



OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 22, 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, Wood, Yorke

ABSENT: Council Members Hewitt (Arrived at 7:36 p.m.), Quinney and Robinson (Arrived at 8:57 p.m.)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Jeffries

To approve the printed Council Proceedings of March 8 and 15, 2010

Motion carried

THIS ITEM WAS RETURNED TO THE COMMITTEE ON WAYS AND MEANS

Budget Amendment; Subsidy for First Tee Agreement to Operate Sycamore Driving Range for 2010 Season

By Council Member Wood

To recommit this item

Motion Carried

THIS ITEM WAS RETURNED TO THE COMMITTEE ON WAYS AND MEANS

Budget Transfer - Grant Funds for Region 1 Planning Board for Public Safety Communications Equipment

By Council Member Wood

To recommit this item

Motion Carried

THIS ITEM WAS RETURNED TO THE COMMITTEE ON WAYS AND MEANS

Budget Transfer - Interoperability Emergency Communications Grant Program Awarded Funds to Michigan Region 1 for Operation Protocols and Emergency Responder Training

By Council Member Wood

To recommit this item

Motion Carried

THIS ITEM WAS RETURNED TO THE COMMITTEE ON WAYS AND MEANS

Budget Transfer - Homeland Security Grant Program Funds Awarded to

Michigan Regional 1 for Security and Preparedness Training

By Council Member Wood

To recommit this item

Motion Carried

SPECIAL CEREMONIES

- Special Ceremonies

1. Mayoral and Council Recognition of the Lansing Complete Count Committee and the 2010 United States Census

Mayor Bernero spoke about Lansing's Complete Count Committee.

Dichondra Johnson-Geiger spoke about filling out census forms and about the Census Road Tour.

Mayor Bernero stated that the City of Lansing's community is quite involved in the census process.

Vice President Dunbar spoke about the financial impact of an incomplete census count.

City Clerk Swope spoke about the census and the Complete Count Committee.

Regina Bell stated that the census form has ten questions that would take approximately ten minutes to fill out.

David Wiener spoke about census outreach committees.

Ingham County Commissioner Rebecca Bahar-Cook stated that questions regarding the census can be answered online as well as upcoming dates at the Ingham County offices in Mason.

Carrie Guzman spoke about census centers in which citizens can have their questions answered.

Guillermo Lopez thanked the Lansing School District for their census involvement.

Planning and Neighborhood Development Director Bob Johnson stated that he hopes there are no challenges to Lansing's census count this year.

Mayor Bernero stated that filling out census forms will ensure that no census worker has to visit a citizen's home.

MAYOR BERNERO PROPOSED BUDGET FOR FISCAL YEAR 2011

Mayor Bernero read the following letter:

March 22, 2010

President A'Lynne Robinson and Council Members Lansing City Council
124 W. Michigan Avenue

Lansing, MI 48922

Dear President Robinson and Council Colleagues:

As you know, cities across Michigan are facing historic challenges. The national economic crisis and the shrinking of Michigan's auto industry have hit urban communities particularly hard, causing record unemployment and home foreclosures, as well as rising poverty and homelessness. Even as pressure increases on local governments to address these issues, sharp revenue losses due to the weak economy challenge our ability to continue providing essential services to our citizens.

The good news is that even in this time of severe financial distress, our local economy continues to undergo a steady transformation toward a more stable and sustainable future. New job-creating developments are already delivering significant economic benefits to our residents and local businesses. From the revitalization of the downtown waterfront, to renewed growth in key sectors of commerce and industry, to an increasing interest by young people and suburbanites in living and working in the urban environment, a number of positive trends bode well for the future of our city.

Lansing is indeed fortunate to have fared better than-most cities in Michigan. Yet we are by no means immune to the extraordinary challenges of our times. Even before the onset of the national economic collapse, city revenues from all sources were consistently and considerably lower than the rising cost of providing traditional city services. The recent sharp decline in property values, combined with persistently high unemployment, makes that structural budget gap even wider and more difficult to resolve.

Over the past four years we have taken significant steps toward reducing the structural imbalance in the city budget. In partnership with the City Council, we have made the tough decisions to retool city operations and create a more effective organization that delivers core city services more efficiently. Since FY2007, we have eliminated more than \$30 million in projected budget deficits and reduced our workforce by 15% without layoffs. Thanks to the dedicated efforts of our city leaders and employees, the impact of these necessary reductions on our residents, businesses and visitors has been minimal.

In addition, as the result of prudent financial management, our city government remains financially stable, with minimally adequate reserves. We continue to maintain a strong credit rating, at least in part because we have successfully balanced each of the last four city budgets without raising taxes or draining all of our reserves.

And yet, despite our best efforts to reduce the city's structural deficit, even the most optimistic forecast points to a continued and substantial imbalance between revenues and expenses for several more years. The coming fiscal year in particular represents the toughest budgetary challenge we have faced yet. The Fiscal Year 2011 Executive Budget Recommendation I am proposing today very much reflects that reality.

