



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
JUNE 2, 2014**

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 Boles

PRESENT: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Wood

ABSENT: Councilmember Yorko (arrived at 7:11 p.m.)

Councilmember Wood asked people to remember Penny Manus, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Boles.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Brown Clarke

To approve the printed Council Proceedings of May 5 and May 12, 2014

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Brown Clarke

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

1. SRF Bonding for the Central Interceptor Rehabilitation Project

SPECIAL CEREMONIES

Council President A'Lynne Boles recognized the winners of the following Parents Action Committee on Minority Academic Concerns Spelling Bee Award: Pranshul Madan, Alexandra Mask, Nisha Prasanna, Safa Asim Vojic, Akshaya Chinnakonda, Leah Elliott, Nassaybah Abdinur, Ava Gomez, Alaina Pabbathi, Soseon Bae, Kyra Edwards, Yusra Kulam, Deniz Kirca, Anagha Kodur, Alan J. Yang, Haywood Edwards II, Marcella Mongare, Anushka Murthy, and Mahin Qureshi.

President Boles also thanked the staff who helped the students and parents.

**COMMENTS BY COUNCILMEMBERS
AND THE CITY CLERK**

Councilmember Yorko arrived at 7:11 p.m.

Councilmember Wood spoke about various upcoming community events.

Councilmember Washington announced details of her upcoming First Contact meeting with constituents.

Councilmember Brown Clarke congratulated the East Lansing Track and Field Relay, comprised of Jared Howenstine, Antonio Clarke, Lawrence Davis, Marq Adams, who won the State Championship this year.

Councilmember Dunbar thanked the volunteers, runners, the Greater Lansing Sports Authority, and the sponsors of the Hawk Island Triathlon. She also shared details of the South Lansing Farmer's Market held on Thursdays at 1905 W. Mount Hope Avenue, which is the Grace United Methodist Church's parking lot.

City Clerk Swope provided details on the absentee application process for the August 5th Primary Election.

**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 upcoming Mobile Food Pantry, and that the Human Relations and Community Services Department is looking for donations and volunteers to assist with future Mobile Food Pantries

He shared details of the Mayor's Family Walk on June 7 starting at the Potter Park Zoo. For the Family Walk, there will be free rides from Turner Dodge House back to the Zoo, courtesy of Dean Travels. Lastly, he provided details of a new Festival called the Fish Rodeo, which runs June 12 to June 14 at Riverfront Park.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance to amend Chapter 884 to repeal Section 884.11 – Payment in Lieu of Taxes for Elderly Persons of Low or Moderate Income housing at The Abigail
2. In consideration of an Ordinance to amend Chapter 888 to Provide for a Service Charge in Lieu of Taxes for the Abigail, located on the former Michigan School for the Blind Campus
3. In consideration of Z-8-2013, 505 E Michigan & South 1.17 acres of 312 N Cedar; "H" Light Industrial to "G-1" Business District for the Cooley Law School Stadium Redevelopment Project
4. In consideration of SLU-7-2013, Parking Lot at 312 N Cedar Street, Ballpark North

5. In consideration of Amendment to the Brownfield Redevelopment Plan #55, Ballpark North
6. In consideration of ACT-12-2013, Conveyance of Interest in Certain Property Adjacent to Cooley Law School Stadium and Stadium License, Lease and Service Agreements
7. In consideration of 2013-2014 Special Assessment Roll for Snow and Ice Removal

Councilmember Brown Clarke provided an overview of Public Hearing #1 and #2 regarding the property called The Abigail.

Councilmember Quinney provided an overview of Public Hearing #3, #4, #5, and #6 regarding the Outfield Ball Park Expansion and invited Karl Dorshimer, Lansing Economic Development Director, to provide additional details and answer questions from the Council members.

Councilmember Dunbar provided an overview of Public Hearing #7 regarding the Special Assessment Roll for Snow and Ice Removal and will review any public comments from the hearing at the Public Services Committee on Wednesday, June 2 at 11:30 a.m.

- Public Comment on Legislative Matters:

Gerald Haan, on behalf of the developer, spoke in support of the ordinance amendment for the Abigail Housing Project and shared details of the project.

Lynne Martinez spoke in support of the ordinance amendment for the Abigail Housing Project. She also expressed a concern that the residents have access to services to meet their needs.

Penny Gardner spoke in support of the ordinance amendment for the Abigail Housing Project.

Kathrine Draper, Executive Director of the Greater Lansing Housing Coalition, stated that her office will be a neighbor to the Abigail Housing Project. As director of an agency that provides support services for those in need, she stated that it has been extremely successful at the Valentine Housing Project, connecting human services to the residents on site. The Valentine House is a home for homeless families. She looks forward to working with the Abigail residents.

