



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
MAY 12, 2014**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 5:30 pm by Vice President Brown Clarke

PRESENT: Councilmembers, Brown Clarke, Quinney, Washington, Wood, Yorko

ABSENT: Councilmember Boles, Dunbar (arrived at 5:43 p.m.), Houghton (5:39 p.m.)

The Council observed a moment of Meditation in honor of Jose Hernandez, a City of Lansing Employee, Tony Baltimore's mother, and the two victims of the May 12 shooting, Michael Addo and Jordan Rogers, followed by the Pledge of Allegiance led by Vice President Brown Clarke.

SPECIAL CEREMONIES

1. Tribute; in recognition of Greater Lansing African American Health Institute (GLAAHI) Family Fit Day

Councilmember Wood spoke in support of the important work the non-profit GLAAHI does in the community and Family Fit Day.

Ty Liggins shared details about the wide variety of activities planned for Family Fit Day for all ages to encourage healthy behavior.

Eldon Liggins expressed his excitement for the organization to host this event and shared details on the location and time.

COMMENTS BY COUNCILMEMBERS AND THE CITY CLERK

Councilmember Washington thanked members of the community for the recent Walsh Park clean-up.

Councilmember Yorko shared details of upcoming annual Westside neighborhood clean-up.

Councilmember Houghton arrived at 5:39 p.m.

Councilmember Wood shared details about free flowers distribution at the three Lansing cemeteries, and the upcoming free self-defense for women class held by the Lansing Police Department.

Councilmember Houghton announced upcoming neighborhood meetings

Councilmember Brown Clarke shared that the Women's Center's

Tribute to Women Award Winner was Tracy Ruiz of the Lansing Police Department. She also shared that President Boles is under the weather and unable to attend tonight's meeting so she will be presiding over this Council meeting.

Motion By Councilmember Wood

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

Motion Carried

The following items were added to the agenda:

1. Resolution for consideration this evening; the Sale of Fire Station #5
2. Resolution for consideration this evening; Greater Lansing African American Health Institute (GLAAHI) Family Fit Day

Councilmember Dunbar arrived at 5:43 p.m.

City Clerk Swope thanked the election workers who worked the May 6 special school election, and he is looking for additional workers for upcoming elections. Applications and details are available at <http://www.lansingmi.gov/elections> or by calling the Clerk's office at 517-483-4131.

COMMUNITY EVENT ANNOUNCEMENTS

Adam Williams shared details of the 5th annual Lansing Hip Hop Festival held May 16 through May 18 at the Fahrenheit Lounge, 6180 Cedar Street.

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 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 spoke about the sale of Fire Station #5, and the private-public development of the Outfield Project with the Lansing Lugnuts organization.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. Budget FY 2015

Councilmember Wood gave an overview of the public hearing, including that the budget has no changes to the property tax rate, the income tax rate or the sewer rate.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Fiscal Year 2014 City of Lansing Budget REFERRED TO THE COMMITTEE OF THE WHOLE

Motion by Councilmember Dunbar to resolve into the Committee of the Whole

Motion Carried

The Committee arose back into the Council meeting at 6:21 p.m.

LEGISLATIVE MATTERS

RESOLUTION #2014-131

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 2, 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:

SLU-7-2013: Special Land Use Permit – Surface Parking Lot on North 1.43 Acres of 312 N. Cedar Street

By Councilmember Quinney

Motion Carried

RESOLUTION #2014-132

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

BROWNFIELD PLAN #55a - AMENDMENT #1
BALLPARK NORTH BROWNFIELD REDEVELOPMENT PLAN
SETTING A PUBLIC HEARING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as Cooley Law School Stadium located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington Avenue, Suite 201, Lansing, MI 48910, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on June 2, 2014 at 7:00 p.m. on Brownfield Plan #55a - Amendment #1 – Ballpark North Brownfield Redevelopment Plan under the Brownfield Redevelopment Financing

Act, for property more particularly described as:

33-01-01-16-276-002, N 90.75 FT LOTS 8 & 9 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-021, S 1/2 OF N 1/2 OF S 3/5 LOTS 8 & 9 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-031, N 41.25 FT LOT 7, S 49.5 FT LOTS 8 & 9, LOT 10 & W 46.75 FT LOT 11 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-041, S 1/2 LOT 7 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-191, COM 19.25 FT W OF NW COR LOT 12, TH S 165 FT, E 2.75 FT, N 4 R, E 57.25 FT, N 6 R, W 60 FT TO BEG; SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-151, LOT 14 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-161, S 2/5 OF E 1 R LOT 11 & S 2/5 LOTS 12 & 13 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-182, N 99 FT LOT 13 & E 25.25 FT OF N 99 FT LOT 12 SUB OF LOTS 1, 2, 3, 4 & 5 OF BLOCK 244 ORIG PLAT,