Due to historic revenue losses stemming from the unprecedented economic conditions and continually increasing costs, for the fiscal year beginning July 1, 2010 we project a \$12 million gap between revenues and expenses in the General Fund, as well as continued weakness in Michigan's economy. As required by our City Charter, my budget proposal eliminates that projected gap and results in a balanced budget for FY11. My plan anticipates a \$109.4 million General Fund budget, which represents a 6.6% reduction from the FY10 adopted budget, and a total city budget of \$183.2 million (including restricted funds), which represents a 7% decrease from the current fiscal year.

Even Under today's challenging circumstances, my budget plan nonetheless ensures that we will continue to provide all essential city services without interruption. Police, fire, and emergency services personnel will respond promptly to 9-1-1 calls around the clock. Streets will be maintained, swept and plowed. Our sewer

system will operate and trash will be collected. Our parks system will be maintained, and we will continue to offer recreational activities, support worthy community agencies, and help the less fortunate in our community during these historically tough times.

My budget plan also ensures that we will not just stand on the sidelines and hope that our local economy improves. We will continue to make forward-looking, strategic investments that help build a more prosperous future for the city and all its residents. In collaboration with regional public and private partners, the Lansing Economic Development Corporation will continue to relentlessly seek opportunities to grow and reshape our local economy, to spark the creation of new jobs, and to attract new residents, businesses and visitors, while supporting those who are already here.

My plan also recognizes the extraordinary economic pressures facing our city's residents. At a time when so many Lansing families remain under considerable financial stress and strain, I cannot in good conscience propose balancing the budget by increasing the overall property tax rate.

In addition, in keeping with the prudent financial management practices we have followed over the past four years, my budget does not include the planned use of reserves. As we have seen in recent years, the city's reserve funds provide a cushion to draw against when unexpected events occur, such as mid-year cuts in state revenue sharing, shortfalls in projected city tax revenues, or a natural disaster like the recent tornado. Even though we have taken steps to offset unexpected revenue losses, it remains possible that the expenditure of additional reserves could be necessary before the end of the current fiscal year.

My proposed budget also recognizes that we must continue to change the organizational structures we have relied on for many years. Simply put, we cannot afford to operate separate management structures where consolidation can work more efficiently. Accordingly, my budget recommendation provides for the restructuring of several city functions:

- o Consolidates grounds maintenance activities for roads, sidewalks and parks into one division in the Public Service Department.
- o Transfers the Transportation Division of the Planning and Neighborhood Development Department to the Public Service Department.
- o Transfers city support of arts and cultural organizations and events to the Lansing Economic Development Corporation.
- o Provides funding for the consolidation of the city's two service garages to operate in partnership with the Lansing Board of Water and Light.
- o Consolidates City TV into the new Office of Community Media.

In addition to these structural changes, some of which will be implemented by Executive Order, the long-term nature of the economic and budgetary challenges we face makes it clear that further reductions in the city's workforce are unavoidable. To minimize involuntary layoffs and maintain as much employment as possible, it is also clear that our remaining employees will be required to make significant and painful sacrifices.

To achieve the cost savings needed to balance the budget, my administration will continue to work in good faith with all of our employee unions through the collective bargaining process. As a first step forward, we recently announced an early retirement incentive, developed jointly by labor and management, which focuses on employees with more than 25 years of service. The success of this incentive will be a small but meaningful factor in resolving the overall budget gap for FY11.

Additional savings will be achieved by continuing the cost reduction measures currently in place, including a hiring freeze, reduction of capital and non-personnel related expenses, and other measures enacted as part of the deficit elimination plan adopted for the current fiscal year. In

addition, for FY1 1 we propose to implement a Medicare wraparound plan for city retirees that is projected to 'create significant savings without diminishing retiree benefits.

Yet even these measures, taken together, are insufficient to achieve the savings required to balance the FY1 1 budget. Therefore, in lieu of the scheduled monthly furlough days that were implemented as part of the FY10 deficit elimination plan, my FY1 1 budget recommendation includes reducing the normal work week for non-emergency city personnel from 40 hours to 36 hours. Under this proposal, city offices will be open 4 days a week, Monday through Thursday, from 8am to 6pm.

These changes will not apply to 24-hour emergency personnel, including police, fire, EMS and 9-1-1 dispatch operations. My administration will continue to work with our public safety unions to achieve comparable budgetary savings while maintaining around-the-clock services.

The serious challenges we must face in the year ahead will require an unprecedented level of cooperation between all stakeholders, including our citizens and business community, our city employees, my office and executive team, and the Lansing City Council. As difficult as the choices we must make will be, I remain confident that we can and will work together to remain on the path of fiscal stability and build a more prosperous future for all of our residents.

I look forward to discussing my proposed budget with you over the next several weeks.

Council Member Hewitt arrived at the meeting at 7:36 p.m.

COUNCIL MEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Council Member Wood announced the City's Caesar Chavez celebration as well as a fundraiser regarding Caesar Chavez.