Mary Elaine Kiener spoke in support of the ordinance amendment for the Abigail Housing Project.

Rina Risper spoke in support of the ordinance amendment for the Abigail Housing Project.

Tom Edmiston spoke in support of the ordinance amendment for the Abigail Housing Project, and he stated that he is working on a revitalization plan for the whole property.

Mary Ann Prince shared her concerns to allow more than just the elderly into the list of type of possible residents who can move into the Abigail. She also shared some history of the property.

Bob Johnson spoke in support of the ordinance amendment for the Abigail Housing Project and shared details and history of the School for the Blind project and the Abigail Housing Project.

Bob Trezise, Lansing Economic Area Partnership CEO and President, spoke in support of the Outfield Project for the Thomas M. Cooley Law School Stadium expansion.

Tom Dixon, owner of the Lansing Lugnuts, spoke in support of the Outfield Project for the Thomas M. Cooley Law School Stadium expansion.

Robert Ruigh spoke against the Outfield Project, and shared concern on how it impacts the Lansing Casino proposal.

David Wayne Galway, 312 Main Street, spoke in his appeal of the snow and ice assessment. He stated that he bought the property in question on February 14, and took care of the snow after that point. He believes that he should not be responsible for the property before that date, and requested information on when the City provided the snow removal services.

Mike Garrity spoke in his appeal of the snow and ice assessment for 1001 Saginaw. He stated that his company is responsible for that property that was assessed for snow removal. He felt that the notice to remove the snow was under 22 hours. He worked often during the winter to comply.

Paulette Henderson spoke in her appeal of the snow and ice assessment for 912 Johnson Avenue. She stated that she is a resident for six years and that when she received a notice she removed the snow to comply.

Councilmember Dunbar shared that there will be an 11:30 a.m. Public Services Committee meeting on Wednesday for further public comment on snow and ice assessments. Assessed residents can also email or call her prior to the committee meeting.

Gabriel Calkins spoke in her appeal of the snow and ice assessment for 401 S. Magnolia. She stated that she maintained the sidewalk every time during the winter. She stated further that when the City came out, they shoveled the grass area which is wider than the sidewalk.

Michael Dougherty spoke in his appeal of the snow and ice assessment for 435 North Pine Street. He thanked the City of Lansing for the support of his business. He questioned how reasonable the \$600 per hour rate which is charged by the City of Lansing.

Jamila Bradley spoke in her appeal of the snow and ice assessment for 706 Armstrong Road. She claimed that she took pictures of salt she put on the ice, and the landlord gave her the letter of notice of the assessment.

Arlene Brijja spoke in her appeal of the snow and ice assessment at 1029 Queen Street.

Councilmember Wood asked several questions about the details of the Outfield Project for the Thomas M. Cooley Law School Stadium expansion, which was responded to by Karl Dorshimer, Lansing Economic Development Director.

LEGISLATIVE MATTERS

CONSENT AGENDA

By Councilmember Brown Clarke

To approve items 1a, 1b, 1c, on the Consent Agenda

Motion Carried.

RESOLUTION #2014-157

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

WHEREAS, Jan Mayhew is the recipient of the 2014 Alfreda Schmidt Lifetime Achievement Award from the South Lansing Business Association, based on her 30 plus years of financial expertise offering planning, developing and assistance with implementing financial

guidance to retirees, widows, and couples; and

WHEREAS, in addition to her financial guidance Jan Mayhew is an active member in the Lansing community, reaching out and filling a need where it exists. Ms. Mayhew founded Operation Santa, a holiday program for needy children; she was Chairman of the Speakers Bureau, Capitol Area United Way and Chairman at the Spring Conference for the American Conference Society. Jan was a key leader in the Medical Alert Campaign as Chairman for Lansing Life Underwriters and a fund raiser for Zonta Club of East Lansing Area; and

WHEREAS, Jan Mayhew has made her place in many local organizations; such as participating with: the MSU Alumni Association, Zonta Club of East Lansing Area, Million Dollar round table and she has been on the Board of Directors for the American Cancer Society, Michigan Division and Capitol Area United Way. Jan has served as President for the Southside Business Association, Radmoor Montessori School and Plymouth Congregational Church, Jan also set a president when she was the first female president of the Lansing Association of Life Underwriters; and

WHEREAS, Jan Mayhew has been recognized numerous times for her accomplishments; among those awards were the Woman of Achievement from the Zonta Club of East Lansing, Public Service Award and Distinguished Service Award from Lansing Life Underwriters, DIANA Award from the YMCA. Additionally she was recognized by Presidents George Bush and President Bill Clinton with the Daily Point of Life Community Service Award, and has been honored by the South Lansing Business Association in previous years with the Community Service Person of the Year Award; and

BE IT RESOLVED, that the Lansing City Council, congratulates Jan Mayhew for receiving the 2014 Alfreda Schmidt Lifetime Achievement Award from the South Lansing Business Association. Your dedication and service to the community is an asset to all Lansing residents.

