



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 29, 2013**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:06 p.m. by President Wood

PRESENT: Council Members Dunbar, Houghton, Jeffries, Quinney, Washington, Wood

ABSENT: Council Member Boles Robinson (arrived 7:19 p.m.), Yorko

Council Member Wood asked people to think of Tony Benavides who recently fell, during the moment of Meditation. Council Member Quinney asked people to remember those who have died from workplace injuries in honor of Workers Memorial Week, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Wood.

SPECIAL CEREMONIES

- Special Ceremonies

Council Member Quinney spoke about the importance of workplace safety regulations.

City Clerk Swope read the following resolution:

RESOLUTION #2013-074

BY COUNCIL MEMBERS BOLES ROBINSON DUNBAR,
HOUGHTON, JEFFRIES, QUINNEY, WASHINGTON, WOOD, AND
YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Mourn for the dead, fight for the living!

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

WHEREAS, unions and their allies have fought hard to make that promise a reality—winning protections that have made jobs safer, saved hundreds of thousands of lives and prevented millions of workplace injuries and illnesses; and

WHEREAS, the Obama Administration strives to further ensure workers safety by strengthening worker protection through tougher enforcement on serious violators and proposing new safeguards for workplace hazards; and

WHEREAS, despite employers good intentions today many job hazards are unregulated and uncontrolled. Some employers cut corners and violate the law, putting workers in serious danger and costing lives. Workers who report job hazards or job injuries are fired or disciplined. Employers contract out dangerous work to try to avoid responsibility. As a result, each year thousands of workers are killed and millions more injured or diseased because of their jobs; and

WHEREAS, each year on April 28, the unions of the American

Federation of Labor and Congress of Industrial Organizations (AFL-CIO) observe Workers Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe workplaces; and

WHEREAS, this year many come together to call for good jobs in this country that are safe and healthy. They seek stronger safeguards to prevent injuries and save lives. They will stand for the right of all workers to raise job safety concerns without fear of retaliation, and for the freedom to form unions and speak out and bargain for respect and a better future; and

WHEREAS, in the City of Lansing, the local AFL-CIO hosted a Workers' Memorial Day Observance on Monday, April 29, 2013 at Wentworth Park in Downtown Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank all of those who observe Workers Memorial Day on April 29, 2013. Thank you, AFL-CIO, for your tireless efforts and dedication to the betterment of health and safety issues for workers. Please join us and make your voice heard.

By Council Member Quinney

Motion Carried

Martha Yoder of Michigan Occupational Safety and Health Administration (MIOSHA) spoke about the tragedy of workplace deaths.

Jim Dravenstatt-Moceri of the Geater Lansing Labor Council spoke about the Workers Memorial Ceremony and about the need for following safety regulations.

Willie Paulsen spoke about a workplace safety incident in her past.

Randy Freeman of UAW Region 1-C CAP Council spoke about the impact of workplace deaths and the importance of working safely to make it home each day.

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the need to promote safe workplaces and thanked the labor community for their role in protecting workers.

Council Member Boles Robinson arrived at 7:19 p.m.

Council Member Quinney expressed appreciation for all those involved in the Special Ceremony.

COUNCIL MEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Council Member Washington spoke about the kick-off for the Allen Neighborhood Center's new food hub. She announced the upcoming opening of the Allen Street Market, the Northtown Neighborhood, Eastside Neighborhood Organization, and Association for the Bingham Community Neighborhood meetings, and her First Contact meeting for residents of the First Ward.

Council Member Quinney congratulated City Attorney McIntyre for her election to the United Way Board of Directors. He recognized City

Clerk Swope for receiving the Community Service award from the A. Philip Randolph Association at their Community Role Model Celebration.

Council Member Dunbar announced two opportunities to speak with her about the City budget and the basics of municipal budgeting. She announced Just Be Yoga's City Sprouts event. She announced the Community Reinvestment Grant Application deadline. She announced Tri-County Regional Planning Commission events.

President Wood announced the Lansing Police Explorers fundraiser. She announced an event for the Lansing Spartan Youth Organization.

Council Member Dunbar announced a golf outing fundraiser for a local woman with ovarian cancer and her daughter with Metastatic Melanoma.

City Clerk Swope announced the filing deadline for City Offices.

COMMUNITY EVENT ANNOUNCEMENTS

John Boise announced a National Day of Prayer event.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

City 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

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the installation of a solar powered electric car charging station at the City Market. He spoke about the GM Foundation Grant that will help fund the Allen Neighborhood Center Food Hub and housing programs. He spoke about events for Lansing In the Pink Week for the Susan G. Komen Fund to fight breast cancer. He spoke about the Crosstown Showdown. He announced the Adopt-a-River event. He spoke about Law Enforcement Appreciation Day, and the Old Town Stomp Ceremony.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an ordinance to repeal Section 1282.03 and replace it with a new Section 1282.03 permitting the grant of a Special Land Use on the condition that it will not result in a change to the site plan submitted in conjunction with application for the Special Land Use

Council Member Jeffries gave an overview of the Public Hearing.