Vice President Dunbar spoke about the City's application for Google's fiber network.

Council Member Wood announced the next Averill Woods neighborhood meeting.

Council Member Hewitt announced Parks 5 Year Master Plan meetings.

Council Member Houghton announced the next Old Everett neighborhood meeting and Ingham County Health Department's program to help smokers quit before the State's anti-smoking law takes effect.

City Clerk Swope announced upcoming home improvement classes offered by the Greater Lansing Housing Coalition.

COMMUNITY EVENT ANNOUNCEMENTS

L. W. Morrow of 3030 Paul Ave announced this year's Earth Day celebration.

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, stated that the Mayor's proposed budget will be available on the City's website by the

end of the meeting.

Council Member Wood asked Jerry Ambrose when City Council would receive account level budget details and he stated that they would receive that information before the budget hearings begin.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of a Grant Application to the Michigan Department of Natural Resources and Environment for Crego Park Development
2. In consideration of Public Improvement III; New Sidewalk Construction 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

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

Council Member Hewitt gave a brief overview of Public Hearing #2.

Loretta Stanaway of 546 Armstrong Rd. spoke about Crego Park.

Stan Shuck of 818 Cooper Ave. spoke about Crego Park.

Patrick Harrington of 313 Allen St. spoke in favor of reopening Crego Park.

Jodi Messer of 1731 Fidelity Rd. stated concerns with reopening Crego Park.

Marianne Robbins of 1636 Fidelity Rd. stated concerns with reopening Crego Park.

Bob Ford of 809 Center St. gave information regarding plans for reopening Crego Park.

Terry Caillouette of 1725 Fidelity Rd. stated concerns with reopening Crego Park.

Jennifer Nelson of 1715 Fidelity Rd. stated concerns with reopening Crego Park.

Fred Robbins of 1636 Fidelity Rd. stated concerns with reopening Crego Park.

Ingham County Treasurer Eric Schertzing spoke in support of Approval of City of Lansing's Portion of Brownfield Redevelopment Plan Amendment, Ingham County Brownfield Redevelopment Authority.

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

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

Kathi Raffone of 1221 Muskegon Ave. spoke in opposition to both public hearings.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of a Grant Application to the Michigan Department of Natural Resources and Environment for Crego Park Development

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

2. In consideration of Public Improvement III; New Sidewalk Construction 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

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

LEGISLATIVE MATTERS

CONSENT AGENDA

Council Member Hewitt asked that items 1a, 2a, 3a, 3b, 3c, 3d, 4a, 4b, 4c, 5a, 6a, 7e, 7f and 8a be removed from the consent agenda.

RESOLUTIONS

RESOLUTION #2010-078

BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Greater Lansing "Google Fiber for Communities" Initiative

WHEREAS, Google is planning to build and test ultra high-speed fiber optic broadband networks in a small number of trial locations across the country; and

WHEREAS, Google's ultra high-speed fiber optic networks will provide service at one gigabit per second, up to 100 times faster than is currently available with existing broadband service; and

WHEREAS, Google has initiated a Request For Information (RFI) to help them determine which communities become test markets; and

WHEREAS, six municipalities (Lansing, East Lansing, Delta Twp., Delhi Twp., Lansing Twp., and Meridian Twp.) have combined their efforts to submit a proposal on behalf of the Greater Lansing Region; and

WHEREAS, key partners collaborating on this effort include Accelerate Lansing, the Board of Water & Light, Consumers Energy, the Ingham County Economic Development Corporation, Lansing Community College, the Lansing Economic Area Partnership (LEAP), Michigan State University, and the Tri County Regional Planning Commission; and

WHEREAS, studies show that wide-spread high-speed broadband access improves educational outcomes, increases opportunities for social and civic engagement, provides an attractive environment for technology-based entrepreneurs, and helps existing businesses compete in the global marketplace, all of which would improve the viability of our region; and

WHEREAS, Google is committed to "open access" and will allow existing local providers to utilize the new fiber optic infrastructure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council supports the efforts of local communities to bring "Google Fiber for Communities" to the Greater Lansing Region.

BE IT FURTHER RESOLVED that the Lansing City Council encourages community members to submit community nominations online in support of Greater Lansing's regional proposal.

BE IT FINALLY RESOLVED that the Lansing City Council authorizes the Mayor or his designee to sign the multi-jurisdictional proposal to Google

on behalf of the Greater Lansing Region.

