



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 8, 2010**

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 Robinson

PRESENT: Council Members Dunbar, Houghton, Jeffries, Quinney, Robinson, Wood, Yorko

ABSENT: Council Member Hewitt (Arrived at 7:25 p.m.)

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

Council Member Hewitt arrived at the meeting at 7:25 p.m.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Dunbar

To approve the printed Council Proceedings of March 1, 2010

Motion carried

CONSIDERATION OF LATE ITEMS

By Council Member Jeffries

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

Motion Failed by the following roll call vote:

Yeas: Council Members Hewitt, Jeffries, Quinney, Wood

Nays: Council Members Dunbar, Houghton, Robinson, Yorko

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Recognition of Jack Stauffer as the 2010 Bea Christy Award Winner and recognition of the nominees

Council President Robinson spoke about neighborhood leaders. She stated that 2010 Bea Christy Award winner Jack Stauffer has recently moved out of Lansing.

Vice President Dunbar passed out certificates to the nominees present.

State Rep. Joan Bauer presented the nominees and winner with tribute certificates.

City Clerk Swope read the following resolution:

RESOLUTION #2010-053

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jack Stauffer has been a thoughtful and dedicated neighbor

during his many years as a Lansing resident; and

WHEREAS, a longtime advocate of the Neighborhood Watch and Community Policing, he worked closely with one of the first Community Policing Officers to help rid his neighborhood of crime; and

WHEREAS, Jack proudly served as President of the Eastern Neighbors and could often be seen planting flowers throughout the area or mowing his neighbor's lawns if they were out of town or otherwise unable to do it themselves; and

WHEREAS, he served as the Neighborhood Watch Coordinator for Eastern Neighbors for over twenty years and was instrumental in the endeavor to maintain a local park and building to assure that all children had a safe, secure, and clean place to play; and

WHEREAS, his home was always open to his neighbors; he was eager to lend a helping hand, from offering his telephone to driving neighbors to their doctor appointments; and

WHEREAS, Jack organized numerous neighborhood clean-up efforts, provided assistance in raising funds for other neighborhood organizations, and helped staff events; and

WHEREAS, Jack was well known and loved in his neighborhood not only for his generosity and kindness but also for his wonderful cooking skills, from snacks to entire meals to desserts that he happily shared with everyone; and

WHEREAS, until his recent move to Ohio, he frequently volunteered his time at the Farmer's Market engaging visitors in friendly conversation and otherwise making them feel at home; and

WHEREAS, Jack shares his warm, welcoming personality with everyone and is always willing to provide a listening ear to those who need it. Throughout the years, his diligence in ensuring the health and well-being of his fellow neighbors has made a lasting impression upon those who know and love him;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Jack Stauffer for winning the 2010 Bea Christy Award and extends its warmest "thank you" for his dedication and service to the City of Lansing and its residents. We wish you continued success and good health in your new home. You will be dearly missed!

By Council Member Robinson

Motion Carried

Jerry Ambrose, on behalf of Mayor Bernero, thanked the neighborhood leaders for all of their work.

Council President Robinson acknowledged Cheryl Risner for all of her hard work on the Bea Christy Awards.

Bill Houghteling thanked all of the nominees and winner Jack Stauffer.

Nancy Mahlow spoke about the 65+ neighborhood groups in Lansing and all of their hard work.

2. **Mayoral Presentation; Recognition of National Association of Women in Construction Week**

Council Member Wood stated that her sister was a founding member of Women in Construction.

Jane Smith spoke about the fundraising efforts of Women in Construction, including a fundraiser in the name of Council Member Wood's sister.

Council President Robinson thanked the Women in Construction for teaching young girls all of the possibilities for employment that are possible.

Jerry Ambrose, Executive Assistant to Mayor Bernero, read parts of a Mayoral Proclamation and spoke about the efforts of Women in Construction.

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

Council Member Wood stated that Bea Christy Award nominee Georgia Ellis was at another function. She thanked everyone for their thoughts and prayers she received this past week.

Council Member Hewitt recognized 1st Ward Bea Christy Award nominees and winner Jack Stauffer. He spoke about Jack and Vivian Stauffer's feeding of police officers on Christmas Eve. He also spoke about the efforts of Nancy Mahlow in the 1st Ward. He announced the East Side Neighborhood Association's spring Souper event. He also announced Parks 5 Year Master Plan meetings.

Vice President Dunbar reported on the status of SeeClickFix issues. She spoke about Google Fiber for Greater Lansing.

Council President Robinson announced the next 2nd Saturdays meeting for residents of the 3rd Ward.

City Clerk Swope announced the latest Greater Lansing Housing Coalition's home improvement classes. He spoke about the upcoming Census and assistance centers which can help citizens with questions related to filling out the forms. He stated that the homeless can be counted as well.

Council Member Hewitt spoke about Council Member Jeffries' pies at the upcoming spring Souper event.

COMMUNITY EVENT ANNOUNCEMENTS

Darnell E. Oldham, Sr. of 3815 Berwick Dr. announced a pancake breakfast at Faith United Methodist Church.

