



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 3, 2013**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Wood

PRESENT: Council Members Boles Robinson, Dunbar, Houghton, Jeffries, Quinney, Washington, Wood, Yorko

ABSENT: None

Council Member Wood asked people to keep Darnell Oldham, Sr., who is in the hospital, in their thoughts during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Wood.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Boles Robinson

To approve the printed Council Proceedings of April 29, 2013

Motion carried

SPECIAL CEREMONIES

• Special Ceremonies

1. 20th Annual Juneteenth Celebration

Council Member Quinney spoke about the importance of the Juneteenth Celebration.

Marilyn Plummer spoke about the Juneteenth Celebration.

Heather Taylor-Livas spoke about some of the Juneteenth activities for children.

City Clerk Chris Swope read the following resolution:

RESOLUTION #2013-096

BY COUNCIL MEMBERS BOLES ROBINSON, DUNBAR,
HOUGHTON, JEFFRIES, QUINNEY, WASHINGTON, WOOD, AND
YORKO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, June 19, 1865, coined as "Juneteenth" is of great historical significance and is the oldest African American Holiday; it is now an official state holiday in 15 states across the country; and

WHEREAS, it was on June 19, 1865, that news of the Emancipation Proclamation, which President Lincoln signed on January 1, 1863, reached the slaves of Texas; and

WHEREAS, learning of their freedom, this day of June 19, 1865, became the true Independence Day of African-Americans ending slavery in the United States; and

WHEREAS, the slaves immediately left the plantations, congregated in the cities, and began celebrating their freedom by praying, feasting, dancing, and singing; and

WHEREAS, Isabella Baumfree, born a slave in 1797 and later known as Sojourner Truth, chose her new name soon after she left slavery and traveled the country speaking passionately about the evils of slavery and advocated strongly for the equal rights of women. She settled in Michigan in 1857 where she inspired many to work in support of human rights issues; and

WHEREAS, Juneteenth is a day to honor and respect the sufferings of slavery, acknowledge the evils of slavery and its aftermath; it is a day to reflect upon our history, and realize because of it, there will forever be a bond between mankind; and

WHEREAS, Juneteenth is a day to commit to each other the needed support as family, friends, and co-workers; a day to build coalitions; and

WHEREAS, Juneteenth events begins with a kick-off at the Lansing City Hall Lobby on Thursday, June 13, 2013 from 5:30 p.m. to 7:30 p.m.; and the Juneteenth Freedom Festival opens its gates at the St. Joseph Park at 3:00 p.m. on Friday until dusk and Saturday 11:00 a.m. until dusk; and

WHEREAS, the Lansing City Council recognizes Juneteenth Day and encourages everyone to participate in the 20th Juneteenth Anniversary Celebration.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, extends our appreciation to the Juneteenth Committee for all of their work to help "Beyond Emancipation – Continuing Toward Empowerment –Moving to the Next Level." We wish them another twenty years of success!

By Council Member Quinney

Motion Carried

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the Juneteenth Celebration and thanked all who work to make it happen.

2. PAC MAC Spelling Bee

Council Member Boles Robinson recognized the achievements of the students and presented them with certificates.

The students introduced themselves.

Audrey Smith spoke about the spelling bee and noted that it was the 25th annual event.

3. Mayoral Presentation; Mayor's Hometown Hero Award to Peace and Prosperity Youth Action Movement

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the activities of the Peace and Prosperity Youth Action Movement.

Council Member Yorko spoke about the great work being done by the Peace and Prosperity Youth Action Movement.

Cameo King spoke about how to get involved with the program.

4. Mayoral Presentation; Mayor's Hometown Hero Award to Evergreen Project Volunteers

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about volunteer-made improvements at Evergreen Cemetery. He presented the Hometown Hero Award to Ken Achtenburg.

Ken Achtenburg spoke about the work that was done at Evergreen Cemetery.

Brett Kaschinske, Parks Director, spoke about the value of volunteer assistance at the parks.

5. Mayoral Presentation; Mayor's Hometown Hero Award to Fenner Conservancy Volunteer, Nathan Martinueau

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about Nathan Martinueau's over 230 hours of work at Fenner.

Nathan Martinueau spoke about his experiences at Fenner Nature Center.

Katie Williams of the Fenner Conservancy spoke about Nathan's accomplishments.

COUNCIL MEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Council Member Houghton announced Old Everett Neighborhood's annual picnic and the South Lansing Pathways meeting.

Council Member Washington announced the Eastside Farmers Market and Older Michigania's Day. She thanked those that came to First Contact. She announced the Eastside Neighborhood Organization meeting, and she provided information about the Listening Ear volunteer recruitment efforts.

