



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 3, 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 Vice President Dunbar

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

ABSENT: Council Members Hewitt, Robinson and Wood

Council Member Quinney asked people to remember workers who have lost their lives on the job and fallen police officers, during the moment of Meditation. 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 Quinney

To approve the printed Council Proceedings of April 26, 2010

Motion carried

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Recognizing April 28, 2010 as Workers' Memorial Day

Council Member Quinney spoke about Workers' Memorial Day and stated that over 5,000 workers throughout the country lost their lives on the job last year. He also spoke about miners and oil rig workers who recently lost their lives on the job.

City Clerk Swope read the following resolution Adopted April 26, 2010:

RESOLUTION #2010-119

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

WHEREAS, the labor movement will once again observe Workers' Memorial Day to remember workers who have been killed or injured on the job. It is also a day to highlight the preventable nature of most workplace accidents and ill health and to promote campaigns and union organizations to fight for improvements in workplace safety and health protections; and

WHEREAS, more than three decades ago, Congress passed the Occupational Safety and Health Act and Mine Safety and Health Act promising every worker the right to a safe job; and

WHEREAS, despite the efforts of the unions and their allies, who fought to make that promise a reality, the toll of workplace injuries, illnesses, and deaths remains enormous. Each year thousands of worker's are killed and millions more are injured or diseased because of their jobs; and

WHEREAS, progress in protecting workers' safety and health has slowed,

and for some groups of workers, jobs are becoming more dangerous; and

WHEREAS, many employers, in a race to the bottom in the global economy, have been pushing to cut wages and benefits and loosen protections; and

WHEREAS, with fewer and fewer workers having the protection of unions, more workers are afraid to speak out and raise job safety concerns, fearing retaliation and firing; and

WHEREAS, on April 28, 2010, the unions of the AFL-CIO observe Worker's Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe workplaces, to speak out and bargain for safe jobs, respect, and a better future; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, urges employers and employees to continue to fight to make workers' issues a priority, to guarantee the freedom of workers to form a union, and to keep and create good, safe jobs in this country. "*Good Jobs; Safe Jobs — Give Workers a Voice for a Change.*"

BE IT FURTHER RESOLVED, the Lansing City Council declares Wednesday, April 28, 2010, *Workers' Memorial Day*.

Martha Yoder of the Michigan Occupational Safety and Health Act (MIOSHA) Department read excerpts from President's Obama's proclamation on Worker's Memorial Day and safe working conditions. She spoke about MIOSHA's Worker's Memorial Day events.

Scott McDonald, representing building trades, thanked the City Council for the resolution and spoke about recent local worker deaths.

Joe Brehler, Chair of the Eaton County Board of Commissioners, read a resolution passed by the board on Workers' Memorial Day.

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about the death of City of Lansing worker Abel Gonzales.

Council Member Quinney spoke about the worker deaths that don't make the news.

COUNCIL MEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

City Clerk Swope stated that tomorrow is Election Day for those City of Lansing residents in the Holt School District.

COMMUNITY EVENT ANNOUNCEMENTS

Kathi Raffone spoke about the National Day of Prayer.

Loretta Stanaway announced a day of free geraniums offered by the Friends of Lansing Cemeteries.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

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

permitted to speak.

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to Mayor Bernero, congratulated Council Member Yorke on the City of Lansing's Bronze Level Achievement as a Bicycle Friendly Community. He spoke about Parks and Recreation Department programs including adult softball, youth soccer, little kicker soccer, baseball for wood bat, 40 plus baseball, Kids Camp. He announced the hiring of Jason Meyer as the Executive Director at Fenner Nature Center and the Tony Noyola Memorial Plaque dedication. He spoke about the City's computer and electronics recycling event. He also announced the next Mobile Food Pantry event.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no public hearings.

Kathi Raffone of 1221 Muskegon Ave. spoke in opposition to a HUD Section 108 loan to assist in the historic renovation of the Knapp's Building.

Loretta Stanaway of 546 Armstrong Rd. spoke in opposition to a HUD Section 108 loan to assist in the historic renovation of the Knapp's Building.

John Pollard of 1718 Blair St. spoke in opposition to a HUD Section 108 loan to assist in the historic renovation of the Knapp's Building.

LEGISLATIVE MATTERS

CONSENT AGENDA

Council Member Jeffries asked that items 1a, and 1b be removed from the consent agenda.