**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 the Parks 5 Year Master Plan Public Hearings. He spoke about several items on tonight's agenda including a grant application for Crego Park, the Deficit Elimination Plan and Ratification of UAW Local 2256 Collective Bargaining Agreement.

PUBLIC COMMENT

ON LEGISLATIVE MATTERS

• **Public Comment on Legislative Matters:**

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 1284, Section 3 of the Lansing Codified Ordinances by requiring the provision of parking for cabaret patrons on lots containing cabarets
2. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 844, Section 25 of the Lansing Codified Ordinances by restricting the hours during which ice cream and confection peddlers may operate
3. In consideration of Brownfield #46 (b) Sonic Restaurant, Former Governor's Inn Project (amended)
4. In consideration of Act-3-2009; Groesbeck Drain Easements
5. In consideration of Act-7-2009; Groesbeck Drain Easements
6. In consideration of an OPRA District request submitted by Old Town Temple, LLC for property located at 502 E. Grand River Ave.
7. In consideration of an OPRA Certificate request submitted by Old Town Temple, LLC for property located at 502 E. Grand River Ave.

Council Member Wood gave a brief overview of Public Hearing #1 and #2.

Council Member Jeffries Gave a brief overview of Public Hearing #3, #6 and #7.

Ingham County Drain Commissioner Pat Lindeman gave extensive information related to Public Hearing #4 and #5.

Alan Hooper of 1213 Center St. spoke in support of an OPRA District and Certificate request submitted by Old Town Temple, LLC for property located at 502 E. Grand River Ave.

John Pollard of 1718 Blair St. spoke in opposition to all seven public hearings.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke in opposition to all seven public hearings.

William Hubbell of 3916 Wedgewood Dr. spoke about noise waivers and an Ordinance of the City of Lansing, Michigan, to Amend Chapter 844, Section 25 of the Lansing Codified Ordinances by restricting the hours during which ice cream and confection peddlers may operate.

Stan Shuck of 818 Cooper Ave. stated concerns about noise waivers for CSO projects.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 1284, Section 3 of the Lansing Codified Ordinances by requiring the provision of parking for cabaret patrons on lots containing cabarets

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of an Ordinance of the City of Lansing, Michigan, to Amend Chapter 844, Section 25 of the Lansing Codified Ordinances by restricting the hours during which ice cream and confection peddlers may operate

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- 3. In consideration of Brownfield #46 (b) Sonic Restaurant, Former Governor's Inn Project (amended)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 4. In consideration of Act-3-2009; Groesbeck Drain Easements

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 5. In consideration of Act-7-2009; Groesbeck Drain Easements

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 6. In consideration of an OPRA District request submitted by Old Town Temple, LLC for property located at 502 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 7. In consideration of an OPRA Certificate request submitted by Old Town Temple, LLC for property located at 502 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

LEGISLATIVE MATTERS

CONSENT AGENDA

Council Member Wood asked that items 1a, 2a, 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 4a, 4b, 5a, 5b, 6b, 6c, 6d, 6e, 6f, 6g, 7a, and 7b be removed from the consent agenda.

RESOLUTIONS

RESOLUTION #2010-054

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Don LeDuc joined Cooley Law School in 1975 as a Professor of Law. He served as Dean from 1982 to 1987 and again from 1996 to the present. He was named President of the law school in 2002; and

WHEREAS, President LeDuc has served on numerous committees, including, Vice Chair of the Faculty Conference, Chair of the Curriculum, Readmissions, and Self-Study Committees. He also served on the Committees of Academic Policy, Admissions, Budget, Client Counseling, Committees, Promotions, and Tenure as well as on the Dean's Special Committee on Affiliation; and

WHEREAS, prior to his tenure at Cooley, he served as Administrator for the Office of Criminal Justice Programs for the Michigan Department of Management and Budget from 1972-1975, having previously served there as Deputy Administrator in 1971 and as Director for Program Planning during 1970 and 1971. In 1969 and 1970, he served in the Executive Office of Governor William G. Milliken as the Law Studies Coordinator for the Michigan Commission on Law Enforcement and Criminal Justice; and

WHEREAS, among his various appointments, from 1967 to 1969, President LeDuc served as a Special Attorney in the Criminal Division of the United States Department of Justice. As a member of the Organized Crime and Racketeering Section, he was assigned to the Detroit Organized Crime Strike Force in 1968 and 1969, which was the first full-time deployment made by the Justice Department; and

WHEREAS, between the years of 1977 and 2002, he served as a member of various boards and commissions; including the Michigan Corrections Commission; the National Commission on Correctional Health Care; the Health Care Policy Board of the Michigan Department of

Corrections; and the Michigan Commission on Criminal Justice, serving as a member of the Incarceration and Alternative Committee and as chair of the Executive Committee, Improved Justice Process Committee, and the Governor's Committee on Governmental Immunity; and as a consultant for the Michigan Department of Natural Resources, the Michigan Office of Community Corrections, the Michigan Supreme Court, and the Michigan Law Revision Committee; and