By Council Member Dunbar

Motion Carried

RESOLUTION #2010-079

BY COUNCIL MEMBERS A'LYNNE ROBINSON AND DERRICK
QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stuart J. Dunnings, Jr. was born in Staunton, Va., on August 21, 1924 to Stuart and Bertie Dunnings and; and

WHEREAS, he and his wife of 48 years, Janet, were the loving parents of Stuart II, Steven, Shauna, all residents of Lansing, and Susan of Washington D.C. and grandparents to eight grandchildren Courtney, Coral, Winter, Sarah, Thaddeus, Taylor, William, and Jonathan; and

WHEREAS, he obtained his undergraduate degree at Lincoln University in Pennsylvania and served in the army during World War II and went on to earn a law degree from the University of Michigan in 1950; and

WHEREAS, Stuart opened his law office in September 1950. The late J. Riley Oles was the only one who would rent office space to a black attorney. During the early years, he continued working on the night shift at Oldsmobile. On weekends, he and his bride, Janet, would clean the office building in exchange for free office space; and

WHEREAS, Stuart wore many hats during his lifetime serving as an attorney, civic leader, educator, and advocate for equality. His legacy will continue through his children, grandchildren, and innumerable people whose lives have been touched by his dedication to social justice; and

WHEREAS, Stuart's accomplishments are numerous and include his appointment to the Michigan State Board of Law Examiners for over 30 years, active member of the ABA's Standing Committee on the Federal Judiciary, and President of the local chapter of the NAACP for six years; and

WHEREAS, his awards include the Distinguished Citizen Award from the Boy Scouts of America, Champion of Justice Award from the State Bar of Michigan, Outstanding Attorney of the Year, Ingham County Bar Association, the Hugo B. Lundberg award for championing civil rights, induction into the National Bar Association Hall of Fame, and the Lansing Black Lawyers Association's Distinguished Service Award;

NOW, THEREFORE, BE IT RESOLVED that, the Lansing City Council, hereby wishes to extend its deepest condolences to the family and friends of Stuart Dunnings, Jr., He will be dearly missed.

By Council Member Wood

Motion Carried

RESOLUTION #2010-080

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

Obsolete Property Rehabilitation Act Establishment of OPRA District
502 E. Grand River Ave.

WHEREAS, the intending purchaser of property located at 502 E. Grand River Ave. in the City of Lansing, Michigan (the "Property") has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by Public Act 146 of 2000, the "Obsolete Property Rehabilitation Act" (the "Act"), and

WHEREAS, the owner is Old Town Temple, LLC, hereinafter called the "Developer", and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the Developer has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOTS 5, 6 and W ½ LOT 4 BLOCK 15 ORIG PLAT; and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on March 8, 2010;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as: LOTS 5, 6 and W ½ LOT 4 BLOCK 15 ORIG PLAT, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Council Member Jeffries

Motion Carried (Council Member Hewitt voting nay)

RESOLUTION #2010-081

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

Obsolete Property Rehabilitation Tax Exemption Certificate Approval, 502 E. Grand River Ave.

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Old Town Temple, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 502 E. Grand River Ave., Lansing, Michigan (Obsolete Property); and

WHEREAS, Old Town Temple, LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted March 10, 2010, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than December 31, 2011, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office, mixed-use entertainment use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to Old Town Temple, LLC, for the Obsolete Property located at 502 E. Grand River Ave., Lansing, Michigan, legally described as:

LOTS 5, 6 AND W ½ LOT 4 BLOCK 15 ORIG PLAT

for the period of 12 consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing
2. The applicant is not delinquent in any taxes related to the facility.
3. All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.
4. The application is for obsolete property as defined in section 2(h) of PA 146 of 2000.
5. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.
6. The application relates to the rehabilitation program for the building located at 502 E. Grand River Ave., Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.
7. The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.
8. The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.
9. The rehabilitation must be completed not later than project completion date as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Council Member Jeffries

Motion Carried (Council Member Hewitt voting nay)

RESOLUTION #2010-082

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

WHEREAS, the Ingham County Board of Commissioners, pursuant to and in accordance with the Brownfield Redevelopment Financing Public Act 381 of 1996, as amended (the "Act"), established the Ingham County Brownfield Redevelopment Authority ("ICBRA") to facilitate the cleanup and redevelopment of Brownfields in Ingham County's Communities; and

WHEREAS, a Brownfield Redevelopment Plan for the redevelopment of Ingham County Land Bank Fast Track Authority parcels within the city of Lansing Only (the "Plan") was approved by the Ingham County Brownfield Redevelopment Authority, and concurred with by this City, and approved by the Ingham County Commissioners in October 2008; and

WHEREAS, the Plan has been amended and presented here as Attachment A to include certain properties within this City which are newly eligible property, to remove properties that have been found ineligible, and to correct the financial estimates, as defined under the Act; and

WHEREAS, the ICBRA, pursuant to and in accordance with Section 13 of the Act, recommend that the Ingham County Board of Commissioners approve the proposed Plan to be carried out within Ingham County relating to the redevelopment of the Property; and

WHEREAS, the Ingham County Board of Commissioners have noticed, set, and held a public hearing to consider the proposed amended plan and are prepared to take action to approve said plan; and

WHEREAS, the Development and Planning Committee considered the matter at a meeting on March 10, 2010 at the City Hall;

NOW, THEREFORE BE IT RESOLVED, with respect to the Property within this City, the City Council has reviewed the amended plan and hereby concurs with the provisions of the Plan and consents to its implementation by the Ingham County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED that should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid.

