



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 11, 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, Jeffries, Quinney, Washington, Wood, Yorko

ABSENT: Council Member Houghton

Council Member Boles Robinson asked people to remember Lee Allen, 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 Wood.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Vice President Boles Robinson

To approve the printed Council Proceedings of February 25, 2013

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Boles Robinson

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

Motion carried

The following item was added to the agenda:

Letter from Mayor Bernero regarding Grant application for Property Acquisition at 830 River St.

**COUNCIL MEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Council Member Washington announced events put on by the Allen Neighborhood Center: seed starting and transplanting, seniors group. She also announced Holmes Street School Neighborhood meeting and the Fenner Nature Center Maple Syrup Festival.

Council Member Yorko wished June Knostman a happy birthday and thanked her for contributions to the City of Lansing. She announced a public hearing for the Property Acquisition at 830 River St. She announced a neighborhood gathering and celebration at the Genesee Street School and thanked M.C. Rothhorn for his work on these issues.

Council Member Dunbar announced the Cavanaugh Park Neighborhood meeting, the Old Everett Neighborhood public safety meeting, and the Moores Park Neighborhood meeting.

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 Downtown Lansing Inc's designation as a Michigan Main Street. He spoke about several items on tonight's Council agenda.

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of SLU-7-2012; Church at 2405 E. Mt. Hope Avenue
2. In consideration of P.P.E. 01-12; Application for Exemption of New Personal Property submitted by Niowave, Inc. for property located at 1012 N. Walnut St.

City Clerk Swope acknowledged written communications that will be made part of the record for Public Hearing #2.

Council Member Jeffries provided some background information on both Public Hearings.

Terry Sanila spoke in favor of P P.P.E. 01-12.

Jerry Hollister spoke in favor of P.P.E. 01-12.

Karl Biasi expressed concerns with P.P.E. 01-12.

Darnell Oldham, Sr. spoke in opposition to P.P.E. 01-12.

Gretchen Cochran expressed concerns with P.P.E. 01-12.

Jeffrey Cole expressed concerns with P.P.E. 01-12.

Brad Deacon expressed concerns with P.P.E. 01-12.

Claude Beavers expressed concerns with P.P.E. 01-12.

Dale Schrader spoke in opposition to P.P.E. 01-12.

Anne Schrader expressed concerns with P.P.E. 01-12.

Rev. John Burns II expressed concerns with P.P.E. 01-12.

Mary Elaine Kiener expressed concerns with P.P.E. 01-12.

Penny Gardner spoke in opposition to P.P.E. 01-12.

Paul des Laurier expressed concerns with P.P.E. 01-12.

Mark Hahn expressed concerns with P.P.E. 01-12.

Rina Risper expressed concerns with P.P.E. 01-12.

Gianni Risper expressed concerns with P.P.E. 01-12.

Justin Miller expressed concerns with P.P.E. 01-12.

Chong-Anna Canfora expressed concerns with P.P.E. 01-12.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of SLU-7-2012; Church at 2405 W. Mt. Hope Avenue
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of P.P.E. 01-12; Application for Exemption of New Personal Property submitted by Niowave, Inc. for property located at 1012 N. Walnut St.
REFERRED TO THE COMMITTEE OF THE WHOLE

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #2013-035

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in October 1962, Rev. Lonzo Williams, Brother and Sister John Houston, Mother Delia Jackson, Sister Yvette DeMyers, Deacon Martain, Sister Ella Ford, Deacon George Pruitt, and Sister Thelma Brown-Davis got together to discuss organizing a church; and

WHEREAS, the name chosen for the church was Zion Hill Mission and a location was found on West St. Joseph Street; and Rev. Frank Love became the Pastor of Zion Hill Mission in 1962; and

WHEREAS, under the leadership of Rev. Frank Love, Zion Hill Mission became the Prince of Peace Baptist Church and was organized by the Northern Baptist Church Association on March 10, 1963; and

WHEREAS, in July of 1971 Rev. Samuel Washington accepted an invitation to become the new Pastor of the Prince of Peace Church; and one of the first things he did was to move the church worship service out of the YWCA to 815 West Lenawee Street; and

WHEREAS, the congregation remained there until the City of Lansing purchased the property in 1979 and the church purchased the property at 2000 Forest Avenue; and