WHEREAS, President LeDuc served as a Hearing Officer for the Michigan Law Enforcement Officers Training Council, the Michigan Department of Treasury Bureau of State Lottery, the Michigan Department of Public Health, and at various times for the Michigan Department of Agriculture and the Michigan Department of Licensing and Regulation. He also served as an Administrative Law Judge for the Michigan Department of Natural Resources; and

WHEREAS, he is currently a member of the State Bar of Michigan and its Administrative Law, Criminal Law, and Legal Economics sections; the American Bar Association, and its Administrative Law, Criminal Law, and Legal Education sections; the Ingham County Bar Association; the Oakland County Bar Association; the Grand Rapids Bar Association; the Federal Bar Association (Western District of Michigan); and the Thomas M. Cooley Inn of Court; and

WHEREAS, President LeDuc was honored by the Legal Writing Institute with the Golden Pen Award and by the Grand Rapids Bar Association with the President's Award. He also received awards from the Michigan Capitol Chapter of the American Society of Public Administration for Public Service in Academia and from the Michigan Business Monthly for support of entrepreneurialism;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate Don LeDuc on his many accomplishments, his outstanding community service in the Greater Lansing area, and for his commitment to increasing opportunities for minorities to enter the legal profession. We applaud the Lansing Black Lawyers Association for recognizing your exceptional achievements at the 13th Annual Otis M. Smith Scholarship Dinner. We wish you continued success in all your future endeavors!

By Council Member Wood

Motion Carried

RESOLUTION #2010-055

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING
AMENDED BROWNFIELD PLAN #46(B)
SONIC RESTAURANT – FORMER GOVERNORS INN

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, Amended LBRA Brownfield Plan #46(b) Sonic Restaurant – former Governor's Inn . (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 March 8, 2010, reviewed testimony and evidence regarding the Plan, and found that:

- 1. the Project Property was historically used for hotel / lodging

operations,

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 \$2,250,000,
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,

WHEREAS, the Authority Board of Directors, at its meeting of January 8, 2010, 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 Amended LBRA Brownfield Plan #46(b) Sonic Restaurant – former Governor's Inn.

By Council Member Jeffries

Motion Carried (Council Members Hewitt and Wood voting nay)

RESOLUTION #2010-056

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

WHEREAS, Old Town Commercial Association has requested \$500.00 to defray costs associated with the Festival of the Sun and Festival of the Moon to be held on June 25 and June 26, 2010; and

WHEREAS, the Committee on General Services met on Monday, February 22, 2010 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 Commercial Association to defray costs associated with the Festival of the Sun and Festival of the Moon to be held on June 25 and June 26, 2010;

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 Commercial 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 Quinney

Motion Carried

RESOLUTION #2010-057

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

WHEREAS, Colonial Village Neighborhood Association has requested \$500.00 to defray costs associated with the rental of the Obstacle Course for their Annual Picnic to be held in conjunction with the National Night Out on Tuesday, August 3, 2010; and

WHEREAS, the Committee on General Services met on Monday, March 1, 2010 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 of \$500 to defray costs associated with the rental of the Obstacle Course for the Annual Picnic to be held in conjunction with the National Night Out on Tuesday, August 3, 2010;

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 Colonial Village 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 Quinney

Motion Carried

RESOLUTION #2010-058

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

WHEREAS, The Gratitude Group 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 Gratitude Group 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 Gratitude Group of P.O. Box 21006 Lansing, Michigan 48909.

By Council Member Quinney

Motion Carried

RESOLUTION #2010-059

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

WHEREAS, The Gratitude Group has requested \$500.00 to defray costs associated with the Super Draw event to be held on May 23, 2010; and

WHEREAS, the Committee on General Services met on Monday, February 22, 2010 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 The Gratitude Group to defray costs associated with the Super Draw event to be held on May 23, 2010;

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 The Gratitude Group 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 Quinney

Motion Carried

RESOLUTION #2010-060

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

WHEREAS, Lansing Eastern Quaker Touchdown Club 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 Lansing Eastern Quaker Touchdown Club 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 Jim Lynch, Lansing Eastern Quaker Touchdown Club of P.O. Box 23156, Lansing, Michigan 48909.

By Council Member Quinney

Motion Carried

RESOLUTION #2010-061

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

WHEREAS, Todd Thorpe sought to eliminate special assessments of \$1048.56 for Board ups and all associated penalties and interest on the property tax bill of 225 N. MLK, Jr. Blvd., Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, February 22, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Todd Thorpe of \$1,048.56 for special assessments on Board ups and all associated penalties and interest on the property tax bill of 225 N. MLK, Jr. Blvd., Lansing, Michigan;

BE IT FURTHER RESOLVED that the City Council encourages the claimant to pursue recourse action against the mortgage company or title company;

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

By Council Member Quinney

Motion Carried

RESOLUTION #2010-062

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

WHEREAS, Gloria Fleming sought to eliminate special assessments of \$2,100.00 for 14 Tag Monitoring Fees and all associated penalties and interest on the property tax bill of 819 N. Larch Street, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, February 22, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Gloria Fleming of \$2,100.00 for special assessments on 14 Tag Monitoring Fees and all associated penalties and interest on the property tax bill of 819 N. Larch Street, Lansing, Michigan;