BE IT FINALLY RESOLVED that all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

By Council Member Jeffries

Motion Carried

RESOLUTION #2010-083

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

WHEREAS, the City Council of the City of Lansing set a public hearing for Monday, April 12, 2010 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed CDBG consolidated strategy and plan submission to HUD for FY 2010-11.

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on Monday, April 12, 2010 at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the proposed CDBG consolidated strategy and plan submission to HUD for FY 2010-11.

By Council Member Jeffries

Motion Carried

RESOLUTION #2010-084

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

ACT-3-09 and ACT-7-09; Groesbeck Park Drainage District Easements

WHEREAS, Patrick Lindemann, Ingham County Drain Commissioner, on behalf of the Groesbeck Park Drainage District, wishes to acquire easements over Bancroft Park, Groesbeck Golf Course, and Board of Water and Light (LBWL) property located in Lansing Township; and

WHEREAS, these easements are for the improvement and continued use of the Groesbeck Park Drain within these properties; and

WHEREAS, Act-3-09 involves easements within Bancroft Park and the Groesbeck Golf Course for storm drain facilities, including water detention ponds which will be included as water features within the golf course and park, and a conservation easement; and

WHEREAS, this concept received the support of the Parks Department and Parks Board, and on April 7, 2009, the Planning Board voted unanimously (6-0) to recommend approval of easements for these improvements; and

WHEREAS, Act-7-09 involves an easement within Lansing Board of Water and Light property on Lake Lansing Road in Lansing Township; and

WHEREAS, the easement is for storm drainage facilities to carry storm water from the northeast over LBWL property to the golf course, where it will be treated by natural means in the retention ponds, and ultimately discharged into the Grand River through an existing storm drain; and

WHEREAS, this concept is supported by the LBWL, and on October 6, 2009 the Planning Board voted unanimously (4-0) to recommend approval of easements for these improvements; and

WHEREAS, the Planning Board reviewed these proposals in accordance with its Act 33 review procedures, to evaluate the public purpose of the proposals, and their effect on City operations. Based on this review, the Board found that:

- The storm water improvements will enhance the golf course, and be designed by a golf course design professional.
- These easements are necessary for the Drain Commission to construct and maintain the storm water system, and to filter storm-water runoff containments in a low-impact, environmentally friendly way.
- The proposed easements would improve drainage.
- The Groesbeck Park Drain District would be responsible for the maintenance of the drain and the associated improvements; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the documentation and details of the transaction were placed on file in the Office of the City Clerk for thirty (30) days before the Public Hearing on the proposed conveyance of the easements held before the City Council on March 8, 2010; and

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

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves Act-3-09 and the grant of easements over the subject property, including access, in exchange for One Million and 00/100 Dollars (\$1,000,000.00) in cash, plus improvements and conservation easement, as set forth in the easement agreements placed on file with the City Clerk November 6, 2009.

BE IT FURTHER RESOLVED, the Lansing City Council hereby approves Act-7-09 and grants easements over the subject property, including access, in exchange for improvements to these properties, as described in the easement agreement placed on file with the City Clerk November 6, 2009.

BE IT FURTHER RESOLVED that the proceeds from Act-7-09 are reserved for the payment of the City's Groesbeck Park Drainage District

assessment and for additional improvements to city parks.

BE IT FURTHER RESOLVED that compensation received by the Lansing Board of Water and Light shall be retained by the Lansing Board of Water and Light.

BE IT FURTHER RESOLVED that resolutions #010 and # 007 of 2008 are rescinded.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City of Lansing and where appropriate on behalf of its Board of Water and Light, is hereby authorized to sign and execute all documents necessary to effectuate the above-stated transactions, subject to approval as to content and form by the City Attorney.

By Council Member Jeffries

Motion Carried

RESOLUTION #2010-085

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

WHEREAS, DuWayne Watkins sought to eliminate special assessment of \$442.00 for Board Up and all associated penalties and interest on the property tax bill of 305 N. Pennsylvania Avenue, Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, March 15, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by DuWayne Watkins on special assessment of \$442.00 for Board Up and all associated penalties and interest on the property tax bill of 305 N. Pennsylvania, Lansing, Michigan;

BE IT FURTHER RESOLVED that the City Council encourages the claimant to pursue recourse action against the previous property owner;

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

By Council Member Houghton

Motion Carried

RESOLUTION #2010-086

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

WHEREAS, Andrew Phillips sought to eliminate special assessments of \$2,221.53 for various Grass and Weeds and Trash & Debris and all associated penalties and interest on the property tax bill of 529 N. Butler Blvd., Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, March 15, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Andrew Phillips on special assessments of \$2,221.53 for various Grass and Weeds and Trash and Debris and all associated penalties and interest on the property tax bill of 529 N. Butler Blvd., Lansing, Michigan;