Council Member Boles Robinson announced the Lewton-Rich Neighborhood garage sale and the cancellation of Second Saturdays for June.

Council Member Dunbar congratulated those involved with the Hawk Island Triathlon and thanked all the volunteers. She announced the Southside Farmers Market.

City Clerk Swope announced information for Election Inspectors and voters on the permanent absent voter list.

COMMUNITY EVENT ANNOUNCEMENTS

Kathi Raffone announced the opening of the Salvation Army Thrift Store.

Cameo King announced a free teen conference for girls.

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 recent BWL Chili Cook-Off, the Mayor's Family River Walk, Be a Tourist in Your Own Town, and the Hawk Island Triathlon. He announced the beginning of the Concerts in the Park series and the next Mobile Food Pantry. He gave some road construction updates. He spoke against the resolution to overturn the Mayor's veto of items in the budget.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Z-5-2012; 600 E. Michigan Ave. – Rezoning from "H" Light Industrial District to "G-1" Business District

Council Member Jeffries gave an overview of the Public Hearing.

Linda Appling spoke in favor of the resolution overriding the Mayor's budget veto.

Claude Beavers spoke in favor of the resolution overriding the Mayor's budget veto.

David VanderKlok spoke in favor of Z-5-2012.

Rock Hudson spoke about the resolution overriding the Mayor's budget veto.

Harold King spoke in favor of the resolution overriding the Mayor's budget veto. He spoke in support of Community Funds for Northtown Neighborhood Association.

Russell Terry spoke about the resolution overriding the Mayor's budget veto.

Penny Gardner spoke in opposition of overriding the Mayor's budget veto.

Curtis Powers, Jr. spoke in favor of overriding the Mayor's budget veto.

Kathi Raffone spoke in favor of overriding the Mayor's budget veto.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Z-5-2012- 600 E. Michigan Ave. – Rezoning from "H" Light Industrial District to "G-1" Business District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2013-097

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

Act-5-13, 221 N. Sycamore, Acquisition

WHEREAS, through P.A. 435 of 2012, the State of Michigan has offered the property at 221 N. Sycamore to the City of Lansing for \$1.00 if it completes the purchase by June 18, 2013; and

WHEREAS, a written appraisal of the property, dated March 29, 2013, and conducted by Molenaar & Associates, Inc., determined the value to be \$120,000; and

WHEREAS, the property is located near the Ottawa-Butler site, which has been targeted for development, and is an important site for the adjacent neighborhood; and

WHEREAS, the property includes all of Lot 2, block 90, Original Plat, as listed in the Assessor's records, plus a 6' driveway easement on the property to the south; and

WHEREAS, the preliminary proposal is to acquire the property and rehab the 3,168 sq. ft. building and a 400 sq. ft. garage located on the property; and

WHEREAS, at its meeting on March 5, 2013, the Planning Board reviewed the location, character, and extent of the proposal in accordance with its Act 33 Review procedures, and found that:

- the acquisition could further the *Design Lansing* Comprehensive Plan goals, as well as principles of Smart Growth, including:
 - o strengthen and direct development toward existing communities,
 - o mix land uses,
 - o encourage compact development patterns,
 - o create a range of housing choices and opportunities,
 - o provide transportation choices (in this case, pedestrian movement),
 - o create walkable and accessible neighborhoods,
 - o foster distinctive, attractive development with a strong sense of place,
- the City has a low-risk opportunity to control a property strategically located between the Ottawa-Butler parcel and the existing downtown neighborhood; and

WHEREAS, the Board voted unanimously (6-0) to recommend approval of Act-5-2013, the acquisition of the property at 221 N. Sycamore, for rehabilitation or redevelopment purposes; and

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

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-5-2013, the acquisition of the property at 221 N. Sycamore, legally described as:

Lot 2, Block 90, Original Plat, City of Lansing, Ingham County, Michigan, according to the plat thereof as set forth in Liber 2 of Plats, Pages 36 through 38, Ingham County Records. Including all fluid, mineral and gas rights, subject to and including a mutual driveway agreement over the South 6 feet of the East 100 feet of the subject property and the North 6 feet of the East 100 feet of Lot 3, Block 90, Original Plat, City of Lansing, as set forth in Liber 293, Page 196, Ingham County Records.

BE IT FINALLY RESOLVED that the Mayor is authorized to sign and execute all necessary documents to effectuate the aforesaid transaction, subject to their approval as to content and form by the City Attorney.