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

By Council Member Quinney

Motion Carried

RESOLUTION #2010-063

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

WHEREAS, Northwest Housing Fund, LLC sought to eliminate special assessments totaling \$2,925.00 for two Board ups, three Grass and Weeds, and one Second Notice Fee and all associated penalties and interest on the property tax bill of 1214 W. Allegan Street, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, February 22, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Northwest Housing Fund, LLC of \$2,925.00 for special assessments on two Board ups, three Grass and Weeds, and one Second Notice Fee and all associated penalties and interest on the property tax bill of 1214 W. Allegan Street, Lansing, Michigan;

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

By Council Member Quinney

Motion Carried

RESOLUTION #2010-064

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cynthia Wallace sought to eliminate special assessment of \$983.00 for trash and debris and all associated penalties and interest on the property tax bill of 3523 Jewell Avenue, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, March 1, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Cynthia Wallace of \$983.00 for special assessment on trash and debris and all associated penalties and interest on the property tax bill of 3523 Jewell Avenue, Lansing, Michigan;

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

By Council Member Quinney

Motion Carried

RESOLUTION #2010-065

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 will be conducting sewer separation and utility construction in the CSO 015 North Project Area, which is roughly bound by Willow St., Walnut Street, Saginaw Street, and St. Lawrence Hospital; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to assist in expediting construction in the CSO 015 North Project Area, including work along the important Saginaw Street corridor and on the major street, N. Pine Street; and

WHEREAS, the required schedule for construction is aggressive relative to the significant amount of work that must be completed during the 2010 season; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work extended hours Monday through Friday from 8:00 PM to 10:00 PM, Saturdays from 7:00 AM to 6:00 PM, and Sundays from 9:00 AM to 6:00 PM while conducting construction activities in the CSO 015 North Project Area;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, April 12, 2010 at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work extended hours Monday through Friday from 8:00 PM to 10:00 PM, Saturdays from 7:00 AM to 6:00 PM, and Sundays from 9:00 AM to 6:00 PM while conducting construction activities in the CSO 015 North Project Area.

By Council Member Quinney

Motion Carried

RESOLUTION #2010-066

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 will be conducting sewer separation and utility construction in the CSO 034B Project Area, which is the S. Washington Avenue corridor between Mt. Hope Avenue and Holmes Road and Smith Avenue between Bradley Avenue and Coleman Avenue; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to assist in expediting

construction in the CSO 034B Project Area, including work on the important S. Washington Avenue corridor; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work extended hours Monday through Friday from 8:00 PM to 10:00 PM, Saturdays from 7:00 AM to 6:00 PM, and Sundays for work on S. Washington Avenue, only, from 9:00 AM to 6:00 PM, while conducting construction activities for the CSO 034B Project;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, April 12, 2010 at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work extended hours Monday through Friday from 8:00 PM to 10:00 PM, Saturdays from 7:00 AM to 6:00 PM, and Sundays for work on S. Washington Avenue, only, from 9:00 AM to 6:00 PM, while conducting construction activities for the CSO 034B Project.

By Council Member Quinney

Motion Carried

RESOLUTION #2010-067

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 3237 Brisbane, Parcel # 33-01-01-30-327-241 legally described as: Lot 107 & W 11 Ft Lot 106 Also E 4 Ft Lot 108 Scotsdale No 2 Sub is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on; and

WHEREAS, a hearing was held by the Hearing Officers on December 3, 2009, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by January 4, 2010; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on February 8, 2010, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty days from the date of this resolution, .

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by

said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Council Member Wood

Motion Carried

RESOLUTION #2010-068

BY THE PUBLIC SAFETY COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has adopted Ordinance No. 1149 (December 14, 2009)(the "Ordinance"), amending Chapter 808 of the Lansing Codified Ordinances and revising its cabaret licensing provisions for the purpose of encouraging cabaret licensees to take responsibility for the safety of their patrons and the public and discouraging reliance on the City for such purposes; and

WHEREAS, section 808.10(c) of the Ordinance provides for Council to set, by resolution, an amount at which the cost of city services rendered during an occurrence on the premises of the cabaret licensee will trigger application of the ordinance; and

WHEREAS, the Public Safety Committee heard testimony and took evidence from the Chief of Police, the Police Department's Budget Control Supervisor, the Chief of Fire, the Director of Public Service, and others regarding: the costs of labor, material, equipment, and other incidental costs involved in providing the city services referenced in the Ordinance; the amount of time and number of officers typically required to respond to an occurrence of the type referenced in the Ordinance; and the amount of time and number of officers that would fall outside the spectrum of responses to typical occurrences, putting an abnormal strain on the resources of the Police Department and other City Departments and the resulting difficulty in adequately maintaining service for the purpose of addressing public safety and community caretaking functions throughout the City; and

WHEREAS, the testimony and evidence indicated that a response to an occurrence which entails eighteen officers and two sergeants expending four hours of time would fall well outside the spectrum of a response to a typical occurrence; and