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

By Council Member Houghton

Motion Carried

RESOLUTION #2010-087

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

WHEREAS, Beatrice Navarro sought to eliminate special assessment of \$611.99 for Trash and Debris and all associated penalties and interest on the property tax bill of 529 S. Magnolia Ave., Lansing, Michigan; and

WHEREAS, the Committee on General Services met on Monday, March 15, 2010 to review the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Beatrice Navarro on special assessment of \$611.99 for Trash and Debris and all associated penalties and interest on the property tax bill of 529 S. Magnolia Ave., Lansing, Michigan and offers a settlement of a reduction of \$306.00 from the \$611.99 special assessment;

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

By Council Member Houghton

Motion Carried

RESOLUTION #2010-088

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

WHEREAS, the Lansing City Council, hereby, rescinds resolution # 2010-067, pertaining to 3237 Brisbane; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 3237 Brisbane 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, Monday, March 22, 2010.

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 #2010-089

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

PUBLIC IMPROVEMENT I/II

WHEREAS, the Public Service Department has established the need to repair and reconstruct selected public sidewalk within the following described areas:

- An area bounded by Jolly Rd., Waverly Rd., Stillwell Ave., and Sumpter St. and;
- Jolly Rd.; Pleasant Grove Rd. to Martin Luther King Blvd. and;
- An area bounded by E. Grand River Ave., Ballard St., Lake Lansing Rd., David St., and Indiana Ave.
- excepting all public streets and alleys and other land deemed not benefited;

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the above described public improvements, and

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and the City's public share of the project shall be paid from FY2009/FY2010 sidewalk repair funds.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain any necessary easements for construction, and to determine the cost of said project, based upon the bids to be received, to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Council Member Hewitt

Motion Carried (Council Member Hewitt voting nay)

RESOLUTION #2010-090

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

WHEREAS, The Michigan Department of State's Bureau of Elections has announced a new program to provide laptop computers to city and township clerks who wish to use the QVF's Electronic Poll Book (E Poll Book); and

WHEREAS, many clerks, including the Lansing City Clerk, have piloted the E Poll Book either alone or in tandem with a paper system. The response from the clerks conducting the pilots has been very favorable; and

WHEREAS, upon request, the Department of State will purchase one laptop computer for each precinct in the jurisdiction. The number of precincts listed in the 2010 Biennial Precinct Report will be used to determine the number of laptops a jurisdiction will receive under the program. The program is funded by the Help America Vote Act (HAVA); and

WHEREAS, upon receipt of the properly completed and signed grant agreement, the Bureau of Elections will place an order for the laptops and accessories. The laptops and accessories will be shipped directly to the city or township; and

WHEREAS, Lansing City Clerk Chris Swope has recommended acceptance of this grant and implementation of Electronic Poll Books in the City of Lansing;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the Qualified Voter File's Electronic Poll Book (EPB) Laptop & Accessories Purchase grant for the purposes of implementing Electronic Poll Books in the City of Lansing;

BE IT FURTHER RESOLVED, the Lansing City Council approves the acceptance of the actual equipment and software determined by the Michigan Department of State's Bureau of Elections; and

BE IT FINALLY RESOLVED, the Administration is authorized to accept the project, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

By Council Member Wood

Motion Carried

RESOLUTION #2010-091

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

WHEREAS, the Michigan Department of Natural Resources and Environment (MDNRE) will be accepting grant applications for the Michigan Natural Resources Trust Fund (MNRTF) for the next grant cycle no later than April 1, 2010; and

WHEREAS, MDNRE requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match, and committing to the amount and source of match that are specified in the application; and

WHEREAS, in order to be eligible to receive MNRTF grant funds from MDNRE, projects must be contained in the Parks and Recreation Five Year Master Plan; and

WHEREAS, on March 28, 2005 the City Council, through Resolution

#124, adopted the City of Lansing Parks and Recreation Five Year Master Plan for 2005 through 2010; and

WHEREAS, on February 10, 2010 the Parks Board recommended to the Mayor that the above project be submitted to the City Council for approval; and

WHEREAS, the following project is contained in the Five Year Master Plan for 2005 through 2010 and is recommended by the Parks and Recreation Director that the City apply for MNRTF grant funds:

CREGO PARK DEVELOPMENT

MNRTF	\$500,000
PARK MILLAGE	\$250,000

WHEREAS, if the grant is awarded, the City match would be required in fiscal year 2011; and

WHEREAS, the Mayor recommends to the City Council that the above project have a grant application prepared and submitted to the Michigan Department of Natural Resources and Environment;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the submittal of the grant application to the Michigan Department of Natural Resources and Environment;

BE IT FURTHER RESOLVED that if the grant is awarded, the City of Lansing, Michigan will accept the terms of the agreement as received from the Michigan Department of Natural Resources and Environment and that the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That if the proposed grant is received, in an amount requiring less than or equal City match to the amount indicated in the application document(s), the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grant and to appropriate such additional funds as shall be necessary to complete the project, subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the MDNRE for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To authorize the Mayor of the City of Lansing, to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said MDNRE agreement including all terms not specifically set forth in the foregoing portion of this resolution.