33-01-01-16-276-050, THAT PART OF: COM SE COR BLK 244, TH N 419.04 FT, E 9.87 FT, N 260 FT, W 9.23 FT, N 300.09 FT, W 428.69 FT, S 256.94 FT, W 13.32 FT, S 302 FT, E 12.64 FT, S 417.94 FT, E 428.47 FT TO BEG, WHICH LIES OUTSIDE THE EXTERIOR WALLS OF THE OLDSMOBILE PARK BASEBALL STADIUM, INCLUDING SO-CALLED LOBBY AREA; BLOCK 244 ORIG PLAT,

33-01-01-16-276-072, THAT PART OF: COM SE COR BLK 244, TH N 419.04 FT, E 9.87 FT, N 260 FT, W 9.23 FT, N 300.09 FT, W 428.69 FT, S 256.94 FT, W 13.32 FT, S 302 FT, E 12.64 FT, S 417.94 FT, E 428.47 FT TO BEG; WHICH LIES INSIDE THE EXTERIOR WALLS OF THE OLDSMOBILE PARK BASEBALL STADIUM; BLOCK 244 ORIG PLAT,

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #55a - Amendment #1 – Ballpark North Brownfield Redevelopment Plan and the scheduled public hearing.

By Councilmember Quinney

Motion Carried

RESOLUTION #2014-133

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

Act-12-2013, NOTICE OF PUBLIC HEARING

WHEREAS, the City of Lansing must hold a public hearing pursuant to Public Act 33 of 2008, The Planning Enabling Act, and city ordinance.

WHEREAS, the Planning and Neighborhood Development Department proposed to dispose of certain interest in real property that includes development rights to the area that includes the south 1.17 acre portion of 312 N. Cedar Street and two sections of property at 505 E. Michigan Avenue (Cooley Law School Stadium "Ballpark"), the two

sections are located immediately north of the outfield wall; and

WHEREAS, the Planning Board found, based on its review of the location, character and extent of Act-12-2013 in accordance with its Act 33 Review procedures, and

WHEREAS, the Planning Board, at its meeting on January 7, 2014, voted unanimously (5-0) to recommend that Act-12-2013 be approved to allow the conveyance of interest or lease in the City-owned property that includes the south 1.17 acre portion of 312 N. Cedar Street and the two sections of property at 505 E. Michigan Avenue (Cooley Law School Stadium) located immediately north of the outfield wall; and

WHEREAS, the Comprehensive Development Agreement ("CDA") was placed on file May 2, 2014 with the Office of the Lansing City Clerk to convey certain interest in real estate to Outfield Partners, LLC and Take Me Out To The Ballgame Limited Liability Company; and

WHEREAS, the CDA includes a Parking Lease Agreement of sufficient term to require City Council approval; and

WHEREAS, on March 19, 2012 the City Council approved ACT-2-2012 which, in part, authorized disposal of real property covered by the aforementioned Parking Lease Agreement.

WHEREAS, the CDA is contingent upon an extension of the City's existing lease with Take Me Out To The Ballgame, LLC, as set forth with particularity in the proposed Stadium License, Lease, and Service Agreement placed on file with the City Clerk on May 2, 2014 ("TMO Lease"); and

WHEREAS, the TMO Lease is likewise contingent on approval of the CDA; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for Monday, June 2, 2014, at 7:00 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, for the purpose of supporting or opposing:

1. Approval of Act-12-2013 and the proposed Comprehensive Development Agreement placed on file with the City Clerk on May 2, 2014, and all attachments, agreements, and rights necessary to effectuate the CDA, including disposition and sale of interests in certain property referenced therein, and; and
2. Approval of the proposed Stadium License, Lease, and Service Agreement placed on file with the City Clerk on May 2, 2014.

By Councilmember Quinney

Motion Carried

RESOLUTION #2014-134

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

Act-8-12, Sale of 1821 Todd Avenue (former LFD Station #5)

WHEREAS, the City of Lansing proposes to sell the former Lansing Fire Station #5 located at 1821 Todd Avenue (the "Property"), to Adam Eicher and Karen Turkovich for their personal residence in Lansing; and

WHEREAS, the subject Property it is not dedicated parkland; and

WHEREAS, by resolution 2012-277, Council authorized approved Act-8-12, the marketing for sale of the Property; and

WHEREAS, a written appraisal of the property, dated April 11, 2013, conducted by Carlson Appraisal, estimates the market value of the

property to be \$115,000.00; and

WHEREAS, a Phase I environmental assessment of the property, completed by URS, revealed the potential for environmental impacts due to the fluorescent lights and floor tiles possibly containing asbestos materials; and