WHEREAS, the testimony also indicated that the average cost of a response entailing eighteen officers and two sergeants expending four hours of time, taking into consideration labor and benefit costs, the costs of operating patrol vehicles, and indirect costs, would be approximately \$5,366.40; and

WHEREAS, the Police Department, in light of this testimony, and pursuant to Standard Operating Procedure 600-59 (the "SOP"), which it promulgated in furtherance of the Ordinance, recommended that the amount at which the cost of city services rendered during an occurrence will trigger application of the ordinance be set at \$5,000; and

WHEREAS, the Public Safety Committee concurs with the Police Department's analysis of what constitutes an extraordinary strain on police resources; and

WHEREAS, the Public Safety Committee has reviewed the SOP, which outlines the procedures for documenting costs with respect to an occurrence, initiating the process of notifying licensees when the ordinance is triggered, and applying the ordinance; and

WHEREAS, the Public Safety Committee is satisfied that the SOP comports with the Ordinance adopted by City Council, addresses the concerns targeted by the Ordinance, and properly implements the Ordinance's requirements;

NOW, THEREFORE, BE IT RESOLVED, that City Council sets the amount referenced in Section 808.10(c) of the Lansing Codified Ordinances at \$5,000.

By Council Member Wood

Motion Carried (Council Member Quinney voting nay)

RESOLUTION #2010-069

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement I/II resolution adopted by this council on March 9, 2009, the City Assessor has completed the assessment roll for new sidewalk construction, and furnished the following information:

PROJECT TITLE: 2009 New Sidewalk
P.S. #01102

PROPERTY BENEFITED:

Along the south side of N. Grand River Avenue from Waverly Rd. to Delta River Drive
Along the north side of N. Grand River Avenue from Capitol City Blvd. to Remy Drive
And along the south side of N. Grand River Avenue from Culver Avenue to W. North Street
Excepting all public streets and alleys and other land deemed not benefited

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. B-092	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK CONSTRUCTION	\$175,131.98	\$107,839.90
<u>OTHER COSTS</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
TOTAL COSTS	\$175,131.98	\$107,839.90

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, March 22, 2010 at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or

her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of the project in accounts as follows:

<u>Account Number</u>		
City Share of Sidewalk	\$175,124.20	202 453601 974100 50017
Assessment Roll B-092	\$107,847.68	Acct to be established

By Council Member Hewitt

Motion Carried

RESOLUTION #2010-070

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

WHEREAS, since the early 1900's the City of Lansing has developed a series of master plans serving to provide structure and direction to the development of Parks and Recreation facilities owned and operated by the City of Lansing; and

WHEREAS, in order to receive State of Michigan grants through the Department of Natural Resources and Environment for parks and recreation projects an updated Five-Year Master Plan and Capital Improvement Project Schedule must be on file with the Department of Natural Resources and Environment by April 1, 2010; and

WHEREAS, the most recent Five-Year Plan expires on April 1, 2010; and

WHEREAS, the Department of Natural Resources and Environment requires a public hearing before the local legislative body regarding the Five-Year Master Plan; and

WHEREAS, a new Five-Year Master Plan has been developed by the Parks and Recreation Department and will be approved at the March 10, 2010 Park Board Meeting;

NOW, THEREFORE, BE IT RESOLVED, to accept the recommendation of the Mayor to set a Public Hearing on the Five Year Park and Recreation Plan for March 29, 2010.

By Council Member Hewitt

Motion Carried

THIS ITEM WAS RETURNED TO THE COMMITTEE ON WAYS AND MEANS

Budget Amendment; First Tee Agreement for Sycamore Driving Range

By Council Member Wood

To recommit this item

Motion Carried

RESOLUTION #2010-071

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

Approval to Accept Neighborhood Stabilization 2 Program Competitive Grant

WHEREAS, The U.S. Department of Housing and Urban Development ("HUD") issued on May 4, 2009 a Notice of Funding Availability for \$1.93 billion Neighborhood Stabilization 2 Program ("NSP2") funds to address foreclosure recovery and neighborhood stabilization in high need and high risk communities consistent with the objectives and rules of the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the Michigan State Housing Development Authority, serving as Consortium Lead Entity, organized the Michigan NSP2 Consortium that consist of 12 cities working in collaboration with 8 land banks in high need and high risk communities in Michigan that include City of Lansing in collaboration with Ingham County Land Bank; and

WHEREAS, the Consortium members in each city share a vision for foreclosure recovery and neighborhood stabilization in targeted communities that meet HUD NSP2 high risk and high need foreclosure and vacancy criteria and agree to work in a collaborative manner to re-position such communities for sustainable neighborhood economic development in the new Michigan economy; and

WHEREAS, on July 15, 2009, the Michigan NSP2 Consortium submitted a request for \$290,000,000 in HUD NSP2 funds, and on January 14, 2010 HUD awarded the Michigan NSP2 Consortium \$223,875,339; and

WHEREAS, MSHDA is prepared to invest up to \$17,369,638 in HUD NSP 2 funds to meet the neighborhood stabilization and economic recovery objectives of ARRA in the approved high need census tracts in the City of Lansing via a collaborative partnership between City of Lansing and the Ingham County Land Bank Authority; and

WHEREAS, City of Lansing and Ingham County Land Bank will invest NSP 2 funds to place abandoned, foreclosed and/or vacant property back into productive use; and

WHEREAS, MSHDA, City of Lansing and Ingham County Land Bank will jointly use administrative funding as allowed by HUD to manage the grant in compliance with NSP 2 requirements; and

WHEREAS, HUD requires each community to execute an NSP 2 Funding Agreement with the Lead Consortium Entity.