Adopted as part of the Consent Agenda

RESOLUTION #2014-158

BY COUNCIL MEMBERS BOLES, BROWN CLARKE, HOUGHTON, QUINNEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Barry Saltman opened Care Free with his wife and Nurse Practitioner Suzanne, after they retired from providing medical care in Mason, Michigan for 28 years. Originally they intended to identify and provide service for 50 to 100 people without insurance, just a few nights a week; presently Care Free shares care with a wide array of health care providers, for approximately 7800 children, women and men who would otherwise not have access to health care; and

WHEREAS, from the early days of Care Free, the business plan was to accommodate donations of time, services, supplies and housing. Despite the fact that there was no intention to extend care from Mason to Lansing, it was impossible to say "no" to the generous offer of Dr. and Mrs. Pablo Quiroga to accept their donation of a comfortable and well outfitted medical office in a well-established and strategically located professional condominium in Lansing; and

WHEREAS, Care Free currently has three locations that provide an impressive collection of primary and secondary medical care services, as well as a large number of specialty services. This has been made possible by the compassion and generosity of an entire community, from practically every entity; volunteer health care services and financial support has come from health care providers (Physicians, Dentists, Nurse Practitioners, Physician Assistants, and Optometrists), nurses, the Michigan State University Medical and Nursing schools and the schools of Social Work and Psychology, the University of Michigan Medical School, the Lansing Community College's schools of nursing and dental hygiene, the two local hospital/ health care

systems, Delta Dental, the CEI Community Mental Health Agency, the Ingham County Health Department, multiple private business interests and a large number of private residents who have contributed from \$1.00 to \$36,000.00 to help with the mission; and

WHEREAS, because of Dr. Barry Saltman's vision as well as contributions and generosity from so many others in the community Care Free has been able to provide for over 40,000 visits to the uninsured or underinsured in the community; and

BE IT RESOLVED, that the Lansing City Council, congratulates Dr. Barry Saltman for receiving the 2014 Community Service Award from the South Lansing Business Association. Your compassion and service to the community is an asset to all Lansing residents.

Adopted as part of the Consent Agenda

RESOLUTION #2014-159

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

WHEREAS, Mary Ellen Sheets, as founder of Two Men and a Truck International, Inc., has made her small business into the first and only local moving franchise in the county, with more than 200 locations worldwide, and franchises in 31 States, Canada and Ireland; and

WHEREAS, Mary Ellen's sons began the venture in high school using a 1967 pickup and placing an ad with the now international corporate sick-figure design logo. With a sole investment of \$350 for a 14' foot truck, Two Men and a Truck quickly grew and Mary Ellen saw the opportunity to franchise. Their success is attributed to their customer service focus; and

WHEREAS, Mary Ellen based her business model on giving back to the community. At the end of her first year in business, she profited \$1000 and donated all of it. Two Men and a Truck donates a portion of every move to the American Cancer Society and encourages all franchises to get involved with local communities; and

WHEREAS, Mary Ellen's accomplishments have not went unnoticed by others: in 2005 she was the first and only woman honored in 40 years with the entrepreneur of the Year Award by the International Franchise Association. She received Michigan Women's Foundation Women of Achievement and Courage Award in 2004; won the Athena Award in 2002; was awarded the 1999 Working Woman 500 Congress; won the 1998 Blue Chip Award; was named the 1995 Michigan Business Woman of the Year in 1994 and in 1993 was named Lansing Chamber of Commerce Small Business Person of the Year; and

WHEREAS, Mary Ellen Sheets has traveled the world to speak about entrepreneurship, taken the role of presenter at countless universities; been featured in numerous publications, in addition to being profiled on the Oprah Winfrey Show and recently CNBC's "How I Made My Millions"; and

WHEREAS, Mary Ellen serves on the Board of Lansing Regional Business Travel Trust, been elected President of the Michigan Freedom Foundation in 2004; was a civic leader for the Michigan National Guard and has served on the Board of Directors of the International Franchise Association, Lansing Chamber of Commerce, Michigan Chamber of Commerce and the Regional Community Foundation of Michigan and United Way Campaign Chair for 2005.

