



MINUTES
Committee of the Whole
Monday, December 12, 2016 @ 5:30 p.m.
Council Chambers, City Hall 10th Floor

CALL TO ORDER

The meeting was called to order at 5:30 p.m.

PRESENT

Council Member Brown Clarke, President
Council Member Yorko, Vice- President
Council Member Houghton- excused
Council Member Hussain
Council Member Washington
Council Member Dunbar- arrived at 5:31 p.m.
Council Member Spitzley
Council Member Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Eric Brewer, Internal Auditor
Randy Hannan, - arrived at 5:33 p.m.
Bill Rieske, Planning & Neighborhood Development
Elaine Womboldt
Larry Beckon, Central United Methodist Church
Heather Sumner, Assistant City Attorney
Brandon Wadell, Assistant City Attorney
Klein Allison, Assistant City Attorney
Penny Zago, Central United Methodist Church

MINUTES -

MOTION BY COUNCIL YORKO TO APPROVE THE MINUTES FROM NOVEMBER 28, 2016 AS PRESENTED. MOTION CARRIED 6-0.

PUBLIC COMMENT

Ms. Womboldt spoke in support of the 2017 Council meeting calendar in the packet.

Presentation:

Introductions of City Attorneys (City Attorney Jim Smiertka)

Mr. Smiertka introduced the three (3) new Assistant City Attorneys, Heather Sumner, Klein Allison and Brandon Wadell. He noted that all three had litigation experience. Ms. Sumner introduced herself and outlined her education background at MSU and Cooley Law School, in addition to a City internship in 2012. Mr. Allison provided information on his background in transactional litigation, and Mr. Wadell introduced himself noting his education at MSU and Cooley, along with prosecutor experience with Dallas, Texas recently.

Mr. Smiertka concluded by stating that his staff of attorney is now complete and they are working on filling the support staff. Council Member Wood asked if he would be filling the Neighborhood Specialist position, and Mr. Smiertka confirmed that was part of his overall plan.

Discussion/Action:

RESOLUTION – Establishment of the Central United Methodist Church Historic District Study Committee, 215 North Capitol

Ms. Zago and Mr. Beckon introduced themselves as members and trustees with the church.

Mr. Rieske explained to the Committee that the request was initiated by the church as a proposal to establish a local historical district for their church property. The Church is already designated on the National Register and State Register, but the resolution will do two things; establish a historic study committee for a report on Council consideration, as far as establishing the District, which happens by Ordinance. The process included presentation by the study committee of a preliminary study, hold a public hearing, finalize the report and then return to Council for action. The final report will include a draft ordinance to establish the local district.

Council Member Brown Clarke asked what was to be expected in the study itself. Mr. Rieske noted that the church has information already and those items will be in the report along with comments from the historic district commission designees who are slated on the committee. Mr. Rieske referenced the resolution again, adding that the resolution will also confirm the members of the Committee. Those members all have some historical designation.

Council Member Dunbar referenced the “Now Therefore Be it Resolved” paragraph which states Council was waiving the optional public hearing, and asked why. Mr. Rieske explained that the “public hearing” mentioned in this resolution is for a hearing on the establishment of the historic study committee. It is placed in this resolution to prevent a situation of a proposal for a district without the public support, however in this case the public support is the applicant themselves. Council Member Dunbar then asked, if the church is already designated on the State Register, what the purpose would be for this request. Mr. Beckon answered stating that in the future if the church wanted to exterior work it would have to be approved by the commission, which means the church wants to protect the site for the future years and historic preservation. Ms. Zago added that churches are endangered for potential uses that are not churches.

Council Member Wood asked Ms. Zago and Mr. Beckon their representation on the committee, and Ms. Zago stated she is a representative and Mr. Beckon is a Trustee, so there are two church members on the Committee.

Council Member Spitzley asked if there was currently a District or if the historic district commission agrees with the request for designation, and as part of that designation they need to establish a study committee. Mr. Beckon confirmed, and that the current request in front of the Committee is to establish the study committee, who in turn will put together a preliminary report, have a hearing, finalize the report, and then send to Council.

Council Member Spitzley noted her concern with the resolution paragraph that is waiving the public comment. Mr. Rieske noted again this was public comment on establishing the study committee, there would still be a public hearing on the study and district itself.

Council Member Dunbar asked the Committee and Law if there were other historic districts in the City that were single properties not an area. Mr. Rieske answered that Knapp's, Accident Fund and Chrisman are some to name a few, along with property on Huron Street, which is a house.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE ESTABLISHMENT OF THE CENTRAL UNITED METHODIST CHURCH HISTORIC DISTRICT STUDY COMMITTEE.

Council Member Brown Clarke asked for confirmation that all members listed in the resolution had already agreed to serve, and it was confirmed.

MOTION CARRIED 7-0.

Council Member Brown Clarke asked for a timeline on the study, and Mr. Rieske believed it could take 3-6 months.

Road Funding Updates

Council Member Brown Clarke highlighted questions that were submitted to Mr. Gamble, Public Service Director on street projects, funding and the recent Michigan Avenue resurfacing. In the packet were answers to those questions. Mr. Hussain added that he had been approached by residents in the LENO Neighborhood who voiced their concerns about dollars that they pay and are captured, and where those dollars were being spent. The question was also raised as how does the City determine what roads get resurfaced, whether complaint database or the pacer rating. Mr. Hannan could not answer all the questions, noting Mr. Gamble could best answer those, however he was not able to attend. Mr. Hannan could verify that they maintain the pacer rating, and they look at areas where the City can get the most work done for the funds. Sometimes the whole road is deteriorated, and other times it is patching and a mill and fill, which was what was done for Michigan Avenue. The City does do an asset management and pacer program review. They are currently working on the program for the remaining Eaton County funds for next spring, and once that is complete they will provide the information to Council. Council Member Hussain stated he would hold his additional questions for Mr. Gamble. Council Member Wood asked if Mr. Gamble was invited, and Council staff confirmed he was invited to the last two Committee meetings. Council Member Wood informed Mr. Hannan that she had also asked Mr. Gamble additional questions via Council Staff on what roads were done this year and what roads are in the works for next construction cycle. Mr. Hannan stated those items would be part of the annual report in January, and added that the county funding is in the works City wide and will be provided at a later date. Council Member Wood then asked about the millage dollars and their spending. Mr. Hannan could not provide the information at this meeting.

Council Member Yorko stepped away from the meeting at 6:07 p.m.

Council Member Brown Clarke asked Mr. Hannan if there was any allocation of funds for cold patch, and Mr. Hannan stated that ACT 51 dollars cover plowing, salting and crack sealing.

City Council 2017 Regular Meeting Schedule

Council Member Brown Clarke distributed a Version 2 of the proposed resolution which had the only change of removing the January 3rd as a meeting date.

Council Member Yorko returned to the meeting at 6:09 p.m.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION WITH THE FIRST MEETING DATE OF JANUARY 9, 2017 (VERSION 2).

Council Member Hussain asked Law what would occur if something happened to the Mayor when there was no Council leadership. Mr. Smiertka stated it would be the Council President and after that process is exhausted, then Council would vote. Council Member Wood noted that if there is no organizational meeting until January 9, 2017, and something happens, Council will have to have an organizational meeting to fill the President position. Her final statement was that Council needs to be cognate of those positions for leadership as soon as possible after the first of the year.

MOTION CARRIED 7-0.

Adjourn at 6:13 p.m.

Submitted by,

Sherrie Boak, Recording Secretary,

Lansing City Council

Approved by the Committee on January 9, 2017