



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
NOVEMBER 10, 2014**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:23 p.m. by President Boles

PRESENT: Council Members Boles, Brown Clarke, Dunbar, Houghton, Quinney, Washington, Wood, Yorko

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Boles.

SPECIAL CEREMONIES

1. Tribute; in recognition of the Plymouth Congregational Church's 150th Anniversary

Chief Deputy City Clerk Jackson read the following resolution:

RESOLUTION #2014-278

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

WHEREAS, a gathered people dedicated to the Congregational Way established Plymouth Congregational Church in 1864 within City of, Michigan, later to be called the City of Lansing; and

WHEREAS, the Church worshipped in a small chapel while both its membership and service to the community grew, eventually leading to the construction of a larger gothic building at the corner of Allegan and Townsend, the beauty of which graced the City of Lansing for 94 years; and

WHEREAS, the majestic edifice tragically burned to the ground in 1971 leading the dedicated members of the congregation to worship in the Downtown YWCA for three years while negotiating a land swap and constructing a new, modern worship home at 2001 East Grand River Avenue; and

WHEREAS, Plymouth Congregational Church has been known throughout the area for its spiritual heritage, its unparalleled music tradition and its many contributions to the Lansing community; and

WHEREAS, currently the Plymouth Congregational Church serves the community by hosting the Mobile Food Pantry, serving a monthly meal at the Lansing City Rescue Mission, providing a kickoff point to the annual "Shop With a Cop" endeavor, offering a community clothing closet and by providing countless numbers of gifts each Christmas to children identified by the Ingham County Department of Social Services with its Operation Santa initiative; and

WHEREAS, the church is currently experiencing a rebirth of Congregational Christian worship and service lead by Pastor Robert A. Higle who was called in March 2013; and

NOW BE IT RESOLVED, the Lansing City Council wishes to

congratulate and commend Plymouth Congregational Church upon its 150th Anniversary.

BE IT RESOLVED the Lansing City Council does hereby honor Plymouth Congregational Church for its dedication to the spiritual needs of the community as well as its service to the City of Lansing and surrounding area. We encourage Plymouth Congregational Church to continue its Christian mission to "be the Good News to each other and to all others" as it moves forward into the future.

By Council Member Wood

Motion Carried

Council Member Wood spoke in support of the tribute.

Pastor Robert Higle thanked the Council for the recognition, and invited the public to come to upcoming events to celebrate their anniversary.

Joan Jackson Johnson, Director of Human Relations and Community Services Department spoke in support of the tribute and the partnership of her office with the church on multiple projects.

2. Tribute; in recognition of the Lansing Police Historical Preservation Association

Chief Deputy City Clerk Jackson read the following resolution:

RESOLUTION #2014-279

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

WHEREAS, in April 2006, seeing the need to keep alive the rich history of the Lansing Police Department, its events, stories and memorabilia, a dedicated group of individuals led by Pat Heyden, author of the 1991 book, *Behind the Badge; The History of the Lansing Police Department* formed the Lansing Historical Preservation Association (LPHPA) which became a non-profit organization in 2007; and

WHEREAS, the LPHPA was organized for the preservation of the history, traditions and public awareness of the Lansing Police Department and commend and remember the contributions of past, present and future sworn officers, employees, community and society in general; and

WHEREAS, the LPHPA successfully presents displays in LPD precincts, in City Hall and in the Capital Area District Library, welcomes new members of the Lansing Police Department offering historical perspectives, recorded interviews with past Chiefs of Police and other former LPD personnel, and secured a room in the City's South Washington Office Complex for the organization and preservation of important LPD memorabilia; and

WHEREAS, the LPHPA Board of Directors has seen fit to now forego its non-profit designation and release items including photographs and documents to the Capital Area District Library where they will be more accessible to the public via the Internet and visits to the CADL locations; and

WHEREAS, in the future the LPHPA audio interviews will be made available on-line via the MSU Voice Library, and other valuable LPD memorabilia will be release to the Lansing Police Department for safekeeping and future displays.