WHEREAS, Rev. Washington served faithfully until his health failed and he was called to his final rest on March 15, 1991; and during the illness of Rev. Washington he asked that Rev. Eddie Lloyd be allowed to carry on with the church services; and

WHEREAS, Rev. Lloyd was in charge and became the Pastor of Prince of Peace; and served faithfully until his resignation in 1997; and

WHEREAS, in September of 1999, Rev. Carroll Carter, Sr. was installed as the Pastor of Prince of Peace Baptist Church; and Pastor

Carter is a very wise, faithful, determined, and committed leader with a vision; and

WHEREAS, the Prince of Peace Church will be celebrating their 50th year Church Anniversary; and this year's Anniversary theme is "Moving Forward by Faith

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to congratulate the Prince of Peace Baptist Church on their 50th Church Anniversary and thank them for their continued service to the community. "His lord said to him, 'Well done, good and faithful servant; you were faithful over a few things, I will make you ruler over many things. Enter into the joy of your lord.' Matthew 25: 21(NKJV)"

By Council Member Wood

Motion Carried

RESOLUTION #2013-036

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, today, more than ever, our religious leaders play a critical role in keeping the community nurtured and motivated to take on every day challenges and to celebrate the community's triumphs. These leaders carry significant influence in our lives and are among the most highly respected individuals in the community; and

WHEREAS, on Saturday, March 2, 2013, The Divine Connection, in association with Paradise Funeral Home, McLaren Health Care, Dean Transportation, New Level Sports Ministries, Greater Lansing Visitor Bureau, and J. G. Entertainment, will honor forty of the Greater Lansing Area most esteemed and influential pastors at the 5th Annual Pastors Salute; and

WHEREAS, having made a positive impact on the community, the revered pastors will receive a gift box containing letters from their congregation, publicly observing and applauding their contributions and showcasing their good works in the community; and

WHEREAS, II Corinthians 9:13-14 states "Because of the service by which you have proved yourselves, men will praise God for the obedience that accompanies your confession of the gospel of Christ, and for your generosity in sharing with them and with everyone else. And in their prayers for you their hearts will go out to you, because of the surpassing grace God has given you." We thank the Pastors and their families for the sacrifices they make each and every day in ministering in the Greater Lansing Area.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize the 2013 most honored Lansing Pastors for their dedication to the community. We celebrate their triumphs as leaders, mentors, and motivators. Congratulations Pastors, we wish you continued success! "Now the God of hope fill you with all joy and peace in believing, that ye may abound in hope, through the power of the Holy Ghost." Romans 15:13

By Council Member Wood

Motion Carried

RESOLUTION #2013-037

BY COUNCIL MEMBER BRIAN JEFFRIES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed Janene McIntyre to fill the vacant position of Lansing City Attorney;

WHEREAS, the Lansing City Charter requires that the Lansing City Council confirm the Mayor's appointment for Lansing City Attorney;

WHEREAS, Councilmember Brian Jeffries recommends a date for the Lansing City Council to hold a special meeting on Monday, March 18, 2013 for the sole purpose of confirming the appointment of Janene McIntyre as Lansing City Attorney; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the recommendation for scheduling a special meeting of the Lansing City Council for Monday, March 18, 2013 at 7 p.m. or immediately following the conclusion of the Council's Committee of the Whole meeting for the sole purpose of considering the confirmation of Janene McIntyre as Lansing City Attorney.

By Council Member Jeffries

By Council Member Jeffries to amend the Resolved clause, following "2013" by inserting "at 7 p.m. or".

Motion Carried

The question being adoption of the resolution as amended

Motion Carried

RESOLUTION #2013-038

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

WHEREAS, Davis Construction, contractor for the Michigan Department of Transportation, has requested a waiver of the noise ordinance to permit bridge construction work on bridges over I-496 on weekdays from 7:00 p.m. to 6:00 a.m. and weekends from Friday at 7:00 p.m. to Monday and 6:00 a.m. to minimize inconvenience to the public and expedite the project; and

WHEREAS, the noise ordinance waiver for the work on these bridges is requested from April through August 2013; and

WHEREAS, these bridges include Everett Street, northbound and southbound Martin Luther King Jr. Blvd., Pine Street, Walnut Street, Capitol Ave, Washington Ave, and Grand Ave over I-496 as well I-496 bridges over the Grand River, Cedar Street, Hosmer Street, Holmes St, Jackson & Lansing and CSX railroad tracks and various on and off ramp bridges; and

WHEREAS, some of the proposed work activities would require the granting of a permit, as detailed in Section 654.11 of the Codified Ordinances of Lansing, Michigan; and

WHEREAS, residents living within 300 feet of project limits were provided notice of the application on March 6, 2013, as required by Section 654.11(b); and

WHEREAS, property owners of residential parcels within 300 feet of project limits were also provided notice of the application on March 6, 2013;

NOW, THEREFORE, BE IT RESOLVED that a hearing is hereby set for Monday, April 8, 2013 to hear public comment regarding this noise ordinance waiver request.