THEREFORE BE IT RESOLVED, that the City accepts the Neighborhood Stabilization 2 Program Competitive Grant and the Mayor is authorized to sign the NSP 2 Funding Award Agreement with MSHDA, serving as Consortium Lead Entity, and the Ingham County Land Bank Authority,

BE IT FURTHER RESOLVED that the City may establish new and separate accounts as necessary and to take other actions required to implement the grant.

BE IT FINALLY RESOLVED, that the requirements of PA 33 of 2008 are waived and the Mayor is authorized to acquire and dispose of real property which is foreclosed, vacant, or abandoned in compliance with the City Charter, ordinances, statutes, and NSP 2 requirements, by donation or at a negotiated price not more than 1% less than current value and, subject to prior approval by the City Attorney as to form, to execute all documents necessary to acquire and dispose of the aforementioned properties.

By Council Member Wood

Motion Carried

RESOLUTION #2010-072

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, according to the requirements of the Michigan Department of Transportation (MDOT) Local Bridge Program, the City of Lansing, Public Service Department would like to submit funding applications for FY 2013 construction for the following three structures:

Replacement

- 1) Aurelius Road over Pawlowski Drain

Rehabilitation

- 2) Aurelius Road Bridge over CSX Railroad (formerly Grand Trunk Railroad)
- 3) Mt. Hope Ave Bridge over Sycamore Creek

WHEREAS, if successful, the City will receive State funding to finance 95% of construction costs, and the City will fund 5% of the construction and 100% of the engineering costs; and

WHEREAS, based on the engineer's preliminary estimate, the estimated construction cost of the above listed structures will be approximately \$2,852,400; and

WHEREAS, 5% of the estimated construction cost of all structures will be approximately \$142,620 and the estimated engineering costs will be approximately \$713,100.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of the funding application for the MDOT's Local Bridge Program for the following three structures:

Replacement

- 1) Aurelius Road over Pawlowski Drain

Rehabilitation

- 2) Aurelius Road Bridge over Grand Trunk Railroad
- 3) Mt. Hope Ave Bridge over Sycamore Creek

BE IT FURTHER RESOLVED that upon notification of the grant award, the Administration shall bring such grant offer back to the City Council for acceptance.

By Council Member Wood

Motion Carried

RESOLUTION #2010-073

BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a grant application for \$500,000.00 is to be filed with the Michigan Department of Natural Resources and Environment for the Michigan Natural Resources Trust Fund grant no later than April 1, 2010; and

WHEREAS, the Crego Park Development project is contained in the Parks Five Year Master Plan for 2005 through 2010; and

WHEREAS, it is a requirement to hold a public hearing in consideration of the Michigan Natural Resources Trust Fund grant; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, sets a public hearing for March 22, 2010 in consideration of the Michigan Natural Resources Trust Fund grant to be filed with the Michigan Department of Natural Resources and Environment.

By Council Member Wood

Motion Carried

RESOLUTION #2010-074

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

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves acceptance of the Emergency Management Performance Grant received from the Federal Stafford Disaster Relief and Emergency Assistance Act and that the following FY 2010 transfer be approved:

State/Federal Programs

Fire

Emergency Management Performance Grant

\$45,934.00 from Federal Revenue 273.0.528000.17589

\$25,968.00 to LFD Overtime 273.343580.702000.17589

\$19,966.00 to LFD Miscellaneous Operating 273.343580.715000.17589

(To appropriate an annual federal FEMA grant reimbursement as applied to the Lansing Fire Department Emergency Management administrator's salary and fringe benefits.)

By Council Member Wood

To place an affirmative roll on the resolution

By Council Member Wood

To amend the resolution by striking both occurrences of "LPD" and inserting "LFD"

Motion Carried

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

Motion Carried

RESOLUTION #2010-075

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

That the following FY 2010 transfers be approved:

Capital Improvements (CIP) Fund Expenditures:

Office Relocation Project \$(103,403)

Consolidated Facilities Study 103,403

(To transfer available budget from the Office Relocation project to the Consolidated Facilities Study within the Capital Projects (CIP Fund) for a Police precinct/District Court consolidation study.)