BE IT RESOLVED, the Lansing City Council hereby honors and acknowledges the Lansing Police Historical Preservation Association for its important contribution to preserving local history specific to the Lansing Police Department and thanks those Lansing citizens who served the Association faithfully.

By Council Member Wood

Motion Carried

Council Member Wood spoke in support of the tribute.

Police Chief Michael Yankowski spoke in support of the tribute, and acknowledged the hours that the Association has spent to document the history of the Lansing Police Department.

Pat Heyden thanked the Council for the recognition and listed many individuals who have contributed their time, energy and passion to the Association's efforts.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Yorko shared that the City of Lansing was selected for an Environmental Protection Agency grant for the Capitol Complex and details of an upcoming visioning event for public input on how to use the grant.

Council Member Wood shared details of upcoming community events including a utility shut-off protection workshop, and a presentation on the Affordable Care Act.

Council Member Washington shared details of an upcoming Allen Street Neighborhood Center Fundraiser.

Council President Boles shared details about Second Saturday Community meetings, and a Veteran's Day Mass at Resurrection Church.

Chief Deputy City Clerk Jackson thanked over four hundred election workers for their service to the City and that the City Clerk's office is always recruiting election workers for future elections.

COMMUNITY EVENT ANNOUNCEMENTS

Mary Ann Prince shared details about the Cookie Walk event, and a Community Thanksgiving Dinner at the Mt. Hope United Methodist Church.

Gary Calkins shared details of the upcoming Old Newsboys fundraiser.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

Chief Deputy City Clerk Jackson 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, shared details

about the Red Cedar Renaissance Project, the Mobile Food Pantry, the City of Lansing's Veterans Day events, the Community Design Charette for the west side of Capitol Complex, the Knapp's Center Grand Opening and the Silver Bells in the City events

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Comcast Cable Franchise renewal
2. In consideration of Ordinance to amend Chapter 1020, Section 6, of the Lansing Codified Ordinances by requiring that the City of Lansing perform a general notification by publication to all residents before the first snowfall of the year that snow and ice must be removed from their sidewalks or they will be subject to the cost of removal

President Boles gave an overview of public hearing #1.

Council Member Dunbar gave an overview of public hearing #2.

• Public Comment on Legislative Matters:

Elaine Wolmboldt expressed concerns with the Snow and Ice Ordinance.

Bonnie Bayle expressed concerns with the Snow and Ice Ordinance.

Leroy Cardwell spoke in support of SLU-3-2014, parking lot at 1521 Herbert Street.

Gary Calkins spoke in support of the Snow and Ice Ordinance.

Kevin Henry spoke against SLU-3-2014.

Sandy Wolfe, of East Lansing, expressed concerns with the Snow and Ice Ordinance.

Stacey Locke, of Lansing Township, expressed concerns with the Snow and Ice Ordinance.

Joe Donovan spoke against the denial of his Claim Appeal #1112.

Samuel Short spoke in support of the request for a New Micro Brewer, Small Wine Maker, & Small Distiller Licenses from the Lansing Brewing Company.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Comcast Cable Franchise renewal
THE HEARING IS RECESSED BUT KEPT OPEN
2. In consideration of Ordinance to amend Chapter 1020, Section 6, of the Lansing Codified Ordinances by requiring that the City of Lansing perform a general notification by publication to all residents before the first snowfall of the year that snow and ice must be removed from their sidewalks or they will be subject to the cost of removal
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

CONSENT AGENDA

By Council Member Brown Clarke

To approve items 1a, 3a, 3b, 3d, 3e, 5b, 5c, 5e on the Consent Agenda

Council Member Wood asked that item 5e be removed from the Consent Agenda

The question being the adoption of items 1a, 3a, 3b, 3d, 3e, 5b, 5c on the Consent Agenda

