority by Governor Jennifer M. Granholm, having successfully developed the Authority since its inception for nearly three years; and

WHEREAS, Semone has worked in several other capacities with the State of Michigan, Departments of Labor and Economic Growth, Transportation, and Treasury and currently serves as an Investment Specialist with the Department of Treasury; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Semone M. James Howes for her service and dedication to the Lansing community and to the Lansing Board of Water and Light. We wish you continued success!

By Council Member Wood

Motion Carried

RESOLUTION #2009-376

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

WHEREAS, Ken Chaney was born on May 25, 1942, to Paul and Louise Chaney, one of eight children. In the fall of 1942, Ken's family moved to Lansing when his dad took a job with Duo-Therm, a war effort company; and

WHEREAS, born and raised Catholic, Ken and his brothers and sisters, attended Resurrection Catholic School. He graduated in 1960, and went to work for the Probst Drug Store, which was located on Logan Avenue, as a delivery driver and also where he met his wife, Lynne; and

WHEREAS, Ken and Lynne were married December 30, 1961, at St. Casmir Church, living and raising their three girls, Barb, Tracy, and Kelly in Lansing, until the summer of 1979, when they moved to Holt, where they currently reside; and

WHEREAS, as a teen, Ken developed an interest in hot rods while working on his friends' cars. He opened his own business on March 19, 1964, Chaney's Bay Service Station, located on the corner of Barnes and Logan. Most of his business came from the local kids that wanted their cars "souped up", working primarily on hot rods and race cars; and

WHEREAS, Ken moved to his current location, 100 E. Mt. Hope, the corner of Mt. Hope and Washington, in September of 1971 and changed the name of his business to Chaney's Car Care Center; and

WHEREAS, Chaney's Car Care Center was also a Gulf/Pro gas station up until the early 1980's and remained a "mom and pop" service garage long after the gas pumps were removed; and

WHEREAS, his wife, Lynne, has worked side by side with Ken since moving to this location and served the second and third generation of families who have been his customers for years; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Ken for forty-eight successful years serving Lansing with Chaney's Car Care Center and congratulates him on his retirement. We wish you continued success in all your future endeavors!

By Council Member Wood

Motion Carried

RESOLUTION #2009-377

BY THE DEVELOPMENT AND PLANNING COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution Approving
Brownfield Plan #8B Amendment
Jackson National Life Insurance Company
Lansing Data Center Redevelopment Project

Yeas: Council Members Allen, Dunbar, Hewitt Jeffries, Quinney, Wood

Nays: Council Member Kaltenbach

Absent: Council Member Robinson

WHEREAS, the Brownfield Redevelopment Authority (the Authority) of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the Act) has prepared an amended Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #8B – Lansing Data Center Redevelopment Project (the Plan); and

WHEREAS, a public hearing was held by the Lansing City Council, and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan, and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on September 21, 2009, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for industrial and warehouse purposes,
2. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project will result in new private investment of approximately \$26,320,465,
5. the Plan provides for the capture of property tax increment revenues,

WHEREAS, the Authority Board of Directors, at its meeting of September 8, 2009, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #8B – Lansing Data Center Redevelopment Project.

By Council Member Jeffries

Motion carried by the following Roll Call vote:

RESOLUTION #2009-378

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Jackson National Life Insurance Company - Personal Property
Exemption - Lansing Data Center

WHEREAS, pursuant to Public Act 328 of 1998 (1998 PA 328), Jackson National Life Insurance Company (Jackson) has made Application for Exemption of New Personal Property (PPE-1-09) for New Personal Property Exemption on the following described property:

33-01-01-04-380-007, N 66 FT OF E 73.26 FT LOT 7 OF TOWNSEND'S SUB ON SEC'S 4, 5, 8 & 9; ALSO LOT 13 TURNER & SMITH'S SUB; ALSO PART SW 1/4 SEC 4 COM NE COR LOT 12 SAID SMITH'S SUB, TH W 403.11 FT, N 176.24 FT, W 255.91 FT, N 596.68 FT TO CON RAIL RR R/W, SE'LY ALONG R/W 819.65 FT TO POINT DUE N OF BEG, S 285.4 FT TO BEG; SEC 4 T4N R2W EX PART OF THE LOT 13, TURNER AND SMITH SUBDIVISION OF LOT 6 OF TOWNSEND'S SUBDIVISION AS RECORDED IN THE AUDITOR GENERAL OFFICE ON NOVEMBER 24, 1873, PART OF LOT 7, TOWNSEND'S SUBDIVISION AS RECORDED WITH THE DEPUTY REGISTER ON MARCH 21, 1866 AND PART OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT, 13; THENCE SOUTH 00 DEGREES 12 MINUTES 36 SECONDS EAST 66 00FEET ALONG THE EAST LINE OF LOT 13 AND' THE WEST LINE OF SEAGAR STREET (66 FEET WIDE); THENCE NORTH 89 DEGREES 38 MINUTES 28 SECONDS WEST, 131,19 FEET ALONG THE SOUTH LINE OF LOT 13 TO THE SOUTHWEST CORNER OF LOT 13; THENCE NORTH 89 DEGREES 41 MINUTES 08 SECONDS WEST, 73.26 FEET ALONG THE SOUTH LINE OF THE NORTH 66 FEET OF LOT 7; THENCE NORTH, 66.00 FEET ALONG THE WEST LINE OF THE EAST 73.26 FEET OF LOT 7 TO THE NORTH LINE OF LOT 7; THENCE NORTH, 156 26 FEET; THENCE EAST 205.39 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 32 SECONDS WEST, 157.49 FEET PERPENDICULAR TO THE NORTH LINE OF LOT 13 TO THE POINT OF BEGINNING. EX PART OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 12, TURNER AND SMITH SUBDIVISION OF LOT 6 OF TOWNSEND'S SUBDIVISION AS RECORDED IN THE AUDITOR GENERAL'S OFFICE ON NOVEMBER 27, 1873; THENCE NORTH 89 DEGREES 38 MINUTES 28 SECONDS WEST, 139.85 FEET ALONG THE NORTH LINE OF LOT 12; THENCE NORTH 00 DEGREES 21 MINUTES 32 SECONDS EAST, 385.22 FEET PERPENDICULAR TO THE NORTH LINE OF LOT 12 TO THE SOUTHWESTERLY LINE OF THE CONRAIL RAILROAD; THENCE SOUTH 53 DEGREES 20 MINUTES 38 SECONDS EAST, 168.67 FEET ALONG THE SOUTHWESTERLY LINE OF THE CONRAIL RAILROAD; THENCE SOUTH 00 DEGREES 25 MINUTES 32 SECONDS EAST, 285.40 FEET TO THE POINT OF BEGINNING, commonly known as 2005 Seager Street, and that is contained within the Lansing Brownfield Redevelopment Zone, established by the Lansing City Council on August 18, 1997 pursuant to Act 381 of 1996, as amended; and

WHEREAS, a public hearing was held September 21, 2009, on the Jackson application for exemption of new personal property, at which, and with advance written notice, the assessor and all representatives of affected taxing units were afforded an opportunity to appear and be heard on the application and exemption request; and

WHEREAS, the City is an eligible distressed community under Public Act 328 by containing NEZ classifications under Neighborhood Enterprise Zone Act of 1992, and as acknowledged in the State Tax Commission bulletin on exemption of new personal property to assessing officers, dated May 10, 1999; and

WHEREAS, Lansing Brownfield Redevelopment Zone area is an eligible district under Public Act 328, as amended, and it is within the jurisdiction of the City of Lansing and, therefore, within an eligible distressed community; and