Lynne Martinez spoke in favor of the SLU amendment ordinance.

Mary Elaine Kiener spoke in favor of the SLU amendment ordinance.

Rina Risper spoke in favor of the SLU amendment ordinance.

Kathi Raffone spoke in favor of the SLU amendment ordinance.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an ordinance to repeal Section 1282.03 and replace it with a new Section 1282.03 permitting the grant of a Special Land Use on the condition that it will not result in a change to the site plan submitted in conjunction with application for the Special Land Use

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

LEGISLATIVE MATTERS

CONSENT AGENDA

By Council Member Boles Robinson

To approve items 1b and 1c on the Consent Agenda.

Motion Carried

RESOLUTION #2013-075

BY COUNCIL MEMBERS BOLES ROBINSON DUNBAR,
HOUGHTON, JEFFRIES, QUINNEY, WASHINGTON, WOOD, AND
YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Asa Philip Randolph was born April 15, 1889, in Crescent City, Florida, to Reverend James William Randolph and Elizabeth Robinson Randolph; and

WHEREAS, inspired by W.E.B. DuBois' "The Souls of Black Folk," he recognized an urgent call to action for social equality and at the age of 21, Randolph joined the Socialist Party of America, shunned moderate reform and racial integration, emphasizing instead socialism and craft unionism; and

WHEREAS, Randolph organized his first union of elevator operators in New York City and by 1919, he became president of the National Brotherhood of Workers of America, a union, which organized amongst African-American shipyard and dock workers in the Tidewater region of Virginia. Although the union dissolved in 1921, under pressure from the American Federation of Labor, Randolph was successful in 1925 organizing the Brotherhood of Sleeping Car Porters, to which he was elected president; and

WHEREAS, in 1964, Asa Philip Randolph, Bayard Rustin, and Martin Luther King, Jr. led 250,000 people in a March on Washington for Jobs and Freedom. The Civil Rights Act of 1964 is often attributed in part to the success of the March on Washington, where black and white Americans stood united and witnessed King's "I Have a Dream" speech; and

WHEREAS, Randolph was often referred to as the "father of the civil rights movement" for his extraordinary contributions. He was presented with the Presidential Medal of Freedom on September 14, 1964 by Lyndon B. Johnson, named Humanist of the Year in 1970 by the American Humanist Association, and had statues erected in his honor in the concourse of the Union Station in Washington D.C. and in Boston's Back Bay commuter train station;

WHEREAS, A. Philip Randolph Institute (APRI) is a national non-profit "Get-Out-The-Vote" voter education organization, with more than 150 chapters in 36 states. The Lansing Chapter of APRI has been productive in supporting the Greater Lansing Community, with education activities. Each year, APRI honors three of Lansing's Unsung Heroes and a youth or youth group that has contributed outstanding leadership, dedication and volunteer commitment in their community.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council,

hereby, wishes to recognize the many great accomplishments of the Lansing Chapter of the A. Philip Randolph Institute and the 13th Annual Community "Role Model Celebration" April 27, 2013 and the theme for this "We're Not Going Back, We're Moving Forward...The Struggle Continues!" The City of Lansing extending our gratitude to the A. Philip Randolph Institute and its members for their selfless dedication to our community.

Adopted as part of the Consent Agenda

RESOLUTION #2013-076

BY COUNCIL MEMBERS BOLES ROBINSON DUNBAR,
HOUGHTON, JEFFRIES, QUINNEY, WASHINGTON, WOOD, AND
YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, A. Philip Randolph Institute (APRI) is a national non-profit "Get-Out-The-Vote" voter education organization, with more than 150 chapters in 36 states. The Lansing Chapter of APRI has been productive in supporting the Greater Lansing Community, with education activities. Each year, APRI honors three of Lansing's Unsung Heroes and a youth or youth group that has contributed outstanding leadership, dedication and volunteer commitment in their community.