Motion Carried

RESOLUTION #2014-280

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

WHEREAS, Fearless Faith cast out its net in November 2003. Their first service was held in the downtown branch of the Lansing Public Library. The fellowship began with just four members, which are the founders Pastor Iris Cotton, Assistant Pastor Jimmie Howell, Mother Bennie Mae Howell (now deceased) and Sister Teresa Keyton. Membership began growing on the very first service with at least eight people accepting Jesus and their Lord and Savior and at least five were candidates for baptism; and

WHEREAS, One of Fearless Faith's greatest struggles was overcoming the "gender biased" leadership view. Nevertheless, Pastor Cotton's perseverance to stay true to her calling has proven that God is in control and has predestined this ministry. They continue to serve as volunteers in the prisons within the state of Michigan, as well as the county jail located in Mason, MI; and

WHEREAS, Pastor Cotton and the Fearless Faith family has found favor in the community in which they serve. Continually striving to build bridges and form relationships in the community on the Northwest side of Lansing. Their presence is well known and people from the neighborhood are coming in, feeling the love and compassion, and are welcomed with open arms; and

BE IT RESOLVED that the Lansing City Council wishes to congratulate Fearless Faith Church Ministries on its 11th year anniversary. "For God has not given us the spirit of Fear, but of Power, and of Love, and of a Sound Mind." II Timothy 1:7

Adopted as part of the Consent Agenda

RESOLUTION #2014-281

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

WHEREAS, Native American Arts and Crafts Council has requested \$500.00 to defray costs associated with the Riverbank Traditional Pow Wow, A Native American cultural event to be held on May 30 – May 31, 2015 at Adado Riverfront Park; and

WHEREAS, the Committee on General Services met on Tuesday, November 4, 2014 and reviewed the request; and

WHEREAS, the maximum total amount of Community Promotion Funds to be awarded an organization in one fiscal year is \$500.00; and

NOW, BE IT RESOLVED that the Lansing City Council, hereby, approves an allocation from the Community Promotion Account to Native American Arts and Crafts Council to defray costs associated with the Riverbank Traditional Pow Wow to be held on May 30-31, 2015.

Now BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$500.00 to the Council Community Promotion Account – 1012101-741200.

BE IT RESOLVED that Native American Arts and Crafts Council shall submit a written analysis of the event, including information regarding

the number of attendees, a detailed account as to contributors, funds received, expended, and residual funds to the Lansing City Council within 60 days after the event.

Adopted as part of the Consent Agenda

RESOLUTION #2014-282

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

WHEREAS, Nemri Badaway sought to eliminate a special assessment of \$536.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 605 E Mt. Hope (Tax ID #33-01-01-21-484-050); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the total amount of \$536.00 was adjusted by waiving the administrative fee of \$265.00, leaving a balance payable by the owner; and

NOW, BE IT RESOLVED, that the City Council, hereby, waives the administrative fee of \$265, leaving a remaining balance of \$271 for trash removal fees and all associated penalties and interest on the property tax bill for 605 E Mt. Hope (Tax ID #33-01-01-21-484-050).

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

Adopted as part of the Consent Agenda

RESOLUTION #2014-283

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

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Lansing Brewing Company LLC for new Micro Brewer, Small Wine Maker, & Small Distiller Licenses; and

WHEREAS, the Committee on General Services met on November 4, 2014 to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Lansing Brewing Company LLC for New Micro Brewer, Small Wine Maker, & Small Distiller Licenses;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

Adopted as part of the Consent Agenda

RESOLUTION #2014-284

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

WHEREAS, the City Clerk has forwarded an application for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

Mindy Biladeau/Roger Bonney for a public display of fireworks in the City of Lansing, for Silver Bells in the City,

from the walkway over Walnut Street, immediately west of the Capitol Building, to be held on Friday, November 21st, 2014.

Adopted as part of the Consent Agenda

RESOLUTION #2014-285

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

WHEREAS, the Mayor made the appointment to the Board of Water & Light of Anthony Mullen as At-Large Member for a term to expire June 30, 2017; and

WHEREAS, recommendation has been reported upon and vetted by the Mayor's office and meet all the Lansing Charter Requirements; and

WHEREAS, the Committee of the Whole met on Monday, November 10, 2014 to review and recommend approval of the appointments of Anthony Mullen.

BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Anthony Mullen as At-Large Member of the Board of Water & Light with term ending June 30, 2017.

Adopted as part of the Consent Agenda

RESOLUTION #2014-286

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

WHEREAS, the Mayor made the appointment of Edwina Marshall of 1233 Coolidge in Lansing, MI, 48912, as an At-Large Member of the Elected Officers Compensation Commission for a term to expire October 1, 2020.

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

WHEREAS, the Committee of the Whole met on November 10, 2014 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Edwina Marshall of 1233 Coolidge in Lansing, MI, 48912, as an At-Large Member of the Elected Officers Compensation Commission for a term to expire October 1, 2020.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2014-287

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

SLU-3-2014
Parking Lot in the "C" Residential District
1521 Herbert Street

WHEREAS, LJC Properties, LLC has requested a Special Land Use permit (SLU-3-2014) to permit the construction of a surface parking lot at 1521 Herbert Street; and

WHEREAS, the property is zoned "C" Residential District, where parking lots are permitted subject to obtaining a Special Land Use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance

with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on August 6, 2014, at which the applicant spoke in favor of his request, two persons spoke in opposition to the request and one person expressed concerns about the proposed parking lot; and

WHEREAS, the Planning Board, at its August 6, 2014 meeting, voted of 4-1, to deny SLU-3-2014 for a Special Land Use to permit a parking lot at 1521 Herbert Street; and

WHEREAS, the City Council held a public hearing regarding SLU-3-2014 on October 13, 2014; and

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

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby denies SLU-3-2014, a Special Land Use permit to permit a parking lot at 1521 Herbert Street.

BE IT FURTHER RESOLVED that in denying this request, the City Council determines the following:

1. The proposed parking lot is not compatible with the essential character of the surrounding area, as designed.
2. The proposed parking lot will change the essential character of the surrounding area.
3. The proposed parking lot will interfere with the general enjoyment of adjacent properties.
4. The proposed parking lot will not represent an improvement to the use of character of the subject property and the area in general.
5. The proposed parking lot may impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking lot can be adequately served by essential public facilities and services.
7. The proposed parking lot will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking lot is not consistent with the intent and purposes of the Zoning Code and the Design Lansing Master Plan.
9. The proposed parking lot could be designed to comply with the requirements of Section 1284 of the Zoning Ordinance.

By Council Member Quinney to place an affirmative role the resolution

Council Member Washington moved the previous question

Motion Carried

The question being the motion to place an affirmative role the resolution

Motion Carried with Council Members Dunbar and Quinney voting "nay"

RESOLUTION #2014-288

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, December 8, 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:

Act-10-2013, Neogen Corporation, 601 Leshar Place, Sale of 1.4 Acres

By Council Member Quinney

Motion Carried

RESOLUTION #2014-289

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

Act-2-2014, 2521 Tecumseh River Rd., Encroachment into Utility Easement

WHEREAS, Aaron Kemp, on behalf of Danielle Asbridge, owner of 2521 Tecumseh River Rd., requests authorization to construct a garage that encroaches 2 ½ feet into the east side of a 60' utility easement that runs N-S at the foot of Barstow Road; and

WHEREAS, the easement is 60' wide by 125' long, and runs between Tecumseh River Rd. and Tecumseh Park, and straddles the property line, with 30' on the applicant's property, and 30' on the property to the west; and

WHEREAS, roughly 1/3 of the applicant's property lies within the easement, which reduces the buildable area on the property's west side by 24'; and

WHEREAS, the applicant wishes to construct a 14'x 22' garage on her property near the easement. If her request is not granted, the garage would only be 11½ feet wide; and

WHEREAS, the easement is "for purposes of storm sewer, utilities and private access for owner of property lying south of the plat"; and

WHEREAS, the storm sewer measures 42" in diameter, and is located east of the property line, on the applicant's property; and