WHEREAS, Jackson meets the requirements of an eligible business under Public Act 328 by being primarily engaged in office operations;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of the Jackson National Life Insurance Company for exemption of new personal property PPE-1-09 pursuant to Public Act 328 of 1998, as amended, for that portion of the Lansing Brownfield Redevelopment Zone, legally described as: N 66 FT OF E 73.26 FT LOT 7 OF TOWNSEND'S SUB ON SEC'S 4, 5, 8 & 9; ALSO LOT 13 TURNER & SMITH'S SUB; ALSO PART SW 1/4 SEC 4 COM NE COR LOT 12 SAID SMITH'S SUB, TH W 403.11 FT, N 176.24 FT, W 255.91 FT, N 596.68 FT TO CON RAIL RR R/W, SE'LY ALONG R/W 819.65 FT TO POINT DUE N OF BEG, S 285.4 FT TO BEG; SEC 4 T4N R2W EX PART OF THE LOT 13, TURNER AND SMITH SUBDIVISION OF LOT 6 OF TOWNSEND'S SUBDIVISION AS RECORDED IN THE AUDITOR GENERAL OFFICE ON NOVEMBER 24, 1873, PART OF LOT 7, TOWNSEND'S SUBDIVISION AS RECORDED WITH THE DEPUTY REGISTER ON MARCH 21, 1866 AND PART OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT, 13; THENCE SOUTH 00 DEGREES 12 MINUTES 36 SECONDS EAST 66 00 FEET ALONG THE EAST LINE OF LOT 13 AND THE WEST LINE OF SEAGAR STREET (66 FEET WIDE); THENCE NORTH 89 DEGREES 38 MINUTES 28 SECONDS WEST, 131.19 FEET ALONG THE SOUTH LINE OF LOT 13 TO THE SOUTHWEST CORNER OF LOT 13; THENCE NORTH 89 DEGREES 41 MINUTES 08 SECONDS WEST, 73.26 FEET ALONG THE SOUTH LINE OF THE NORTH 66 FEET OF LOT 7; THENCE NORTH, 66.00 FEET ALONG THE WEST LINE OF THE EAST 73.26 FEET OF LOT 7 TO THE NORTH LINE OF LOT 7; THENCE NORTH, 156 26 FEET; THENCE EAST 205.39 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 32 SECONDS WEST, 157.49 FEET PERPENDICULAR TO THE NORTH LINE OF LOT 13 TO THE POINT OF BEGINNING. EX PART OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 4 NORTH, RANGE 2 WEST, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 12, TURNER AND SMITH SUBDIVISION OF LOT 6 OF TOWNSEND'S SUBDIVISION AS RECORDED IN THE AUDITOR GENERAL'S OFFICE ON NOVEMBER 27, 1873; THENCE NORTH 89 DEGREES 38 MINUTES 28 SECONDS WEST, 139.85 FEET ALONG THE NORTH LINE OF LOT 12; THENCE NORTH 00 DEGREES 21 MINUTES 32 SECONDS EAST, 385.22 FEET PERPENDICULAR TO THE NORTH LINE OF LOT 12 TO THE SOUTHWESTERLY LINE OF THE CONRAIL RAILROAD; THENCE SOUTH 53 DEGREES 20 MINUTES 38 SECONDS EAST, 168.67 FEET ALONG THE SOUTHWESTERLY LINE OF THE CONRAIL RAILROAD; THENCE SOUTH 00 DEGREES 25 MINUTES 32 SECONDS EAST, 285.40 FEET TO THE POINT OF BEGINNING.

BE IT FURTHER RESOLVED that the personal property exemption PPE-01-09 under Public Act 328 shall be for the period of fifteen (15) years effective Dec. 31, 2009 and ending Dec 30, 2024.

BE IT FINALLY RESOLVED that the City Clerk shall cause the application for exemption of new personal property PPE-01-09 to be completed and shall cause the completed application and a copy of this Resolution to be filed with the State Tax Commission.

By Council Member Jeffries

Motion carried by the following Roll Call vote:

Yeas: Council Members Allen, Dunbar, Jeffries, Kaltenbach, Quinney, Wood

Nays: Council Member Hewitt

Absent: Council Member Robinson

RESOLUTION #2009-379

BY THE PLANNING AND DEVELOPMENT 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 Property Rehabilitation District (IPR 07-91) on September 30, 1991 on the property located at 705 E. Oakland Street, in the City of Lansing, Michigan.

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

WHEREAS, a public hearing was held September 14th, 2009 at 7 p.m., on the Industrial Facilities Exemption Certificate (IFT 02-09) filed by Demmer Corp., at which all owners of real and personal property within (IPR 07-91), 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 (IPR 07-91) area had the opportunity to appear and be heard; and

WHEREAS, Demmer Corp. 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 Demmer Corp., for an Industrial Facilities Exemption Certificate (IFT 02-09), for real and personal property investments in the area of (IPR 07-91) legally 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,

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 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

RESOLUTION #2009-380

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing, hereby, sets a public hearing for Monday, October 12, 2009, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use, SLU-2-2009, 119 E. Barnes Avenue, Neighborhood Resource Center in a "C" Residential District.

By Council Member Jeffries

Motion Carried

RESOLUTION #2009-381

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
BROWNFIELD PLAN # 45 – Old Town Temple LLC
BROWNFIELD PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 502 E. Grand River located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, 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 10/12/2009 at 7:00 p.m. on Brownfield Plan # 45 – Old Town Temple LLC Brownfield Plan Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described by parcel numbers as:

33-01-01-09-427-002

LOTS 5, 6 & W 1/2 LOT 4 BLOCK 15 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan 45 and the scheduled public hearing.

By Council Member Jeffries

Motion Carried

Council Member Robinson arrived at the meeting at 8:18 p.m.