By Council Member Yorko

Motion Carried

RESOLUTION #2013-039

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Appointment of Chad Powers as a Citizen Representative to the Building Board of Appeals for a Term to Expire June 30, 2014; and

WHEREAS, the nominee has been vetted and meet the qualifications as required by the City Charter; and

WHEREAS, the Committee on Public Safety met on Tuesday, March 5, 2013 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby confirms the appointment of Appointment of Chad Powers as a Citizen Representative to the Building Board of Appeals for a Term to Expire June 30, 2014.

By Council Member Washington

Motion Carried

City Clerk Swope administered the Oath of Office to Chad Powers.

RESOLUTION #2013-040

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

That the following remaining balances as of 6/30/2012 be reappropriated in Fiscal Year FY2012/2013 in the accounts indicated:

<u>GENERA</u> <u>L FUND</u>	<u>Depart-</u> <u>ment</u> <u>/Fund</u>	<u>PO#</u>	<u>Account/</u> <u>Vendor Name</u>	<u>Descrip-</u> <u>tion</u>	<u>Encum-</u> <u>bered</u> <u>(Out-</u> <u>standin</u> <u>g Pur-</u> <u>chase</u> <u>Orders)</u>	<u>Unen-</u> <u>Cum-</u> <u>bered</u>
101. 343201. 708103. 00000	Police		SPECIAL OVERTIME	Donation Account	5,705 (1)	
101. 343201. 741892. 00000	Police		DONATIONS -GUN BUY BACK	Donation Account	267 (1)	
101. 343201. 741893. 00000	Police		DONATIONS -GANG RESIST- ANCE	Donation Account	8,400 (1)	
101. 343201. 741894. 00000	Police		PRINTS FOR LIFE DONATIONS /	Donation Account	1,000 (1)	
101. 343501. 741880. 00000	Fire		CONTRI- BUTIONS	Donation Account	884 (1)	
101. 833710. 960120. 00000	Human Services Agencie s		HUMAN SERVICES DISCRE- TIONARY	Human Services Ordinance	5,284 (1)	
101. 833710. 960205. 00000	Human Services Agencie s		GRANT MATCH FUND	Human Services Ordinance	34,395 (1)	
101. 833720. 960237. 00000	Human Services Agencie s		YOUTH RFP	Human Services Ordinance	28,132 (1)	
101. 833720. 960313. 00000	Human Services Agencie s		MSU PAS	Human Services Ordinance	4,257 (1)	

101. 833730. 960305. 00000 101. 833730. 960306. 00000	Human Services Agencie s Human Services Agencie s General Fund Total	ONE CHURCH ONE FAMILY HOUSING PROJECT HOMELESS CONNECT	Human Services Ordin- ance Human Services Ordin- ance	5,000 (1) (11,695) (1),(2)	
				-	81,629
MAJOR STREETS FUND					
202. 453636.7 46200. 00000	Major Streets Fund Major Streets Fund Total	P08278 5	M & M PAVEMENT MARKING	MAJOR STS- PAVE- MENT MARK- INGS – CITY- WIDE	6,701
				6,701	-
LOCAL STREETS FUND					
203. 453636. 746200. 00000	Local Streets Fund	P08278 5	M & M PAVEMENT MARKING	LOCAL STS- PAVE- MENT MARK- INGS	2,234
				2,234	-
PARKING FUND					
585. 453640. 743000. 00000	Parking Fund Parking Fund Total	P08294 7	TRAFFIC & SAFETY CONTROL SYST	INSTALL - ATION	45,655
				45,655	-

⁽¹⁾ Restricted funds that are required to be carried forward

⁽²⁾ Negative balance offset by \$16,000 in donations to be appropriated in FY 2013.