WHEREAS, the Planning Board reviewed this request in accordance with its Act 33 procedures, and found that:

- the proposed garage is in conformance with the *Design Lansing* Comprehensive Plan and is compatible with the character of the neighborhood,
- this is not a zoning setback issue – the restriction is due to the easement,
- approval by a license agreement would protect the City's interest throughout the useful life of the proposed garage; and

WHEREAS, at its meeting on October 7, 2014, the Planning Board voted unanimously (6-0) to recommend approval by license agreement; and

WHEREAS, the Committee on Development and Planning 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-2-14, an encroachment of not greater than three feet (3') into the easement, subject to a license agreement signed by the owner.

BE IT FURTHER RESOLVED that the license agreement shall ensure that, at a minimum:

- adequate indemnification and insurance as determined by the City Attorney is provided at all times by the applicant to address all liability to the City for this garage while in the City's easement,
- the proposed garage must be removed within sixty (60) days of notice being sent by the Director of Public Service,
- As an alternative to the removal of the garage, the garage owner may do one of the following:

- o The installation of sheet pile (or City-approved equivalent) in order to protect the garage from excavations for the 42" storm sewer, or
- o Demonstrate that the foundation was constructed in a manner or depth that the excavation of the 42" storm sewer would not impact the stability of the foundation. Foundation plans, sealed by a professional engineer, would meet this requirement.
- o Alternate protection plans, sealed by a professional engineer, would be acceptable.
- in the event of an emergency, the garage may be removed without notice, or the notice period may be shortened as appropriate,
- in the event any portion of the garage must be removed temporarily or permanently, the licensee shall be responsible for all restoration costs attributable to the removal or replacement of the garage.

BE IT FINALLY RESOLVED, that the mayor, on behalf of the City, is hereby authorized to sign and execute all documents to effectuate this license agreement, subject to prior approval as to content and form by the City Attorney.

By Council Member Quinney

Motion Carried

RESOLUTION #2014-290

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

WHEREAS, Joseph Gerard Donovan sought to eliminate a special assessment of \$4,812.30 and all associated penalties and interest, on the property tax bill for 2029 Mary Avenue (Tax ID #33-01-01-32-153-131); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the total amount of \$4,812.30 was denied on November 4, 2014 based on legal recommendation that the claimant had no standing to file a claim due he was not the property owner at the time of the fee assessments; and

NOW, BE IT RESOLVED, that the City Council, hereby, denies the claim of Joseph Gerard Donovan in the amount of \$4,812.30 and all associated penalties and interest on the property tax bill for 2029 Mary Avenue (Tax ID #33-01-01-32-153-131).

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

By Council Member Yorko

Motion Carried

RESOLUTION #2014-291

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

WHEREAS, the Mayor made the appointment of Clayton King of 2133 Robinson in Lansing, MI, 48910, as an At-Large Member of the Park Board for a term to expire June 30, 2018.

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

WHEREAS, the Public Service Committee met on November 10, 2014 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Clayton King of 2133 Robinson in

Lansing, MI, 48910, as an At-Large Member of the Park Board for a term to expire June 30, 2018.

By Council Member Dunbar

Motion Carried

RESOLUTION #2014-292

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

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 Comprehensive Development Agreement ("CDA") and conveyance of an interest in real property was approved by Council on June 9, 2014; and

WHEREAS, on June 9, 2014, Council also approved 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 final construction bids for the stadium improvements came in significantly higher than expected, necessitating amendment to both the CDA and the TMO Lease; and

WHEREAS, both the First Amendment to the CDA and the First Amendment to the TMO Lease were placed on file with the City Clerk on October 24, 2014; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for Monday, November 24, 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 the First Amendment to the Comprehensive Development Agreement placed on file with the City Clerk on October 24, 2014, and all attachments, agreements, and rights necessary to effectuate the First Amendment to the CDA, including disposition and sale of interests in certain property referenced therein, and; and
2. Approval of the proposed First Amendment to the Stadium License, Lease, and Service Agreement placed on file with the City Clerk on October 24, 2014.

