



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
NOVEMBER 18, 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, Dunbar, Houghton, Jeffries, Quinney, Washington, Wood

ABSENT: Council Member Yorko

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

To approve the printed Council Proceedings of October 21 and 28 and November 4, 2013

Motion Carried

SPECIAL CEREMONIES

1. Tribute; in recognition of Zonta Club of Michigan Capitol Area

Vice President Boles spoke about the mission and the works of Zonta Club of Michigan Capitol Area, including *Zonta Says No*.

Deanna Cambridge gave information about the *Zonta Says No* campaign.

RESOLUTION #2013-239

BY COUNCIL MEMBER BOLES, DUNBAR, HOUGHTON, JEFFRIES,
QUINNEY, WASHINGTON, WOOD & YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the Zonta Club of Michigan Capitol Area is one of over 1,200 clubs of Zonta International, a worldwide service organization where its volunteers offer their time, talents and energy to local and international service projects designed to advance the status of women; and

WHEREAS Zonta Club of Michigan Capitol Area participates in the *ZONTA Says NO, a Campaign to End Violence Against Women*, which began in November, 2012 and runs through December, 2013, to raise awareness of and increase actions to end violence against women and girls around the world; and

WHEREAS Zonta Club of Michigan Capitol Area will participate in the global *16 Days of Activism Against Gender-Based Violence Campaign* from November 25th the *International Day for the Elimination of Violence Against Women*, to December 10th the *Human Rights Day*. The *16 Days Campaign* is dedicated to raising awareness, strengthening local work around violence against women, providing a forum to develop & share strategies, demonstrating the solidarity of

activists around the world, and calling up the government to account, respond, protect and prevent violence against women; and

WHEREAS the *Parade of Purses for Victims of Violence* will be sponsored by the Zonta Club of Michigan Capitol Area on November 25, 2013 as a tribute to victims of violence against women; highlighting the lack of material possessions upon fleeing the violent situation even down to the essentials that are contained in a women's purse. The Zonta Club of Michigan Capitol Area efforts to eradicate the world of violence against women is noteworthy; and

WHEREAS DeAnna Cambridge, President of the Zonta Club of Michigan Capitol Area, has demonstrated commitment and dedication to the issue of violence against women and to bringing attention along with resolution to the cycle of violence, and her leadership in the support of the *International Zonta Says NO Campaign* by creating the *Parade of Purses* is to be commended.

THEREFORE BE IT RESOLVED that the Lansing City Council wishes to acknowledge the Zonta Club of Michigan Capitol Area, Zonta International and its local, national and international leadership for their continued activism against gender based violence. And we also recognize their continued efforts throughout the year to offer assistance, direction, and services for the City of Lansing women and families affected by the violence against women and children.

"From Peace in the Home to Peace in the World"

By Council Member Boles

Motion Carried

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Council Member Houghton announced the Forest View Neighborhood Association meeting.

Council Member Quinney announced the Old Newsboys sale of their spoof journal. He spoke about the new recycling containers and asked that the administration address requests for smaller containers.

Council Member Dunbar congratulated the Junior League on their recent event. She spoke about Ella Cowan's birthday.

Council Member Houghton spoke about the Everett High School Zonta Club.

Council Member Boles announced the Churchill Downs, Colonial Village, and Lewton-Rich neighborhood meetings.

President Wood announced donation collection for the Ingham County Triads for their holiday baskets. She announced the Trinity AME Mass Choir event. She mentioned some inquiries the Internal Auditor had made of the administration.

COMMUNITY EVENT ANNOUNCEMENTS

Willy Williams announced a petition gathering event regarding the new mailbox location at Riverfront Apartments.

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. He announced Silver Bells in the City. He spoke about power outages from the recent wind storm.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

There was no public comment.

LEGISLATIVE MATTERS

CONSENT AGENDA

By Vice President Boles

To approve items 1b, 1c, 2a on the Consent Agenda.