BE IT RESOLVED, that the Lansing City Council, congratulates Mary Ellen Sheets for receiving the 2014 Business Person of the Year Award from the South Lansing Business Association. Your entrepreneurial spirit and commitment to community drives not only your business but the foundation for other businesses.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2014-160

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

Resolution to Set Public Hearing for PSD Assessment for FY2015 –
FY2017

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity, and provide for the maintenance, security, and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services;

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E.

Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning -A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning –A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning -B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning –B.

Zone C -North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning -C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning -C (North).

Zone C -South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning -C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River,

northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning -C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A -13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$374,566.67.

ZONE B -9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$26,355.02.

ZONE C (North & South) -2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$29,820.35.

NOW BE IT RESOLVED, that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

NOW BE IT FURTHER RESOLVED, that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD11-A/PSD11-B/PSD11-C, compiled by the City Assessor and presented to Council with this resolution.

NOW BE IT FURTHER RESOLVED, that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

NOW BE IT FURTHER RESOLVED, that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as

received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 15, 2014 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

NOW BE IT FURTHER RESOLVED, that a public hearing be held June 16, 2014, at 7:00 pm in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll.

NOW BE IT FURTHER RESOLVED, that the City Clerk publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing.

BE IT RESOLVED, that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION

Councilmember Quinney introduced:

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances.

Property identified as: Z-2-2014, Rezoning, 3012 Seventh Avenue & two vacant properties located immediately to its south, from "A" Residential, "G-2" Wholesale and "J" Parking Districts to "H" Light Industrial District

The Ordinance was read by its title for a first time and referred to the Committee on Development and Planning

RESOLUTION #2014-161

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

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 30, 2014, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2014, Rezoning, 3012 Seventh Avenue & two vacant properties located immediately to its south, from "A" Residential, "G-2" Wholesale and "J" Parking Districts to "H" Light Industrial District

By Councilmember Quinney

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 608, Section 4, of the Lansing Codified Ordinances by allowing for the sale of alcoholic beverages within Groesbeck Golf Course and Hope Soccer Complex, subject to ordinance requirements

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

Yeas: Councilmembers Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Yorko

Nays: Councilmember Wood

ORDINANCE #1189

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 608, SECTION 4, OF THE LANSING CODIFIED ORDINANCES BY ALLOWING FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN GROESBECK GOLF COURSE AND HOPE SOCCER COMPLEX, SUBJECT TO ORDINANCE REQUIREMENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 608, Section 4, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

608.04. Restrictions on sale and consumption on public property.

(a) No person shall:

(1) Sell, consume or possess in an open container alcoholic beverages in the public streets, public places, parks, alleys, sidewalks, City-owned parking facilities or the Turner-Dodge House, except as provided in this section; or

(2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or facility, including, but not limited to, shopping center parking lots or parking areas adjacent to commercial establishments which are utilized by patrons of the commercial establishment, unless such person has in his or her possession, in writing, the express permission or consent of the owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph shall not apply to any event sponsored or authorized in writing by the owner or lessee of such premises.

(b) Beer or wine may be sold and/or consumed in City parks, upon approval of the Mayor, if:

(1) For sales of beer and wine, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City-approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or

(2) For consumption only, where no sales occur, approval is granted for the consumption of beer and wine at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of beer and wine, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met. Prior Mayoral approval shall not be required for the sale and/or consumption of beer and wine at the Turner-Dodge House, Scott House and Park and Cooley Gardens.

(c) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of beer and wine at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h), and (i) hereof are met.

(d) Notwithstanding the limitations set forth in subsection (b) hereof, beer or wine may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott House and Park, Cooley Gardens, or Fenner Nature Center, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the requirements set forth in subsections (g), (h), and (i) hereof are met. Rental fees for the Turner-Dodge House, the Scott House and Park, Cooley Gardens, or Fenner Nature Center shall be set by resolution of Council. Use of the Turner-Dodge House, Scott House and Park, Cooley Gardens, or Fenner Nature Center in conjunction with the sale of beer or wine for consumption shall not be limited to public events, but may also include private events.

(e) Beer or wine may be sold for consumption SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IS ALLOWABLE within the concession area or any other area within the perimeter of the Groesbeck Golf Course AND HOPE SOCCER COMPLEX provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restriction as the Department may establish.