By Council Member Wood

Motion Carried (Council Member Hewitt voting nay)

RESOLUTION #2010-076

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State's reduction to the City's revenue sharing allocation and the effects of economic circumstances on other General Fund revenues, including property taxes, income taxes, interest revenues, and revenues from the Board of Water and Light have created a shortfall from revenue levels anticipated in the FY 2009/2010 adopted budget; and

WHEREAS, in November, after the revenue sharing cuts were formalized by the State, Mayor Bernero informed the City Council that the 2009/2010 General Fund Budget is projected to have a \$3 million deficit; and

NOW, THEREFORE, BE IT RESOLVED that the following amendments to the Fiscal Year 2009/2010 adopted budget be made:

	Budget Increase/ (Reduction)
GENERAL FUND	
General Fund Revenue	
State Revenue Sharing	\$(1,800,000)
Property Taxes	(200,000)
Income Taxes	(200,000)
Interest Earnings	(200,000)
Board of Water and Light Equity Payment	(600,000)
	<u>\$(3,000,000)</u>
General Fund Expenditures	
City Council Personnel	\$(5,000)
City Council Operating	(7,100)
City TV Personnel	(3,300)
City TV Operating	(800)
Internal Audit Personnel	(3,350)
Internal Audit Operating	(350)
District Court	(81,750)
Mayor's Office Personnel	(8,200)
Mayor's Office Operating	(3,000)
City Clerk's Office Personnel	(10,250)
City Clerk's Office Operating	(8,000)
Planning & Neighborhood Development Personnel	(54,300)
Planning & Neighborhood Development Operating	(47,600)
PND Operating - EDC Contract	(31,100)
Finance Personnel	(149,500)
Finance Operating	(45,271)
Human Resources Personnel	(26,000)
Human Resources Operating	(18,000)
	Budget Increase/ (Reduction)
General Fund Expenditures (con't)	
City Attorney's Office Personnel	(27,000)
City Attorney's Office Operating	(5,000)
Police Personnel	(498,100)
Police Personnel (Special Operations - Drug Forfeiture Funding)	(430,000)
Police Operating	(92,000)
Fire Personnel	(476,800)
Fire Operating	(23,700)
Public Service Operating	(35,000)
Parks and Recreation Personnel	(88,800)
Parks and Recreation Operating	(91,844)
Human Relations and Community Service Personnel	(13,500)
Human Relations and Community Service Operating	(3,000)
Increase Vacancy Factor	(200,000)
Operating Transfer - Major Streets Fund	(9,000)
Operating Transfer - Local Streets Fund	(3,000)
Operating Transfer - Building Safety Fund	(30,000)
Operating Transfer - Principal Shopping District	(9,100)
Operating Transfer - Cemeteries Fund	(4,300)
Operating Transfer - Wastewater Fund	(86,000)
Capital Transfer - Capital Improvements Fund	(237,514)
Capital Transfer - Parks Millage Fund	(133,471)
	<u>\$(3,000,000)</u>
MAJOR STREETS FUND	
Major Street Fund Revenues	
Transfer from the General Fund	\$(9,000)
Major Streets Fund Expenditures	
Major Streets Fund Personnel	\$(9,000)
LOCAL STREETS FUND	
Local Street Fund Revenues	
Transfer from the General Fund	\$(3,000)
Local Streets Fund Expenditures	
Local Streets Fund Personnel	\$(3,000)
BUILDING SAFETY FUND	
Building Safety Fund Revenues	
Transfer from the General Fund	\$(30,000)
Building Safety Fund Expenditures	
Building Safety Fund Personnel	\$(30,000)
DRUG FORFEITURE FUND	
Drug Forfeiture Fund Revenues	
Drug Forfeiture Revenue	\$430,000
Drug Forfeiture Fund Expenditures	
Drug Forfeiture Fund (Special Operations) Personnel	\$430,000
PRINCIPAL SHOPPING DISTRICT	
Principal Shopping District Fund Revenues	

Transfer from the General Fund \$ (9,100)

Principal Shopping District Fund Expenditures	
Principal Shopping District Personnel	\$(4,900)
Principal Shopping District Operating	(4,200)
	<u>\$(9,100)</u>

PARKING FUND	
Parking Fund Revenues	
Office Rental	\$(55,382)

Parking Fund Expenditures	
Parking Fund Personnel	\$(55,382)

GOLF FUND	
Golf Fund Revenues	
Transfer from the Capital Improvements Fund	\$56,000
Sycamore Driving Range Revenues	(56,000)
	<u>\$ 0</u>

	Budget Increase/ (Reduction)
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CEMETERY FUND	
Cemetery Fund Revenues	
Transfer from the General Fund	\$(4,300)

Cemetery Fund Expenditures	
Cemeteries Fund Personnel	\$(4,300)

WASTEWATER FUND	
Wastewater Fund Revenues	
Transfer from the General Fund	\$ (86,000)
Wastewater Fund Personnel	\$ (86,000)

CAPITAL IMPROVEMENT FUND	
Capital Improvements Fund Revenues	
From Fund Balance (2009 Cell Tower Revenues)	\$145,200
Transfer from the General Fund	(237,514)
	<u>\$(92,314)</u>

Capital Improvements Fund Expenditures	
Police Dictation System	\$(10,399)
Police Communication System	(4,915)
Rivertrail Red Cedar Bike Link	(16,845)
Lansing Center Point of Service	(10,155)
Computer Replacements	(50,000)
Park Acquisition	(56,000)
Transfer to the Golf Fund - FY 10 Year-to-Date Sycamore Deficit	56,000
	<u>\$(92,314)</u>