Motion Carried

RESOLUTION #2013-240

BY COUNCIL MEMBERS BOLES, DUNBAR, HOUGHTON,
JEFFRIES, QUINNEY, WASHINGTON, WOOD & YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANISNG

WHEREAS Charles Edward McCants was born to Charlie and Mary McCants November 23, 1946 in Thomaston, Georgia, and in 1947 the family relocated to Kalamazoo, Michigan where the McCants family grew, and Charles became a big brother to Mivis and Dennis; and

WHEREAS Charles Edward McCants accepted Christ as his personal Savior and united with the Second Baptist Church of Kalamazoo, Michigan, and then later in life with his own family united and became long standing members of the Pilgrim Rest Baptist Church of Lansing; and

WHEREAS, Charles Edward McCants met his wife Diann Webb while attending Western Michigan University and in August 1982 they welcomed their son, Charles Webb McCants; and

WHEREAS, Charles Edward McCants, as a child attended Kalamazoo Public Schools and graduated from Kalamazoo Central High School in 1964. Driven by his passion to continue to learn and furthering his education, he went on to study at Kalamazoo College earning a Bachelor of Arts Degree in 1969, then enrolling in Western Michigan University earning his degree in Master of Science in 1973; and

WHEREAS, Charles Edward McCants continued his passion for education and social justice. Setting his sights on the legal profession, he followed through on his vision and enrolled in Southern University Law Center in Baton Rouge, Louisiana where he earned his Juris Doctor Degree; and

WHEREAS, Charles Edward McCants began to pursue his career with roles in the State of Michigan as a probation officer, and later as a legislative aide to Senator Virgil Smith, and consultant to the State of Michigan.

THEREFORE BE IT RESOLVED that the Lansing City Council sends

their deepest condolences to the family and friends of Charles Edward McCants. Charles will be missed by many and may we always remember his determination to continually learn, and striving to eradicate issues that negatively impacted society. Charles' signature characteristic of perseverance will leave an indelible mark on the Lansing community where he lived. The Lansing City Council thanks him for his spirit.

Adopted as part of the Consent Agenda

RESOLUTION #2013-241

BY COUNCIL MEMBERS BOLES, DUNBAR, HOUGHTON,
JEFFRIES, QUINNEY, WASHINGTON, WOOD & YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ella Cowan was born into a family of seven children in Demopolis, Alabama on November 14, 1913. When Ella was five years old her Mother died while giving birth to her younger sister. Ella's father was determined to keep the nine children together and rose early every morning to travel across town at 5:00 a.m. to prepare breakfast in his restaurant for the nearby factory workers. Due to his strength and commitment in raising his children it made a lasting impression on Ella; and

WEHEREAS, Ella graduated from Birmingham Industrial High School and worked part time for Jones of New York Boutique in the dress department. After High School Ella moved to Chicago, IL with one of her sisters. Ella's aunt and sister arranged a meeting with a gentleman from Canada by the name of William Joseph Cowan and he declared that she would be the woman to have his children and they were married; and

WHEREAS, William and Ella moved to Lansing where they raised seven children, four girls and three boys, and lived until William's passing in 1978. Ella's last job was as an elevator operator at the Arbaugh's Department Store in downtown Lansing. Ella woke early every morning and played tennis between 5:00 am to 7:00 am, returning home for breakfast. She loved tennis and has lived a very active life and feels tennis and keeping active are reasons she has lived so long. Ella is a devout Catholic and member of St. Marys Catholic Church and has been actively involved in her church; and

WHEREAS, Ella has seven children, five grandchildren and three great-grandchildren; she is loved by her family and her Riverfront family. Ella continues a lifestyle of playing cards daily and visiting with her friends and maintaining her apartment and you would never guess her age because of her active lifestyle.

THEREFORE BE IT RESOLVED that the Lansing City Council along with family and friends wishes Ella Cowan a very Happy 100th Birthday and prays she will have many more years of sharing with her community.