WHEREAS, the City has a fee simple interest in the property; and

WHEREAS, the City desires to see the Property returned to use; and

WHEREAS, the Planning Board found, based on its review of the location, character and extent of Act-8-12 in accordance with its Act 285/33 Review procedures that no public purpose has been identified that would require the City to retain ownership of the Property; and

WHEREAS, on September 4, 2012 the Planning Board voted (6-0) to recommend the Property be sold on the open market; and

WHEREAS, the Real Estate Purchase Agreement (the "Agreement") between the City of Lansing and Adam Eicher and Karen Turkovich for 1821 Todd Avenue (former LFD Station #5) has been placed on file with the City Clerk for more than 30 days and is presented for approval; and

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

BE IT RESOLVED, the Lansing City Council hereby approves and authorizes the sale of the former LFD Station #5 property at 1821 Todd Avenue, legally described as:

Lot 6 and 7 of Assessor's Plat No. 31 of Block 19, Park Place Addition Subdivision, Original Plat, City of Lansing, Ingham County, Michigan,

as placed on file with the City Clerk, for \$86,250, plus closing costs, to Adam Eicher and Karen Turkovich, 1821 Todd Avenue, Lansing, Michigan; and

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the aforementioned sale, subject to their prior approval as to content and form by the City Attorney.

By Councilmember Quinney

Motion Carried

RESOLUTION #2014-135

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

WHEREAS, the First Annual "Family Fit Day" will take place Saturday, May 17th, 2014 at the LETTS Community Center. It will be jam packed with activities and educational sessions. The event will provide many resources in one place showing families how to become and stay healthy; and

WHEREAS, the Greater Lansing African American Health Institute (GLAAHI) along with New World Food and Lansing Community College Alumni Association will host this event that started due to the rising disparities in childhood and family obesity in poverty stricken, and low income households; and

WHEREAS, The First Annual "Family Fit Day" will host Former MSU Athletes James Moore, Todd Duckett, and Lauren Aitch, along with State Representatives Tom Cochran, Andy Schor, and Mayor Bernero.

The event will have a number of activities promoting healthy living such as health workshops and screenings, aerobic demonstrations, health video games, garden workshop, financial wellness, and nutrition workshops in addition to a guest performance by Raphael; and

BE IT RESOLVED, the Lansing City Council supports the mission of the First Annual "Family Fit Day". We encourage all the citizens of Lansing to join us on Saturday, May 17, 2014 to learn about ways to stay fit and live healthier lives.

By Councilmember Wood

Motion Carried

ORDINANCES FOR INTRODUCTION

The Committee on Development and Planning 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-8-2013, 505 E. Michigan Avenue and South 1.17 acres of 312 N. Cedar Street - Rezoning from "H" Light Industrial District to "G-1" Business District

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

RESOLUTION #2014-136

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 2, 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-8-2013, 505 E. Michigan Avenue and South 1.17 acres of 312 N. Cedar Street - Rezoning from "H" Light Industrial District to "G-1" Business District

By Councilmember Quinney

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 Councilmember Wood that all items be considered as being read in full and that Vice-President Brown Clarke make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:

1. Letter(s) from the City Clerk re:

- a. Request for recognition of Non-Profit Status in the City of Lansing from MiQuest

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter(s) from the Mayor re:

- a. Z-2-2014, 3012 7th Ave. and Two Vacant Lots to its South; Rezoning from "A" Residential, "G-2" Wholesale and "J" Parking Districts to "H" Light Industrial District

REFERRED TO COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Noise Waiver for Sewer Siphon #11 Replacement Project

REFERRED TO COMMITTEE ON GENERAL SERVICES

- Communications and Petitions, and Other City Related Matters:

1. Notices from the Michigan Liquor Control Commission regarding:

- a. Application for a Transfer of ownership of 2014 SDM License with Sunday Sales Permit (AM) and Gas Pumps, RayGed Inc., 1600 S. Washington

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Notice of the denial of transfer of ownership of a 2013 B-Hotel licensed business with Dance permit, Outdoor service area and 2 total bars from Windson Inc., 3121 E. Grand River

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Councilmember Wood to excuse Council President Boles from tonight's proceedings.

Motion Carried

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Linda Appling spoke in support of moving the Lansing Police Headquarters to the south side of Lansing. She also spoke against tax dollars being invested into the Lugnuts Outfield expansion project. She believes that more tax money should be invested into the streets and the Impression Five Science Museum if you want to bring more people to Lansing.

ADJOURNED TIME 6:33 P.M.

CHRIS SWOPE, CITY CLERK