



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
PROCEEDINGS OF NOVEMBER 9, 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, Dunbar, Hewitt, Jeffries, Kaltenbach, Quinney, Robinson, Wood

**ABSENT:** None

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

**COUNCIL MEMBERS' COMMENTS  
AND CITY CLERK'S ANNOUNCEMENTS:**

Vice President Robinson announced the next 2nd Saturdays meeting for residents of the 3rd Ward. She also announced the next Averill Woods neighborhood meeting.

Council Member Wood asked residents to remember that leaves should not be blown or raked into city streets. She announced the Mid-Michigan Food Bank Drive Away Hunger event, Pilgrim Rest Baptist Church's Safety Prints event for children's identification and program for preventing underage drinking and a Retail Promotion and Sales Management Tips event at Lansing Community College. She asked Jerry Ambrose, Executive Assistant to Mayor Bernero, to check into issues related to asphalt in the 1300 block of N. Walnut St.

Council Member Dunbar gave her condolences to the family of Chris Clark, a resident who recently passed away suddenly.

City Clerk Swope thanked everyone who made last week's General Election run smoothly. He announced a Community Mental Health forum regarding the prisoner release of the mentally ill.

**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, applauded city employees on their annual food drive. He stated his appreciation for the expeditious consideration of Brownfield Redevelopment Plan's 45 and 46 by the City Council. He spoke about the General Fund Status Report for 1st Quarter Fiscal Year 2010 and about the upcoming budget for Fiscal Year 2011.

**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 1806 W. Michigan Ave.

There were no speakers for this Show Cause Hearing.

**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 1806 W. Michigan 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:

There were no Public Hearings.

John Pollard of 1718 Blair St. spoke in opposition to Approving Brownfield Plan 45 – Old Town Temple, LLC.

**LEGISLATIVE MATTERS**

**CONSENT AGENDA**

Council Member Jeffries asked that items 1a, 2a, 2b, 3a, 3b, 3c, 3d and 4a be removed from the consent agenda.

**RESOLUTIONS**

**RESOLUTION #2009-423**

BY COUNCIL MEMBER ERIC HEWITT  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Girl Scouts Heart of Michigan is part of the world's premier leadership development organization for girls. The Girl Scout's mission is to provide an accepting and nurturing environment for girls and to help build character and skills for success in the real world; and

WHEREAS, in partnership with committed adult volunteers, girls develop qualities such as leadership, strong values, social conscience, and conviction about their own potential and self-worth that will serve them all their lives; and

WHEREAS, since Juliette Gordon Low first started the first Girl Scout troop in Atlanta, Georgia, in 1912, Girl Scouts' membership has grown from eighteen members to 3.4 million members throughout the United States; and

WHEREAS, Girl Scouts Heart of Michigan is guiding Michigan's girls, the leaders of tomorrow, to build purpose-filled lives. Today's Girl Scouts will become tomorrow's entrepreneurs, business executives, educators, innovators, and leaders. Girl Scouts Heart of Michigan is building the future of Michigan, one girl at a time; and

WHEREAS, it was only with the partnership of Girl Scouts Heart of Michigan and Ferguson Development that this historic move to Lansing's Old town was possible;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council is proud and happy to welcome the Lansing Regional Center of Girl Scouts' Heart of Michigan to Old Town. We wish you our sincere congratulations and best of luck to all of the board members, volunteers, staff members, and especially, to all of the girls!

By Council Member Hewitt

Motion Carried

**RESOLUTION #2009-424**

BY THE PLANNING AND DEVELOPMENT COMMITTEE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING  
BROWNFIELD PLAN #46  
Sonic Restaurant – former Governor's Inn Project

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared a 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 1000 Ramada Drive, 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 November 23, 2009 at 7:00 p.m. on Brownfield Plan #46 Sonic Restaurant – former Governor's Inn Brownfield Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

LOT 1 ABOOD-RAMADA SUB

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 #46 and the scheduled public hearing.

By Council Member Jeffries

Motion Carried

**RESOLUTION #2009-425**

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

Approving Brownfield Plan 45 – Old Town Temple, LLC

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 a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan 45 – Old Town Temple, LLC (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 10/12/2009, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for LOTS 5, 6 & W 1/2 LOT 4 BLOCK 15 ORIG PLAT,
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 may result in new private investment of approximately \$655,400,
5. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan; and

WHEREAS, the Authority Board of Directors, at its meeting of 8/28/2009, 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

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan 45 – Old Town Temple, LLC'.

By Council Member Jeffries

To place an affirmative roll on the resolution

By Council Member Dunbar

To recuse Council Member Dunbar for possible conflict of interest

Motion Carried

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

Motion Carried (Council Member Allen voting Nay; Council Member Dunbar abstaining)

**RESOLUTION #2009-426**

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

WHEREAS, the City of Lansing Department of Public Service, in

participation with the Michigan Department of Transportation (MDOT), will be resurfacing Edgewood Blvd. between Washington Avenue and Cedar Street in the summer of 2010; and

WHEREAS, the project is listed in the approved Transportation Improvement Plan (TIP) for American Recovery and Reinvestment Act (ARRA) funding for 2010 construction; and

WHEREAS, the approximately 1.33 mile long project includes milling the existing asphalt surface and overlaying the road with an ultra-thin concrete overlay (white-topping) for which the technical specifications require pavement joints to be sawcut every four feet in a square grid pattern within a few hours of concrete placement; and

WHEREAS, the Michigan Concrete Paving Association has determined that for a routine work day sawcutting operations often continue until late night on white-topping projects; and

WHEREAS, pursuant to Section 654.07(g) of the Lansing Code of Ordinances, construction is prohibited between the hours of 8:00 PM and 7:00 AM of the following day on weekdays or at any time on weekends or holidays except for emergency work or a temporary or special permit issued pursuant to Sections 654.10 or 654.11; and

WHEREAS, the Public Service Department is requesting a waiver of the noise ordinance to complete the work according to specifications; and

WHEREAS, the Public Service Department recommends permitting concrete placing and sawcutting in the extended hours, from 8 PM to 10 PM Monday through Friday and 8 AM to 10 PM on Saturdays, between June 15, 2010 to October 15, 2010, the anticipated construction period;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, December 14, 2009, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan Ave, in consideration of the request for issuance of a waiver of the noise ordinance to permit construction in the extended hours from 8 PM to 10 PM Monday through Friday and from 8 AM to 10 PM on Saturdays on Edgewood Blvd. between Washington Ave. and Cedar Street effective June 15, 2010 to October 15, 2010.