(f) Sale and consumption of alcoholic beverages may occur within the concession area or any other area within the City Market or its environs, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission and the sale and for consumption occurs within a clearly demarcated area in compliance with the license, and provided, further, that any such sales for consumption shall be contingent upon approval by the Lansing Entertainment and Public Facilities Authority (LEPFA) and subject to such rules or restrictions as LEPFA may establish. Notwithstanding section (i) herein, any such applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of alcoholic beverages, and naming the City and LEPFA as additional insureds. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for the payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. This requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(g) Beer or wine may be sold for consumption within the streets, alleys, sidewalks and public places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01 of the Business Regulation and Taxation Code, provided that the following conditions are satisfied:

(1) The request has been approved by the Mayor.

(2) The individual, group or organization making the application obtains a special license for such sale and consumption from the Michigan Liquor Control Commission.

(3) The individual, group or organization has complied with subsections (g), (h), (i) and (j) hereof.

(4) Any other conditions which the Mayor may require have been met.

(h) The City Clerk shall provide a form on which the applicant shall provide the following information:

(1) The name and address of the applicant;

(2) The name of the organization, if applicable;

- (3) The type of event;
- (4) The date of the application;
- (5) The date and time of the event planned;
- (6) The purpose of the event;
- (7) The estimated number of persons attending;
- (8) The name of the insurance company, if applicable, from which the necessary public liability policy will be or has been obtained;
- (9) Proof that the proper rental fee has been paid, if applicable; and
- (10) The security measures which the applicant proposes to utilize.

Upon the applicant's payment of an application fee, as determined by resolution of Council, the City Clerk shall forward the completed application form to the Police Department and to the Department of Parks and Recreation for review.

(i) Whenever a special license for the sale and/or consumption of beer or wine in City parks, or within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott House and Park, Cooley Gardens, or Fenner Nature Center is required, the applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant or the City arising out of the sale or consumption of beer or wine. Such policy shall provide for payment in the event of injury to or death of one person or more than one person, and for payment for property damage in amounts set by Council resolution on the basis of recommendations by the Finance Department. Such policy shall have a provision to the effect that the insurance company shall notify the City Clerk at least ten days prior to the expiration of such policy. However, this requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.

(j) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.

(k) No person shall sell or dispense beer or wine for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense beer or wine for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of Parks and Recreation.

(l)

(1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, beer or wine may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:

- a. Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;
- b. No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;
- c. For sales of beer or wine for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral approval is required, which approval shall only be granted in conjunction with a City-approved

cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;

d. Intoxicating liquors (i.e. distilled rather than fermented alcoholic beverages) may not be sold on the premises.

(2) Commencing July 1, 2001, rental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council.

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.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

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.

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

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

Motion Carried

- Reports from City Officers, Boards and Commissions:

- 1. Letter from the Mayor regarding:

- a. Resolution for Act 99 Installment Purchase Agreement for financing of the Stadium Renovations

REFERRED TO THE WAYS AND MEANS COMMITTEE AND
INTERNAL AUDITOR

- b. SRF Bonding for the Central Interceptor Rehabilitation Project

REFERRED TO THE WAYS AND MEANS COMMITTEE AND
INTERNAL AUDITOR

- Communications and Petitions, and Other City Related Matters:

- 1. Notice from the Michigan Liquor Control Commission regarding the Denial of Application for request for the extension of the 2013 Class C license, 1000 Ramada

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- 2. Letter from Comcast Cable providing notice of programming changes

REFERRED TO THE CABLE ADVISORY BOARD

- 3. Two letters in support of the Ordinance to allow the Sale of Alcoholic Beverages at the Groesbeck Golf Course and the Hope Soccer Complex

PLACED ON FILE

4. Letter on behalf of Eric Schertzing, Ingham County Treasurer, regarding local purchase option on tax foreclosed property

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar explained the Snow and Ice Removal Special Assessment Appeal process, and the legal requirements that the City is required to follow. She also stated that people who still wanted to appeal the assessment could contact her office as soon as possible or attend the Public Services Committee which will be reviewing appeals on Wednesday, June 3.

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Makzum Hassouna spoke about abuse of authority and various other city issues.

Teresa Pierce spoke about the Polly Avenue rezoning, and her frustration with the City's response to her concerns.

Russell Terry encouraged the use of rabbit ears antennas.

Wendell Philips spoke about his concern with the investigation of his brother's alleged attempted murder.

Claude Beavers spoke about code compliance.

Marti Wheeler spoke about trusting elected officials and Lansing City professional staff.

Councilmember Quinney said that the City staff is responding to Polly Avenue concerns.

Councilmember Wood stated that the City is unable to prohibit panhandling due to a court ruling per the City Attorney.

ADJOURNED TIME 9:27 P.M.

CHRIS SWOPE, CITY CLERK