WHEREAS, the Lansing Chapter of A. Philip Randolph Institute (APRI) is hosting its 13th Annual Community "Role Model Celebration" April 27, 2013. The theme for this year's event is "We're Not Going Back, We're Moving Forward...The Struggle Continues!"; and

WHEREAS, the keynote speaker will be Cornelius L. Bynum, Assistant Professor History at Purdue University received his Ph.D. in history from the University of Virginia in 2004; and

WHEREAS, he teaches courses in African American history and writes about progressive impulses among African Americans and authentic and independent strains of black radicalism in the early twentieth century; and

WHEREAS, Cornelius L. Bynum's first book, A. Philip Randolph and the Struggle for Civil Rights, is an analytical intellectual history that explores central aspects of Randolph's thought and activism. In it he argues that Randolph's life and career shaped and were shaped by many of the monumental events, ideas, and developments of the twentieth century and demonstrates that Randolph's firm determination to improve the lives of black workers fundamentally affected core strategies and tactics of the civil rights movement of the 1950s and 1960s.

THEREFORE BE IT RESOLVED that the Lansing City Council welcomes Cornelius L. Bynum to the Lansing Area and recognizes his many accomplishments and wishes him continued success!

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2013-077

BY THE COMMITTEE ON PERSONNEL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Tuesday, April 2, 2002, the Committee of the Whole received a "Special Report to James Smiertka, Lansing City Attorney" that was submitted by Charles Blockett, Jr. and Associates regarding the investigation of sexual harassment allegations by a City Council Receptionist against a Councilmember; and

WHEREAS, portions of that report recommended that the Lansing City Council strengthen its orientation process for new council members. All council members should sign a checklist form verifying that they have

been provided copies of benefit information, council rules and regulations, computer policy, personnel policies and procedures, sexual harassment policy, and other work place requirements; and

WHEREAS, this report was unanimously adopted by the Lansing City Council; and

WHEREAS, in 2012 the President of Council was notified by a staff member of an incident with a Councilmember concerning a computer; and

WHEREAS, the City Attorney determined that Lansing City Council members cannot be penalized except in accordance with Charter Section 2.302; and

WHEREAS, Vice President Boles Robinson called regular meetings of the Personnel Committee to review the Computer Usage Policy. The Committee held twelve meetings and developed a comprehensive Lansing City Council Computer, Phone and Technology Usage Policy; and

WHEREAS, the Personnel Committee believes that Councilmembers should be held to the same standards as City personnel while using Government owned or leased equipment.

THEREFORE BE IT RESOLVED, the Lansing City Council adopts the Lansing City Council Computer, Phone and Technology Usage Policy as developed by the Council Personnel Committee dated April 26, 2013.

By Council Member Boles Robinson to place an affirmative role on the Resolution

Following debate, Council Member Quinney moved the Previous Question.

Motion Carried

The question being placing an affirmative role on the Resolution

Motion Carried by the following Roll Call Vote:

Yeas: Council Members Boles Robinson, Jeffries, Quinney,
Washington, Wood

Nays: Council Members Dunbar, Houghton

RESOLUTION #2013-078

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

WHEREAS, the Mayor presented his budget to the Lansing City Council on Monday, March 25, 2013; and

WHEREAS, the City Charter provides that citizens be afforded the opportunity to comment on proposed city spending to the adoption of the annual City Budget; and

WHEREAS, Public Act 5 of 1982, as amended, provides that units, such as the City of Lansing, which are in compliance with Section 16 of the Uniform Budgeting and Accounting Act (P.A. 2 of 1968, as amended) must provide appropriate public notice that a public hearing will be held on the budget and on the property tax millage rate necessary to support the budget;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, sets a public hearing to be held on Monday, May 6, 2013 at 7:00 p.m. in the City Council Chambers on the 10th Floor of City Hall in consideration of the City of Lansing's FY 2013/14 Budget.

By Council Member Boles Robinson

Motion Carried

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON CITY GOVERNMENT
RELATED MATTERS**

ADJOURNED TIME 8:58 P.M.

City 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.

CHRIS SWOPE, CITY CLERK

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

By Vice President Boles Robinson that all items be considered as being read in full and that President Wood make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:
 - a. Letters from the City Clerk re:
 - i. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter(s) from the Mayor re:
 - i. Sole Source Purchase; Public Service Department, Property Management Division submission for Emerson Network Power as vendor for Liebert HVAC-UPS Equipment

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

- Communications and Petitions, and Other City Related Matters:

- a. Affidavits of Disclosure submitted by:
 - i. Ellen Larson of the Lansing Police Department

REFERRED TO THE BOARD OF ETHICS

- ii. Michael Schulte of the Lansing Police Department

REFERRED TO THE BOARD OF ETHICS

MOTION OF EXCUSED ABSENCE

By Council Member Washington to excuse Council Member Yorko from tonight's proceedings.

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Dunbar announced Pirogue Day.

Council Member Boles Robinson announced a showing of the documentary film Miss Representation.

President Wood spoke about the resolution adopting Lansing City Council Computer, Phone and Technology Usage Policy.

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

Mike Parkinson spoke about various City matters.