PARKS MILLAGE FUND	
Parks Millage Fund Revenues	
Transfer from the General Fund (Use for Parks maintenance)	\$(133,471)

Parks Millage Fund Expenditures	
Benjamin Davis Park Project	\$(133,471)

DISTRICT COURT MEMO FUND	
District Court Revenues	
To Fund Balance (General Fund Subsidy)	\$(81,750)

District Court Expenditures	
District Court Personnel	\$(75,400)
District Court Operating	(6,350)
	<u>\$(81,750)</u>

By Council Member Dunbar

Motion Carried (Council Members Jeffries and Wood voting nay)

RESOLUTION #2010-077
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Lansing City Unit UAW Local 2256 have negotiated a labor agreement for the period covering October 7, 2008 through September 30, 2013; and

WHEREAS, the UAW Local 2256 membership has ratified this agreement; and

WHEREAS, the Mayor has recommended that the contract be approved; and

WHEREAS, the City Council has reviewed the contract provisions; and

WHEREAS, the proposed agreement is within the parameters established by the City and within budget limitations;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, ratifies the contract between the City of Lansing and the Lansing City Unit UAW Local 2256 for the period October 7, 2008 through September 30, 2013; and

BE IT FURTHER RESOLVED, that the Lansing City Council authorizes the Administration to process the necessary appropriations and transfers to the appropriate salary and fringe benefit accounts to fund this agreement.

By Council Member Dunbar

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.

Property identified as Z-5-2009; 610 N. Seymour St.

Was read a second time by its title

By Council Member Yorke

To recuse Council Member Yorke for possible conflict of interest

Motion Carried (Council Members Dunbar and Houghton voting nay)

and adopted by the following roll call vote:

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

Nays: None

Council Member Yorke abstaining

ORDINANCE #2552

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-5-2009
- Address: 610 N. Seymour Street
- Parcel Number: PPN: 33-01-01-16-127-021
- Legal Descriptions: North 34 feet of the West 7 1/2 Rods of Lot 6, Block 63, Original Plat, City of Lansing, Ingham Co., MI, from "DM-4" Residential District to "D-1" Professional Office 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 Monday, March 8, 2010, 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 Dunbar that all items be considered as being read in full and that President Robinson 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. Principal Shopping District 2009 Annual Report

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. Proposed Program Objectives for Community Development Fund Resources and Projected Use of Federal Funds for Fiscal Year 2011

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Transfer of Funds; State/Federal Programs, 2008 Homeland Security Grant Program

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

- iv. Transfer of Funds; State/Federal Programs, 2008 Interoperable Emergency Communications Grant Program

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

- v. Transfer of Funds; State/Federal Programs, 2007 Interoperable Emergency Communications Grant Program

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

• Communications and Petitions, and Other City Related Matters:

- a. Affidavits of Disclosure submitted by:
 - i. Angela Sukovich of the Lansing Police Department

REFERRED TO THE BOARD OF ETHICS

- ii. Chief Deputy City Attorney John Roberts

REFERRED TO THE BOARD OF ETHICS

- b. Letter of Resignation from the Traffic Board submitted by Martha Dee

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- c. Letter of Resignation from the Board of Ethics submitted by Edwar Zeineh

RECEIVED AND PLACED ON FILE

- d. Letter of Resignation from the Demolition Board submitted by Mark Hiaeshutter

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY COUNCIL MEMBERS

Council Member Yorke spoke about City Council Members paying a portion of their salaries back to the city to account for furlough days. She also asked City Council Members what their concerns are regarding the proposed changes to the snow removal Ordinance.

Council Member Hewitt spoke about the status of the proposed changes to the snow removal Ordinance.

Council Member Yorke stated that she felt she was in the dark regarding proposed changes to the snow removal Ordinance.

Council President Robinson asked Council Member Hewitt if he alone worked on the proposed changes to the snow removal Ordinance and he stated that yes, he alone has been working on the changes. She stated concerns with the process and hoped that Council Member Yorke could learn from the committee.

Council Member Quinney stated that he hoped Council Member Yorke would be included in discussions related to proposed changes to the snow removal Ordinance.

Vice President Dunbar clarified the drafts of proposed changes to the snow removal Ordinance and stated that the last draft she worked on already had the changes in it that Council Member Hewitt addressed.

Council Member Hewitt stated that he was given draft #1 of the proposed changes to the snow removal Ordinance.

Vice President Dunbar stated that proposed changes to the snow removal Ordinance is in fact on draft #5 and produced the document.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about Council Members contributing portions of their salaries to reflect the city worker's furlough days.

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

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

Mike Morofsky of 1300 Woodbine Ave. spoke about proposed changes to the snow removal ordinance and issues with Comcast Cable.

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.

Russell Terry of 121 E. Mt. Hope Rd. spoke about the number of City Council meetings.

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

Doug Warren of 3122 Amherst Dr. spoke about Malcolm X.

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

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

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

ADJOURNED TIME 11:04 P.M.

CHRIS SWOPE, CITY CLERK