RESOLUTION #2009-382

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

Approving Project Plan
Moebius Technologies, LLC – Equipment Purchase

WHEREAS, the Lansing Economic Development Corporation (LEDC) Board of Directors has identified Lansing as a major economic development investment area; and

WHEREAS, the LEDC designated Moebius Technologies, LLC's purchase of new manufacturing equipment as a "Project" with a "Public Purpose" as defined by P.A. 338 of 1974, as amended; 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 (BFAP) and believes this Project has a significant impact on downtown revitalization; and

WHEREAS, Moebius Technologies, LLC has made application with the LEDC for a BFAP business loan for the purchase of new manufacturing equipment at the property address located at 2127 W. Willow Street, Lansing, Michigan and legally described as:

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

WHEREAS, the Project will result in new investment of approximately \$240,000; and

WHEREAS, Section 8 of Act No. 338 of the Michigan Public Acts of 1974, as amended (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 recommendations of the local governing body; and

WHEREAS, the LEDC has prepared a Project Plan for the Project, submitted it to Council and placed it on file in the office of the City Clerk in accordance with the Act; and

WHEREAS, at such hearing held on the 28th day of September, 2009, the fullest opportunity was given for expression of opinion, for arguments on the merits, and for introduction of documentary evidence pertinent to the Project Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, the City Council desires to express its approval of said Project Plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Moebius Technologies, LLC – Equipment Purchase Project Plan submitted by the LEDC after determining that the project plan constitutes a public purpose based on the following considerations:

- a. The Project Plan meets the requirements set forth in Section 8 of the Act.
- b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the plan properly.
- c. The proposed method of financing the Project is feasible and the LEDC has the ability to arrange the financing of a not to exceed loan in the amount of \$240,000 for the purchase of new manufacturing equipment.
- d. The Project is reasonable and necessary to carry out the purpose of the Act.

BE IT FURTHER RESOLVED that the LEDC is hereby authorized to proceed with the Project and the financing thereof.

BE IT FINALLY RESOLVED that the City Clerk is hereby requested to provide three certified copies of this resolution to the LEDC.

By Council Member Jeffries

Motion Carried

RESOLUTION #2009-383

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

Supporting the Tri-County Regional Urban/Rural Service
District/Boundary Committee and the pursuit of the 2009 LIAA
Partnerships for Change:
Sustainable Communities Grant

WHEREAS, the Tri-County Regional Planning Commission adopted the
"Regional Growth: Choices for our Future" report and poster plan; and

WHEREAS, members of the Tri-County Regional Planning Commission
and other local communities have passed resolutions in support of the
Regional Growth Project; and

WHEREAS, the "Regional Growth Choices for Our Future" project, if
fully implemented, will:

- * Reduce congested lane miles on regional roads by approximately 50% and save taxpayers between 1.6 and 4.8 billion dollars in road improvement costs which would otherwise be required if current trends are unchecked;
- * Save the equivalent of three townships of agricultural land and open space;
- * Reduce air pollutants by tens of thousands of kilograms per day, leading to public health benefits and lower long term public health costs; and Improve the region's quality of life and economic competitiveness, including urban redevelopment opportunities, in an increasingly global economy greater than would occur under current public policies; and

WHEREAS, the Urban and Rural Service Districts/Boundaries (URSD/USB) Committee is an implementation activity of the "Regional Growth Choices for Our Future" project, and

WHEREAS, the URSD/USB Committee and its members have demonstrated a multiple year commitment to the study of service boundaries and shared services between jurisdictions; and

WHEREAS, the Committee is pursuing a policy solution to the issue of urban service expansion based on the following elements of regionalism:

- * Establishing visions and goals, and setting new policy to achieve those goals
- * Looking at process: using visioning and planning to create a fair structure
- * District and boundary lines that are flexible
- * Collaboration emphasized through voluntary agreement
- * There is a binding trust rather than accountability
- * Empowerment created by the constructive involvement of many communities; and

WHEREAS, the urbanized core communities and the rural communities that surround it are equal partners in this endeavor, the entire region will benefit from the outcome of a successful urban service boundary strategy in terms of the farmland and natural resource protection, savings in infrastructure costs, and air pollution reductions listed above; and

WHEREAS, the Committee is determined to successfully implement an urban service boundary policy that strengthens relationships between local jurisdictions based on trust and equitable distribution of resources; and

WHEREAS, the most efficient manner to declare an equitable policy is to complete a detailed study and analysis of existing implementation strategies;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council, hereby, declares its support for the Urban/Rural Service District/Boundary Committee and its pursuit of research and grant opportunities related to the successful and equitable development of an urban service boundary policy, including the 2009 LIAA Partnerships for Change: Sustainable Communities Grant.

By Council Member Jeffries

Motion Carried

RESOLUTION #2009-384

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

WHEREAS, Michigan Library Association has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Michigan Library Association as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Michigan Library Association of 1407 Rensen Street, Suite 2, Lansing, Michigan 48910.