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

By Council Member Wood

Motion Carried

President Robinson arrived at the meeting at 8:57 p.m.

RESOLUTION #2010-092

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

WHEREAS, César E. Chávez was co-founder and leader of the United Farm Workers and for over 30 years worked tirelessly to ensure unity, fair wages, respect, and humane living conditions for hundreds of thousands

of farm workers throughout the country; and

WHEREAS, on April 23, 1993 César E. Chávez, a great hero and leader in our United States of America, died of natural causes in San Luis, Arizona; and

WHEREAS, César E. Chavez's dedication to non-violence, public service, community, and respect for all cultures to continue to serve as an inspiration to others who wish for a more peaceful and just society; and

WHEREAS, on March 26, 2010 the City of Lansing will host the 2nd Annual César E. Chávez Memorial Observance honoring this great community leader; and

WHEREAS, the theme for this year's observance as proclaimed by the César E. Chávez Foundation is, "Determination," for the sheer willpower and endurance that drove Cesar E. Chavez to be the man he became and as a reminder that our actions can bring hope and positive change to our Communities and Country;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, honors the memory of César E. Chávez who devoted his life to serving others to bring positive change and declares Friday, March 26, 2010 as César E. Chávez in the City of Lansing.

By Council Member Dunbar

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION #2010-093

COMMITTEE REPORT
BY THE COMMITTEE ON PUBLIC SAFETY

THE COMMITTEE ON PUBLIC SAFETY met Tuesday, March 9 and March 16, 2010, and reviewed resolution #045 outlining a number of issues with regards to the 911 Radio System purchased from M/A-Com by Ingham County. The Committee also reviewed a memorandum dated September 22, 2008, wherein Captain Teresa Szymanski reported that between February and September 2008, the expense to the City because of malfunctioning equipment and poor service equaled \$161,070.30 in additional staff hours.

The Committee on Public Safety is dedicated to ensuring the safety of our police and fire officers. Our City Attorney informed Council that the City of Lansing has no legal standing to seek damages from M/A-COM because the City, unlike Ingham County, was not a party to the contract. Therefore, the Committee has sent a letter to the Ingham County Controller and Commissioners requesting assistance in recovering these costs, estimated at \$416,806.20, as detailed in the attached resolution and memorandum.

Signed: Carol Wood, Chair, Public Safety
Eric Hewitt, Vice Chair, Public Safety
Jessica Yorke, Member

By Council Member Wood

To adopt this committee report

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Dunbar

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

Motion carried

Robinson, Wood, Yorke

The following items were added to the agenda:

Nays: None

RESOLUTION #2010-094

BY COUNCILMEMBERS DUNBAR, HEWITT, HOUGHTON, JEFFRIES, QUINNEY, ROBINSON, WOOD, AND YORKO RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

By Council Member Wood

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

WHEREAS, the United States Constitution requires a Census of the population every ten years; and

Motion Carried

WHEREAS, every person living in the United States has the right and obligation to be counted; and

ORDINANCE #1152

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.

WHEREAS, the U.S. Census Bureau recommends that local governments work together to form Complete Count Committees, which are teams of community leaders to develop and implement a locally based outreach and awareness campaign for the 2010 Census and ensure every person in this jurisdiction is counted; and

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1284, Section 3, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

WHEREAS, the City of Lansing recognizes the vital importance of an accurate 2010 Census; which affects our community's political representation in the United States House of Representatives, State Legislature, County Commission, and City Council; which is used to enforce our nation's civil rights and antidiscrimination laws; which determines the type of community services offered; and which decides the percentage of more than \$300 billion in Federal and State funds returned to our community annually; and

1284.03. Location; expansion; encroachments.

WHEREAS, we recognize the need for an intensive public education campaign to inform traditionally undercounted communities, including immigrant, low-income, and communities of color about the importance of being counted in the Census and the confidentiality of the information gathered as part of the Census; and

(a) Except as provided in subsections (b) to (d) hereof, all required off-street parking for a principal use, conditional use, special land use or nonconforming use shall be located on the same lot on which such principal use, conditional use, special land use or nonconforming use is located. Off-street parking shall be permitted in the required side or rear yards of a lot in every zoning district. Parking shall be allowed in the required front yard only in the E-2 Local Shopping District, F Commercial District, G-1 Business District, G-2 Wholesale District, H Light Industrial District, I Heavy Industrial District or J Parking District, unless otherwise provided for in this chapter.

WHEREAS, we recognize the need for all departments, agencies, bureaus, offices and other similar entities within the City of Lansing to promote policies, practices, and procedures that will help to ensure a complete Census count, and to coordinate with each other on any Census outreach efforts;

(b) The off-street parking for a lot which is zoned H Light Industrial or I Heavy Industrial District may be located on a separate lot, if the following ~~two~~ THREE conditions are met:

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the efforts of the Lansing Complete Count Committee charged with the responsibility of supporting and supplementing the communication efforts of the Census Bureau by attempting to reach all segments of the population and emphasize the confidentiality of the information provided during the Census;

(1) THE LOT DOES NOT CONTAIN A CABARET, AS DEFINED BY SECTION 808.01.