By Council Member Boles Robinson

Motion Carried

RESOLUTION #2013-041

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

That the following FY 2013 transfer be approved;

\$27,740.12 from: Accounts Receivable-HRCS (donations received in FY12&13) 101.000000.112113
\$27,740.12 to: Project Homeless Connect 101.883730.960306

Donations received to date from multiple community donors for the 2011 and 2012 Lansing Community Connect events. The events are a one day, one stop event to provide a broad range of services to people experiencing or at risk of experiencing homelessness and vulnerable members of the community including seniors. Before the end of the most recent event, more than 1,600 individuals received services.

By Council Member Boles Robinson

Motion Carried

RESOLUTION #2013-042

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

That the following FY 2013 transfer be approved;

\$(264,614.00) from CDBG Federal Grant Revenue 252.000000.535000.00000
\$(23,402.00) from CDBG Building Rehab Resident'l 252.932658.975201.04700
\$(50,000.00) from CDBG Rehab Technical Asst 252.932658.975209.04700
\$(72,430.00) from CDBG Land Acquisition Costs 252.932659.971000.04700
\$(40,000.00) from CDBG Contract'l Svcs Development 252.932665.743059.04700
\$(40,000.00) from CDBG Weatherization 252.932667.975202.04700
\$(97,658.00) from CDBG Contingency 252.932651.992000.04700
\$58,876.00 to CDBG Multi Family Building Rehab 252.932657.975201.04700

These amounts represent the adjustments to CDBG Funds due to a HUD award adjustment for fiscal year 2011-2012. Notification of the adjusted award was after the original budget was approved. Total reduction in funding was (\$264,614).

By Council Member Boles Robinson

Motion Carried

RESOLUTION #2013-043

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

That the following FY 2013 transfer be approved;

\$(62,843.00) from HOME Federal Grant Revenue 263.000000.535000.00000
\$(42,739.00) from HOME Home Development 263.932663.975204.02011
\$(5,539.00) from HOME Genl Admin Salaries 263.932669.702000.02011
\$(108.00) from HOME Genl Admin Longevity 263.932669.712000.02011
\$(2,553.00) from HOME Genl Admin Misc Operating 263.932669.741000.02011
\$(4,000.00) from HOME CHDO Misc Operating 263.932674.741000.02011
\$(10,000.00) from HOME Building Rehab Residential 263.932674.975201.02011
\$2,096.00 to HOME Genl Admin Fringe Benefits 263.932669.715000.02011

These amounts represent the adjustments to HOME Funds due to a HUD award adjustment for fiscal year 2011-2012. Notification of the adjusted award was after the original budget was approved. Total reduction in funding was (\$62,843).

By Council Member Boles Robinson

Motion Carried

**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. Request for recognition of non-profit status from Community Circle Players

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

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

RECEIVED AND PLACED ON FILE

b. Letter(s) from the Mayor re:

- i. Appointment of Janene McIntyre as City Attorney

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Proposed Naming of Alfreda Schmidt Community Center's Community Room as the Sandy Allen Community Room

REFERRED TO THE COMMITTEE OF THE WHOLE

- iii. Grant application for Property Acquisition at 830 River St. (LATE)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

• Communications and Petitions, and Other City Related Matters:

- a. Claim appeal from Thomas Warning and Kathleen Ryan regarding a Trash & Debris fee for property located at 832 E. Genesee St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from Denise Kelley on behalf of Association for the Bingham Community supporting modifications to the façade of the Niowave "pole barn" and supporting revisions to the Special Land Use Ordinance

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Letters requesting the City install a traffic light and crosswalk at the intersection of Express Ct. and Holmes Rd. from approximately 500 individuals (no addresses given)

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Letters in opposition to a breed specific dog ordinance from approximately 19 Lansing residents and approximately 130 others along with an international petition from 220 individuals

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Council Member Boles Robinson to excuse Council Member Houghton from tonight's proceedings.

Motion Carried

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Executive Assistant to Mayor Bernero, Randy Hannan, announced the next Mobile Food Pantry.

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

Darnell Oldham, Sr. spoke about various City matters.

Eric Iversen spoke about the need for a traffic light at Holmes Rd. and Express Ct.

Marcus Puccioni spoke about the need for a traffic light at Holmes Rd. and Express Ct.

Claude Beavers spoke about various City matters.

Paul des Laurier spoke about security and various City matters.

ADJOURNED TIME 8:52 P.M.

CHRIS SWOPE, CITY CLERK