RESOLUTIONS

RESOLUTION #2010-129

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, May 10, 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 amendments to the CDBG consolidated strategy and plan submission to HUD for FY 2009-10.

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on Monday, May 10, 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 amendments to the CDBG consolidated strategy and plan submission to HUD for FY 2009-10.

By Council Member Jeffries

Motion Carried

RESOLUTION #2010-130

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, May 10, 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 submission of a Brownfield Economic Development initiative grant application and section 108 loan guarantee application to the United States Department of Housing and Urban Development;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on Monday, May 10, 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 submission of a Brownfield Economic Development initiative grant application and section 108 loan guarantee application to the United States Department of Housing and Urban Development.

By Council Member Jeffries

Motion Carried

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

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

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

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

Motion Carried

- Reports from City Officers, Boards and Commissions:

- Letters from the City Clerk submitting:
 - A request from Uncle John's Fruit House Winery, L.L.C. for a new Wine Tasting Room License to be located at 325 City Market Dr.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- Minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- Letter from Brad St. Aubin, Chair of the Police and Fire Retirement System regarding the proposed 2010 Retirement Incentive Program and Proposed Purchase of Service Credit Amendment

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

- Letters from the Mayor re:
 - Request for a Public Hearing for Brownfield Redevelopment Plan #49, Marshall St. Armory

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Request for a Public Hearing for an Obsolete Property Rehabilitation Act (OPRA) District for the Marshall St. Armory

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Request for a Public Hearing for an Obsolete Property Rehabilitation Act (OPRA) Certificate for the Marshall St. Armory

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Transfer of Funds; State/Federal Programs, Asset Seizure Federal Grant Program

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

- v. Appointments to City Boards, Commissions and Authorities

The Mayor withdraws all pending appointments to City boards and commissions and makes the following appointments:

Board of Fire Commissioners

Frank Ferro for reappointment as an At-Large member for a term to expire June 30, 2014

Helen Keeney for reappointment as the Second Ward member for a term to expire June 30, 2014

Louis Vinson for appointment as an At-Large member for a term to expire June 30, 2012

Board of Police Commissioners

Jan Kolp for reappointment as Second Ward member for a term to expire June 30, 2014

Patty Farhat for reappointment as an At-Large member for a term to expire June 30, 2014

Board of Public Service

Alfreda Schmidt for reappointment as Second Ward member for a term to expire June 30, 2014

Matt Flechter for reappointment as an At-Large member for a term to expire June 30, 2014

Rory Neuner for appointment as an At-Large member for a term to expire June 30, 2013

Board of Water and Light

Margaret Bossenbery for reappointment as Second Ward member for a term to expire June 30, 2014

Tony DeLuca for reappointment as an At-Large member for a term to expire June 30, 2014

Board of Zoning Appeals

Marcy Alling for reappointment to an At-Large term to expire June 30, 2013

Kelly Johnston for appointment to an At-Large term to expire June 30, 2013

Amber Shinn for appointment to an At-Large term to expire June 30, 2012

Kim Whitfield for appointment to an At-Large term to expire June 30, 2012

Brad Williams as Planning Board Rep for a term to expire June 30, 2011

Building Board of Appeals

Randall Kamm for reappointment as a Citizen Representative to expire June 30, 2012

Donald Heck for reappointment as an Engineer Representative to expire June 30, 2012

James Drake for reappointment as an Architect Representative to expire June 30, 2012

Capital Area District Library

Joan Trezise for reappointment as an At-Large member for a term to expire April 15, 2014

Ifield Joseph for appointment as an At-Large member for a term to expire April 14, 2011

CATA

Peter Kuhnmuensch as an At-Large reappointment for a term to expire September 30, 2012

Robin Lewis as an At-Large reappointment for a term to expire September 30, 2012

EDC/TIFA/LBRA

Kim Coleman for reappointment for a term to expire February 28, 2015

Baldomero Garcia for reappointment for a term to expire February 28, 2016

Gregory Ward for reappointment for a term to expire February 28, 2016

Historic District Commission

Cassandra Nelson for reappointment as an At-Large member for a term to expire June 30, 2013

Kara Wood for reappointment as an At-Large member for a term to expire June 30, 2013