By Council Member Jeffries

Motion Carried

RESOLUTION #2013-098

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

WHEREAS, complete documentation on the details of the proposed Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425 Between the City of Lansing and Alaiadon Township is on file in the office of the City Clerk;

RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, June 17, 2013, at 7:00 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving public comment on the proposed Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425 Between the City of Lansing and Alaiadon Township.

Description of the Property to be Conditionally Transferred.

Parcel 2013-A

33-06-06-05-400-021

A parcel of land in the Southeast ¼ of Section 5, T3N, R1W, Alaiadon Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southeast corner of said Section 5; thence N89°15'10"W along the South line of said Section 5 a distance of 1319.03 feet to the West line of the East ½ of said Southeast ¼; thence N00°02'12"E along said West line 2647.15 feet to the East-West ¼ line of said Section 5; thence S89°24'04"E along said East-West ¼ line 1322.93 feet to the East ¼ corner of said Section 5; thence S00°07'18"W along the East line of said Section more or less, including 0.99 acre more or less presently in the use as a public right of way; said parcel subject to all easements and restrictions if any.

Parcel 2013-B

33-06-06-04-300-018

A parcel of land in the Southeast ¼ of Section 4, T3N, R1W, Alaiadon Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southwest corner of said Section 4; thence N00°27'04"W along the West line of said Section 4 a distance of 660.01 feet; thence N89°24'16"E parallel with the South line of said Section 4 a distance of 330.00 feet, thence S00°27'04"E parallel with said West line 660.01 feet to the south line of said Section 4; thence S89°24'16"W along said South line 330.00 feet to the point of beginning; said parcel containing 5.00 acres more or less; including 0.25 acre presently in use as public right of way; said parcel subject to all easements and restrictions if any.

Parcel 2013-C

33-06-06-04-400-008

A parcel of land in the Southeast ¼ of Section 4, T3N, R1W, Alaiadon Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the South ¼ corner of said Section 4; thence N89°24'38"E along the South line of said Section 4 a distance of 50.00 feet to the point of beginning of this description; thence N00°10'19"W parallel with the North-South ¼ line of said Section 4 a distance of 355.70 feet; thence N89°23'24"E parallel with the North line of the South 20 ½ acres of the Southwest ¼ of Southeast ¼ of said Section 4 a distance of 205.00 feet; thence N00°10'19"W parallel with said North-South ¼ line 323.83 feet to said North line; thence N89°23'24"E along said North line 1072.59 feet to the East line of the Southwest ¼ of the Southeast ¼ of said Section 4; thence S00°22'06"E along said East line 459.97 feet; thence S89°24'38"W parallel with South line of said Section 100.00 feet; thence S00°22'06"E parallel with said East line 220.00 feet to the South line of said Section; thence S89°24'38"W along said South line 9.87 feet; thence N00°10'19"W 220.00 feet; thence S89°24'38"W parallel with said South line 760.90 feet; thence S00°10'19"E parallel with said North-South ¼ line 3.00 feet; thence S89°24'38"W parallel with said South line 300.00 feet; thence S00°10'19"E parallel with said North-South ¼ line 217.00 feet to said South line; thence S89°24'38"W along said South line 109.15 feet to the point of beginning, said parcel containing 12.59 acres, more or less, said parcel containing 0.09 acre presently in use as public right of way for Sandhill Road, said parcel subject to all easements and restrictions, if any.

Parcel 2013-D

33-06-06-04-400-023

A parcel of land in the Southeast ¼ of Section 4, Town 3 North, Range 1 West, Alaiedon Township, Ingham County, Michigan; the surveyed boundary of said parcel described as: Beginning at the Southeast corner of said Section 4; thence South 89°24'38" West along the South line of said Section 4 a distance of 765.10 feet to the point of beginning of this description; thence South 89°24'38" West continuing along said South line 564.82 feet to the West line of the East ½ of the Southeast ¼ of said Section 4; thence North 00°22'06" West along said West line 1156.80 feet; thence North 89°22'13" East parallel with the North line of the South ½ of the Southeast ¼ of said Section 4 a distance of 762.54 feet to the East line of the West proportional 23 acres of the Southeast ¼ of the Southeast ¼ of said Section 4; thence South 00°28'53" East along said East line 957.33 feet; thence South 89°24'38" West parallel with said South line 200.00 feet; thence South 00°28'53" East parallel with said East line 200.00 feet to the point of beginning.

Parcel 2013-E

33-06-06-03-300-002 (3 acs.)

A parcel of land in the Southwest ¼ of Section 3, T3N, R1W, Alaiedon Township, Ingham County, Michigan, described as the West 3 acres of the Southwest ¼ of the Southwest ¼ of Section 3, Town 3 North, Range 1 West, Alaiedon Township.