~~(1)~~ (2) The separate lot is zoned H Light Industrial District, I Heavy Industrial District or J Parking District.

~~(2)~~ (3) The separate lot is not more than 5,280 feet, measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served. However, if the parking on the separate lot is more than 1,000 feet from the lot served, then the beneficial user shall provide a commuter service between the separate lot and the lot served.

BE IT FURTHER RESOLVED that the Lansing City Council encourages all city departments, agencies, and offices to implement policies, procedures, and practices that will ensure a complete Census count, including those that will reinforce the community's trust and confidence in the confidentiality of the information gathered as part of the Census.

(c) Off-street parking for nonresidential uses on a lot which is zoned D-1, E, E-1, E-2, F or G-2 may be located on a separate lot if the following ~~two~~ THREE conditions are met:

By Council Member Dunbar

(1) THE LOT DOES NOT CONTAIN A CABARET, AS DEFINED BY SECTION 808.01.

Motion Carried

~~(1)~~ (2) The separate lot is zoned D-1, E, E-1, E-2, F, G-2, H, I or J.

~~(2)~~ (3) The separate lot is not more than 300 feet, as measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served.

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing to Amend Chapter 1284, Section 3 of the Lansing Codified Ordinances by requiring the provision of parking for cabaret patrons on lots containing cabarets

(d) Except as described in subsection (e) hereof, the off-street parking for a lot on which a conditional use is maintained may be expanded onto an abutting property only if all of the following conditions are met:

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

(1) The conditional use itself may be permitted on the abutting property.

(2) The abutting property is zoned A, B, C, DM-1, DM-2, DM-3 or DM-4.

(3) A special land use permit is obtained through the procedures described in Chapter 1282.

Yeas: Council Members Dunbar, Hewitt, Houghton, Jeffries,

(e) Subsection (d) hereof shall not apply if the abutting property is zoned D-1, E, E-1, E-2, F, G-1, G-2, H, I or J.

(f) An area designated as required off-street parking may be changed to another use or encroached upon, so long as the minimum requirements of Section 1284.13 continue to be met.

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

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

An Ordinance of the City of Lansing to Amend Chapter 844, Section 25 of the Lansing Codified Ordinances by restricting the hours during which ice cream and confection peddlers may operate

Was read a second time by its title

By Councilmember Wood

To accept a substitute ordinance for the one originally placed in the packet

Motion Carried

By Council Member Dunbar

To amend the ordinance following "whichever is" by striking "earlier" and inserting "later"

Motion Failed

Motion to adopt the ordinance FAILED by the following roll call vote:

Yeas: Council Members Hewitt, Jeffries, Wood, Yorke

Nays: Council Members Dunbar, Houghton, Robinson

**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. Letters from the Mayor regarding:

- i. Retirement Incentive Plan; Lansing Employees' Retirement System; Supplemental Actuarial Valuation

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO CITY RETIREMENT BOARDS

- ii. Proposed Ordinance Change to Allow Employees' Retirement System Members to Purchase Service Credits

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO CITY RETIREMENT BOARDS

- iii. Appointment of Nancy Mahlow to the Traffic Board, 1st Ward term to expire June 30, 2013

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- iv. Public Improvement IV; Sidewalk Construction and Repair for Assessment Roll #B-092

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- Communications and Petitions, and Other City Related Matters:

- a. Resolution from the Ingham County Board of Commissioners Approving Legacy Cost Agreements and Authorizing a Request for Proposals for the Designation of an Ingham County 9-1-1 Consolidated Dispatch Center Facility

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO CITY RETIREMENT BOARDS

- b. Letter from Miriam Jones of the Eastern Shore Sanctuary and Education Center regarding Keeping of Chickens in Lansing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Council Member Wood

To excuse Council Member Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCIL MEMBERS

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero stated that there are no part-time police officers in the City of Lansing. He also stated that budget adjustment would occur from the top down and that all essential services will continue with out interruption.

Vice President Dunbar announced a kindergarten through 5th grade chess tournament.

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

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

Loretta Stanaway of 546 Armstrong Rd. spoke about the city's budget.

Christopher Davis of 921 W. Allegan St. spoke about various city matters.

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

Mike Terranova of 524 Edison Ave. spoke about down payment assistance.

Willie Hobbs of 5017 S. Conners Ave. spoke about various city matters.

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

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

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.

Jason Wilkes of 3218 Continental Dr. spoke about various city matters.

Fred Robbins of 1636 Fidelity Rd. spoke about Crego Park.

Marianne Robbins of 1636 Fidelity Rd. spoke about Crego Park.

Terry Caillouette of 1725 Fidelity Rd. spoke about Crego Park.

ADJOURNED TIME 10:24 P.M.

CHRIS SWOPE, CITY CLERK