By Council Member Kaltenbach

Motion Carried

**RESOLUTION #2009-427**

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

WHEREAS, Old Town Neighborhood Organization has requested \$500.00 to defray costs associated with the Old Town Dicken Village Event to be held on December 5 and 6, 2009; and

WHEREAS, the Committee on General Services met on Monday, November 09, 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 Neighborhood Organization to defray costs associated with the Old Town Dickens Village Event to be held on December 5 and 6, 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 Neighborhood Organization 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 #2009-428**

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

WHEREAS, Averill Woods Neighborhood Association has requested \$500.00 to defray costs associated with the City Park/Woods Clean-Up with MSU "Into the Street" to be held on Saturday, November 14, 2009; and

WHEREAS, the Committee on General Services met on Monday, November 09, 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 of \$500.00 from the Community Promotion Account to Averill Woods Neighborhood Association to defray costs associated with the City Park/Woods Clean-Up with MSU "Into the Street" to be held on Saturday, November 14, 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 Averill Woods Neighborhood 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 #2009-429**

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

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

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

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

**FIREWORKS DISPLAY PERMIT:**

Night Magic Display on behalf of the Arts Council of Greater Lansing for a public display of fireworks for Silver Bells in the City to be held on Friday, November 20, 2009.

By Council Member Kaltenbach

Motion Carried

**THIS ITEM WAS RETURNED TO THE COMMITTEE ON PUBLIC SAFETY**

Requiring the owner of property located at 812 Heald Pl. to Make Safe or Demolish their property within sixty days of November 9, 2009

By Council Member Allen

To recommit this item

Motion Carried

**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. Letter from the City Clerk submitting a request from Troppo Lansing Incorporated to Transfer Ownership of 2009 Class C Licensed Business, located in Escrow at 225 Allegan St., from Lansing Restaurant Ventures, Inc. to Troppo Lansing Incorporated: and Transfer Location to 120 N. Washington Sq., Suite 1; and add Dance-Entertainment permit, direct connections-3, Outdoor Service (2 areas, total of 3 areas) and 2 additional bar permits (total of 3 bars)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letters from the Mayor re:
  - i. ACT-3-09 and ACT-7-09; Groesbeck Drain Easements

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. ACT-6-08 (Part B); Acquisition of Right of Way at the West Terminus of E. Howe Avenue Pump

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. ACT-22-08; Washington Blvd. and Mt. Hope Ave., Right-of-way Acquisition

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Brownfield Redevelopment Plan #46; Sonic Restaurant (Former Governor's Inn Project) located at 1000 Ramada Dr.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Emergency Procurement; Repairs to the Tecumseh River Dr. Pump

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

- vi. General Fund Status Report for 1st Quarter Fiscal Year 2010

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

- Communications and Petitions, and Other City Related Matters:
  - a. Letters from the State of Michigan Liquor Control Commission Providing:
    - i. 15-Day Notice of an application from Supermercado La Estrellita, LLC requesting a New SDM License to be located at 2604 N. East St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Notice of a Public Hearing to be held December 2, 2009 for the purpose of hearing complaints and receiving the views of the public with respect to the administration of Michigan Liquor Control Code, Section 215(2), MCL 436.1215(2)

RECEIVED AND PLACED ON FILE

- b. Letter from General Motors Corporation requesting that the PA 198 Tax Abatement Certificates/Agreements and/or PA 328 Tax Abatement Agreements/Resolutions, and such other Agreements relating thereto be updated to reflect the transfers of same from Old GM to New GM in accordance with the Bankruptcy Court Order and Proceedings, and submitting a list of Facilities and/or Properties located in the City of Lansing

REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Application for Community Funding submitted by Averill Woods Neighborhood Association for its City Park/Woods Clean-Up with Michigan State University "Into the Streets" to be held November 14, 2009

RECEIVED AND PLACED ON FILE

- d. Letter of Resignation from the Memorial Review Board submitted by John Kodeski

RECEIVED AND PLACED ON FILE

**REMARKS BY COUNCIL MEMBERS**

Council Member Dunbar spoke about Michigan Works' social networking for jobs program.

Council Member Allen asked City Attorney Smith if an elected official could take office if he/she owed taxes to the city.

City Attorney Smith stated that, assuming Council Member Allen was referring to Council Member Elect Houghton, an elected official could take office after her obligations to the city have been satisfied.

Council Member Dunbar stated that the Michigan Works' social networking for jobs program takes place on Tuesdays.

Council Member Jeffries asked that reflecting individual votes in the official City Council minutes be discussed at the next Committee of the Whole meeting.

**PUBLIC COMMENT  
ON CITY GOVERNMENT RELATED MATTERS:**

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

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

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

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

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

Russell Terry of 121 E. Mt. Hope Ave. spoke about segregation.

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

John Boise of 4921 Tenny St. spoke about various city matters.

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

**ADJOURNED TIME 8:29 P.M.**

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**CHRIS SWOPE, CITY CLERK**