Human Relations and Community Service

Gail Fourier for reappointment as a Second Ward member for a term to expire June 30, 2014

Gabriel Johnson for appointment as Fourth Ward member for a term to expire June 30, 2012

Katie DeBoer John for appointment as an At-Large member for a term to expire June 30, 2012

Joint Building Authority

Jerry Ambrose reappointment for a term to expire June 30, 2014

Lansing Entertainment and Public Facilities Authority

Charles Mickens for reappointment for a term to expire June 30, 2012

Charlotte Sandinos for reappointment for a term to expire June 30, 2012

James Butler III for reappointment as for a term to expire June 30, 2013

Mechanical Board

Richard Cortright reappointment as Residential Contractor Rep. for a term to expire June 30, 2014

Memorial Review Board

Maria Starr for appointment as an At-Large member for a term to expire June 30, 2014

Lou Besonnen appointment as an At-Large member for a term to expire

June 30, 2012

Park Board

Rick Kibbey for reappointment as Second Ward member to expire June 30, 2014

Cynthia Ward for reappointment as an At-Large member for a term to expire June 30, 2011

Adam Hussain for appointment as an At-Large member for a term to expire June 30, 2014

Planning Board

Beth Graham for reappointment as Second Ward member for a term to expire June 30, 2014

Andrew Frederick for reappointment as an At-Large member for a term to expire June 30, 2014

Josh Hovey for appointment as an At-Large member for a term to expire June 30, 2012

Alisande Henry for appointment as an At-Large member for a term to expire June 30, 2013

Pol. & Fire Ret. Board of Trustees

Edward Benson for reappointment as a Citizen Rep. for a term to expire June 30, 2015

Potter Park Zoo Board

Rick Kibbey reappointment as an At-Large member for a term to expire December 31, 2012

Traffic Board

Samara Washington for reappointment as an At-Large member to expire June 30, 2014

Vince Pecora for reappointment as an At-Large member to expire June 30, 2013

Kyle Binkley for appointment as a Second Ward member to expire June 30, 2014

In addition, the following terms are to be corrected to reflect actual expiration dates in accordance with official records:

- Joan Nelson, EOCC, October 1, 2012 to October 1, 2011
- H. Patricia Curran, EOCC, October 1, 2012 to October 1, 2013
- Brian Huggler, EOCC, October 1, 2014 to October 1, 2015
- Tricia Spain, Board of Review, from June 30, 2012 to June 30, 2013

REFERRED TO ALL CITY COUNCIL COMMITTEES

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Liquor Control Commission providing notice of the cancellation of an application from API Eden Rock, Inc. to transfer the ownership of 2009 Class C and SDM licensed business with outdoor service (1 area), Sunday Sales Permit, Dance-Entertainment Permit, and Official Permit (food), located at 210 S. Washington, Lansing, MI 48911, Ingham County, from Brannigan Brothers Restaurant & Taverns, LLC, due to lack of progress

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Affidavit of Disclosure submitted by Kenneth Bucher of the Board of Water and Light

REFERRED TO THE BOARD OF ETHICS

- c. Applications for Community Funding submitted by:

- i. Capital City African American Cultural Association for its Parade and Festival to be held August 14, 2010

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Lansing Juneteenth Celebration for its Lansing Juneteenth Celebration Annual Festival to be held June 18-19, 2010

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Tano Assoumou of Universal Beauty Old Town Hair Salon in support of an Application for Naming and Renaming Memorials in the City of Lansing filed by Lansing for Cesar E. Chavez to Rename part of Grand River Avenue as Cesar E. Chavez Avenue

REFERRED TO THE MEMORIAL REVIEW BOARD

- e. Letter from Nancy Mahlow requesting an Ordinance making it mandatory for rental units with four or more units to provide renter's insurance

REFERRED TO THE CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

By Council Member Quinney

To excuse Council Members Hewitt, Robinson, and Wood from tonight's proceedings

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Houghton announced the next Miller Road Neighborhood Association meeting.

Vice President Dunbar gave kudos to the neighbors cleaning up Cavanaugh Park.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

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

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

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

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

Loretta Stanaway of 546 Armstrong Rd. spoke about various city matters.

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

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

Carl Caille of 306 Harriet Ave. spoke about various city matters.

ADJOURNED TIME 8:13 P.M.

CHRIS SWOPE, CITY CLERK