By Council Member Brown Clarke

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-4-2013, 1.4 Acres of 601 Leshar Place, Rezoning from "A" Residential District to "H" Light Industrial

District

The Ordinance was read a first time and referred to the Committee on Development and Planning.

RESOLUTION #2014-293

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, December 8, 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-4-2013, 1.4 Acres of 601 Leshar Place, Rezoning from "A" Residential District to "H" Light Industrial District

By Council Member Quinney

Motion Carried

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

Chief Deputy City Clerk Jackson 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(s) from the City Clerk re:
 - a. Real Estate Purchase and Development Agreement with Ferguson/Continental Lansing, LLC placed on file in the Clerk's Office

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Real Estate Purchase Agreement with the Neogen Corporation for a portion of Oak Park placed on file in the Clerk's Office

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Agreement with Neogen for maintenance of Oak Park placed on file in the Clerk's Office

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Buy and Sell Agreement for Property, 310 North Seymour, Oliver Towers, placed on file in the Clerk's Office

REFERRED TO THE COMMITTEE OF THE WHOLE

- e. General Fund Status Report, Fiscal Year 2015 First Quarter placed on file in the Clerk's Office

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

- f. Amendments to the Comprehensive Development Agreement and Cooley Stadium License Lease and Service Agreement

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter(s) from the Mayor re:

- a. Industrial Development District (IDD) for Neogen

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Industrial Facilities Exemption Certificate (IFT) for Neogen Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Sole Source Purchase; Digital Stakeout Software as a Service product for the Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

- d. Redevelopment Ready Communities Program

REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Appointment of Diane Sanborn, as an At-Large Member of the Board of Review for a term to expire June 30, 2016

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- f. 2014 Justice Assistance Grant

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

- g. COPS Hiring Program Grant

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

- h. Budget Appropriation; Funds from the State/Local Drug Forfeiture Funding for fencing and gates at the Lansing Police Department Operations Center Patrol Parking Lot

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

• Communications and Petitions, and Other City Related Matters:

1. Notice from the Michigan Liquor Control Commission regarding:

- a. Denial of an application for a new Specially Designated Merchant license to WNMK, Inc., 618 E. Kalamazoo

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Transfer all membership interest from GMRI Inc to Red Lobster Management, LLC for 3130 E. Saginaw

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Notice from Michigan Department of Environmental Quality of Approval of Board of Water and Light Water Conditioning Plan request for Clean Corporate Citizen designation

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Notices from the Ingham County Drain Commissioner regarding Day of Review of Drainage District Boundaries

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND TO THE COMMITTEE ON WAYS AND MEANS

4. Letter of thanks from Fr. William Luger, St. Casimir

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCIL MEMBERS

Council Member Yorko requested that the City maintain a registry of those who are blind to receive notification of violations by a phone call in light of the discussion of the snow ordinance.

Council Member Brown Clarke requested clarification on the status of the Human Resources Director position, and if there are any revisions to the scope of the City Attorney's job description as she currently serves as both the Human Resources Director and City Attorney.

Council President clarified the scope of Council Member Brown Clark's question to the Administration on the status of the Human Resources Director position and details on moratorium on travel.

Council Member Houghton requested that the City accommodate the snow ordinance for persons of any disability, not just the blind. Also, the Cavanaugh Neighborhood Association is meeting at Everett High School tomorrow night.

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Dale Schrader spoke about his concerns with Niowave facility.

Council President Boles shared that the Council is responding to their concerns in writing.

Council Member Quinney shared that the Development and Planning Committee has invited Niowave to come attend the Committee meeting but have not had a response yet.

Council Member Yorko shared that she had written Niowave over a month ago that they are not in compliance with the agreement

Council Member Wood shared her support for a resolution to remove economic incentives from Niowave for their failure to comply with the agreement regarding the storage unit.

Wendell Hill spoke about his concerns with Niowave facility.

ADJOURNED TIME 9:48 P.M.

CHRIS SWOPE, CITY CLERK