Adopted as part of the Consent Agenda

RESOLUTION #2013-242

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:

Downtown Lansing, Inc./Night Magic Displays for a public display of fireworks, for Silver Bells in the City of Lansing, located west of the Capitol Building, to be held on Friday, November 22, 2013.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2013-243

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

WHEREAS, Mr. Zachary Tomlinson and Mr. Alex Tomlinson sought to eliminate a special assessment of \$484.00 for contractor charges, administration fees and all associated penalties and interest on the property tax bill of 415 W. Barnes, Lansing, Michigan (Tax ID #33-01-01-21-358-171) ; and

WHEREAS, upon appeal to the Committee on General Services, the claim in the amount of \$484.00 was denied on November 8, 2013; and

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Mr. Zachary Tomlinson and Mr. Alex Tomlinson in the amount of \$484.00 for the special assessment for contractor charges, administration fees and all associated penalties and interest on the property tax bill of 415 W. Barnes, Lansing, Michigan (Tax ID# 33-01-01-21-358-171); and

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

By Council Member Houghton

Motion Carried

RESOLUTION #2013-244

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

WHEREAS, Ms. Janice Magwood sought to eliminate a special assessment of \$1,314.00 for nuisance fees, contractor charges and all associated penalties and interest on the property tax bill of 4700 Kessler Drive, Lansing, Michigan (Tax ID# 33-01-01-376-211); and

WHEREAS, upon appeal to the Committee on General Services, the claim in the amount of \$1,314.00 was denied on November 8, 2013; and

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Ms. Janice Magwood in the amount of \$1,314.00 for a special assessment on a nuisance fees, contractor charges and all associated penalties and interest on the property tax bill of 4700 Kessler Drive, Lansing, Michigan (Tax ID# 33-01-01-33-376-211); and

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

By Council Member Houghton

Motion Carried

RESOLUTION #2013-245

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

City of Lansing
Counties of Ingham and Eaton

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan, (the "Municipality") held on November 18, 2013.

PRESENT: Councilmembers: Boles, Dunbar, Houghton, Jeffries, Quinney, Washington, Wood

ABSENT: Councilmembers: Yorko

Councilmember Boles offered and moved the adoption of the following resolution, seconded by Councilmember N/A.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to:

- establish an asset management plan;
- establish a plan for wastewater/stormwater; and
- establish a design of wastewater/stormwater.

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$2,000,000.00 ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Director of Public Service, a position currently held by Chad A. Gamble, P.E., is designated as the Authorized Representative for purposes of the SAW Grant Agreement.

2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.

4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.

5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.

6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.

7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Councilmembers: Boles, Dunbar, Houghton, Jeffries, Quinney, Washington, Wood

NAYS: Councilmembers: None

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Chris Swope
City of Lansing, Clerk
City of Lansing, Counties of Ingham and Eaton

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 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:

1. Letter(s) from the City Clerk re:
 - a. City Council Meeting Schedule for 2014

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. General Fund Status Report; Fiscal Year 2014 1st Quarter

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

2. Letter(s) from the Mayor re:

- a. Z-5-2013; 2323 W. Holmes Road, Rezoning from "F" Commercial District to "A" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

- Communications and Petitions, and Other City Related Matters:

1. Notice from the Michigan Liquor Control Commission regarding a Transfer of membership interest in 2013 SDD and SDM licenses, 838 Penn, LLC, 838 N. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Copies of letters on behalf of Best Western Plus regarding a fire exit door being no longer available for Fahrenheit Bar exit use.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Letters from Gary Casteel and Charles Dye as well as a petition in support of American Legion Capitol City Post 12 moving into Fire Station #5

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. Letter from Nicholas Hiner regarding parking time limits

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5. Letter from Amy Fairbanks regarding problems with parking in Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

MOTION OF EXCUSED ABSENCE

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

Motion Carried

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Mary Ann Prince spoke about various City matters.

Willy Williams spoke about various City matters.

Kathi Raffone spoke about the recent City Election.

Russell Terry spoke about various City matters.

ADJOURNED TIME 7:51 P.M.

CHRIS SWOPE, CITY CLERK