By Council Member Jeffries

Motion Carried

RESOLUTION #2013-099

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

WHEREAS, Northtown Neighborhood Association of 1017 E. Grand River Ave., Lansing MI has requested \$500.00 in funding assistance to help defray the cost of food and supplies to be used at the 20th Anniversary Picnic & Volunteer Recognition on July 20, 2013;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Northtown Neighborhood Association of 1017 E. Grand River, Lansing MI for \$500.00 to help defray the cost for food and supplies for its 20th Anniversary Picnic & Volunteer Recognition on July 20, 2013; and

BE IT FURTHER RESOLVED the Mayor and the Finance Department process this request of \$500.00 for Northtown Neighborhood Association of 1017 E. Grand River, Lansing MI, to the Community Use Account 101-112101-741289; and

BE IT FINALLY RESOLVED that Northtown Neighborhood Association of 1017 E. Grand River, Lansing shall submit a written summary of 20th Anniversary Picnic & Volunteer Recognition including information regarding number of attendees, gross and net totals of the event, and a detail of their accounting to the Lansing City Council within 30 days after the event.

By Council Member Houghton

Motion Carried

RESOLUTION #2013-100

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

WHEREAS, the Jackson & Lansing Railroad Company sought to remove the special assessment of and all associated penalties and interest for the following amounts of \$1,709.50, \$1,704.00, and \$1,593.50 against the following parcels of property within the City of Lansing:

- 33-01-01-21-402-241
- 33-01-01-22-153-001
- 33-01-01-22-352-781

WHEREAS, the General Services Committee, upon review of this matter with the City Attorney, approved the claims in the amount of \$1,709.50, \$1,704.00, \$1,593.50; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the claim for removal of the assessments against the Jackson & Lansing Railroad, involving parcels:

- 33-01-01-21-402-241
- 33-01-01-22-153-001
- 33-01-01-22-352-781

In the amounts of \$1,709.50, \$1,704.00, \$1,593.50 respectively; and

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

By Council Member Houghton

Motion Carried

FAILED

BY COUNCIL MEMBERS BOLES ROBINSON AND WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Override of Mayor Bernero's Veto of Items in the FY 2014 Budget

By Council Member Boles Robinson

Motion Failed by the following roll call vote (a 2/3 vote being required for passage)

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

Nays: Council Members Dunbar, Houghton, Yorko

**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 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. Submitting Mayor Bernero's Notice of Veto of items contained in City Council Resolution #2013-095, the City of Lansing's Fiscal Year 2014 Budget

RECEIVED AND PLACED ON FILE

- ii. Tri-County Office on Aging FY 2014-2016 Multi-Year Plan

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- b. Letter(s) from the Mayor re:

- i. Memorandum of Agreement and Continued Membership in the Greater Lansing Regional Committee (GLRC) for Stormwater Management

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. FY 2013 Year-End Budget Amendment

REFERRED TO THE COMMITTEE OF THE WHOLE

- iii. Budget Transfer and Grant Acceptance; Project Homelessness Donation

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

- iv. Budget Transfer and Grant Acceptance; Special Overtime Donations

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

- v. Proposed Agreement for Conditional Transfer of Property with Alaiedon Township Pursuant to 1984 PA 425

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Sole Source Purchase; Traffic Safety Control Systems as the vendor for Amano McGann Permit Parking Card Access System

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

- vii. Sole Source Purchase; Dr. David Carter as the vendor for MATS Forms Data Analysis

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

- viii. Sole Source Purchase; Eitco Solutions as the vendor for Comprehensive Data Analysis

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

- ix. Ordinance; Transfer of Code Compliance Functions from the Department of Planning and Neighborhood Development to the Fire Department

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- x. Executive Order 2013-01; Creation of Department of Information Technology and Transfer of Information Technology Division of Finance Department

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

- a. Notice from the Michigan Liquor Control Commission of an application for a New SDM License; Little Cigar Factory II, LLC, 121 S. Washington Square

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

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

Claude Beavers spoke about various City matters.

John Boise spoke about various City matters.

Harold King spoke about various City matters.

Rina Risper spoke about the Niowave Pole Barn.

Dale Schrader spoke about the Niowave Pole Barn.

Penny Gardner spoke about the Niowave Pole Barn.

Curtis Powers, Jr. spoke about various City matters.

Kathi Raffone spoke about various City matters.

ADJOURNED TIME 9:39 P.M.

CHRIS SWOPE, CITY CLERK