By Council Member Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing 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

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Allen, Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney Robinson and Wood

Nays: None

By Council Member 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 #2551

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-4-2009
 Address: 2511 N. ML King Blvd.
 Parcel Number: PPN: 33-01-01-05-451-123
 Legal Descriptions: COM 50 FT W & 575.5 FT S OF INTN C/L N GRAND RIVER AVE & N-S 1/8 LINE OF SE 1/4 SEC 5, TH W 240 FT, S 300 FT, E 240 FT TO W'LY LINE N ML KING BLVD, S'LY ALONG SAID R/W 210 FT +/- AND W 20 FT AND SW'LY 250 FT +/- TO N BANK OF THE GRAND RIVER, NW'LY ALONG RIVER 500 FT +/- TO W LINE OF E 1/2 OF W 1/2 OF SE 1/4 SEC 5, N 195 FT +/- TO S LINE LMRR/CON RAIL R/W, NE'LY ALONG R/W 629 FT +/- TO SW COR MDSH CLEAR VISION AREA, NE'LY ON S'LY LINE SAID AREA 117.3 FT TO W LINE N ML KING BLVD, S 445.3 FT TO BEG; SEC 5 T4N R2W, CITY OF LANSING, INGHAM CO., MI, from "A" Residential District to "H" Light Industrial 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 September 28, 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.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

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

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

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

Motion Carried

• Reports from City Officers, Boards and Commissions:

- a. Letters from the City Clerk:

- i. Providing notice of the placement on file by the Board of Water and Light of changes to its rate structure to implement Public Utility Regulatory Policies Act standards under the Energy Independence and Security Act of 2007 and a Renewable Energy Net Metering Program and Companion Rate Rider

RECEIVED AND PLACED ON FILE

- ii. Submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the Mayor re:

- i. Sole Source Purchase; Police Department request for Visionair, Inc. as the vendor for Geographic Mapping and GPS Vehicle Locator Software

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

- ii. Recover Zone Facility Bond; Accident Fund Parking Ramp

* SUSPENSION ITEM - REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Letter from Ingham Intermediate School District submitting a copy of Holt Public Schools and Okemos Public Schools' 2009 Tax Levy and Millage Reduction Fraction Computation, 2009 Winter Tax Levy Summary and 2009 Summary of Winter Sinking Fund levy

REFERRED TO THE CITY TREASURER AND REFERRED TO THE CITY ASSESSOR

- b. Delta Township District Library's 2009 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE CITY TREASURER AND REFERRED TO THE CITY ASSESSOR

- c. Letters from Comcast Cable providing notice of:

- i. Expanded Basic Service price increase effective with its November billing statements, and submitting a copy of its Residential Installation Rate increases effective December 1, 2009

REFERRED TO THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD

- ii. Channel line-up changes effective October 27, 2009

REFERRED TO THE TELECOMMUNICATIONS AND CABLE ADVISORY BOARD

- d. Letter from the Colonial Village Neighborhood Association expressing opposition to a request from Lansing Grocery, Inc. to Transfer Ownership of Escrowed 2009 SDD & SDM Licensed Business from Ho Tran, Inc. and Transfer Location from 3135 S. Pennsylvania Ave. to 1901 S. Martin Luther King, Jr. Blvd.

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Council Member Dunbar stated that the South Side Community Center pool is open for swimming classes.

Council Member Hewitt announced the 1st Ward 5 Year Parks Master Plan meeting.

Vice President Robinson announced at concert at Pattengill Middle School.

City Clerk Swope spoke about the positive changes to the Lansing River Trail.

Council Member Dunbar stated that her husband and daughters ran into City Clerk Swope on the River Trail and that he should participate in next year's Hawk Island Triathlon.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, thanked the City Council for passing legislation this evening, especially setting the Public Hearing for SLU-2-2009. He spoke about the Board of Water and Light's Net Metering program. He stated that he received a note from State Representative Bauer stating that there are state budget issues still to be worked through and that revenue sharing with cities has yet to be resolved.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

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

William Hubbell of 3916 Wedgewood Dr. spoke about road construction.

Christopher Davis of 122 W. Huron St. spoke about various city matters.

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

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

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

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

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

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

Marcus Brown of 121 E. Barnes Ave. spoke about Village Summit.

L. W. Morrow of 3030 Paul Ave. spoke about a fuel cell program.

Council President Quinney stated that all Committee of the Whole meetings, starting with this Thursday's meeting, will be televised.

ADJOURNED TIME 8:58 P.M.

CHRIS SWOPE, CITY CLERK