



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
OCTOBER 13, 2014**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:03 p.m. by President Boles

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

ABSENT: Council Members Dunbar, Washington

Council Member Yorko asked people to remember Amaia Edmond during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Boles.

CONSIDERATION OF LATE ITEMS

By Vice President Brown Clarke

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

Motion Carried

The following items were added to the agenda:

1. Board of Water and Light Financial Audit Reports
2. Comcast Franchise Renewal

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Yorko shared details on an upcoming Michigan Asthma Coalition community event.

Council Member Houghton shared details on the Cavanaugh Neighborhood Association meeting at Everett High School.

Council Member Wood shared details about the Friends of Mt Hope Cemetery 5K Run, a kitten adoption event, and that the recent Eastside Neighborhood Organization Candidates Forum will run on City TV for the coming weeks.

Council Member Boles shared details about various community events including the Colonial Village Neighborhood Monthly Meeting, Lewton-Rich Neighborhood Meeting, STEM Academy Z Club "Step Off" Program, Making Strides Fundraising Walk for Breast Cancer Research, 2014 ACTION Network Annual Public Meeting, and details on an upcoming candidates forum that will be held at Union Missionary Baptist Church.

City Clerk Swope shared details about the upcoming election on Tuesday, November 4.

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 shared details about the Mobile Food Pantry, the Impression Five Science Center Expansion Ribbon Cutting Ceremony, the Runway Fashion and Design Incubator Opening located in the Knapp Center, the Trick n' Treat on the Square Downtown Lansing Halloween Celebration, the Silver Bells in the City and the new Southside Lansing Pathway and Delhi Township extension of the River Trail

Randy Hannan also spoke about the merits of the Capitol Books Development, the economic incentives for the Cameron Tool Corporation, the Comcast Franchise Renewal Resolution, and the City of Lansing selection to receive a blight removal federal grant from the State of Michigan. Finally, he spoke of the Administration's disappointment that the appointments to the Tri-County Planning Commission have not yet been approved.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of SLU-3-2014; 1521 Herbert Street, Surface Parking Lot
2. In consideration of Obsolete Property Rehabilitation Act (OPRA) District; Capitol Books Development; 228 & 232 S. Washington Square
3. In consideration of Obsolete Property Rehabilitation Act (OPRA) Certificate; Capitol Books Development; 228 & 232 S Washington Square
4. In consideration of Industrial Facilities Exemption Certificate (IFT); Cameron Tool Corporation; 1800 Bassett
5. In consideration of Industrial Development District (IDD); Cameron Tool Corporation; 1800 Bassett
6. In consideration of an Ordinance to Repeal Chapter 256 of the Lansing Codified Ordinances and to amend Chapter 255 by eliminating the Traffic Board and providing for a Board of Public Service that carries out the functions of the former Traffic Board

Council Member Quinney gave an overview on SLU-3-2014, Obsolete Property Rehabilitation Act (OPRA) District and Certificate for the Capitol Books Development, and the Industrial Facilities Exemption Certificate (IFT) and Industrial Development District (IDD) for the Cameron Tool Corporation.

Council Member Brown Clarke gave an overview on the Ordinance to Repeal Chapter 256 of the Lansing Codified Ordinances and to amend Chapter 255 by eliminating the Traffic Board and providing for a Board of Public Service that carries out the functions of the former Traffic Board.

- Public Comment on Legislative Matters:

Troy Selden spoke in support of the Industrial Facilities Exemption Certificate and the Industrial Development District for Cameron Tools.

Kevin Henry spoke in opposition to SLU-3-2014.

Leroy Cardwell spoke in support of SLU- 3-2014.

Jeane Ann Cardwell spoke in support of SLU-3-2014.

Maximo Anguiano thanked the Council for the creation of the Ad-Hoc Committee on Diversity and Inclusion.

Willy Williams spoke about various items on the Council agenda.

Aida Cuadrado thanked the Council for the creation of the Ad-Hoc Committee on Diversity and Inclusion.

Mark Clouse spoke in support of the Obsolete Property Rehabilitation Act (OPRA) District for the Capitol Books Development.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of SLU-3-2014; 1521 Herbert Street, Surface Parking Lot

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Obsolete Property Rehabilitation Act (OPRA) District; Capitol Books Development; 228 & 232 S. Washington Square

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Obsolete Property Rehabilitation Act (OPRA) Certificate; Capitol Books Development; 228 & 232 S Washington Square

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of Industrial Facilities Exemption Certificate (IFT); Cameron Tool Corporation; 1800 Bassett

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. In consideration of Industrial Development District (IDD); Cameron Tool Corporation; 1800 Bassett

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

6. In consideration of an Ordinance to Repeal Chapter 256 of the Lansing Codified Ordinances and to amend Chapter 255 by eliminating the Traffic Board and providing for a Board of Public Service that carries out the functions of the former Traffic Board

REFERRED TO THE COMMITTEE OF THE WHOLE

LEGISLATIVE MATTERS

CONSENT AGENDA

By Vice President Brown Clarke

To approve item 1a on the Consent Agenda.

Motion Carried

RESOLUTION #2014-261

BY COUNCIL MEMBERS BOLES, BROWN CLARKE, DUNBAR, HOUGHTON, QUINNEY, WASHINGTON, WOOD, AND YORKO

RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, George Augusts Halliburton was born on October 27th, 1924 in Riley, Tennessee, the oldest of twelve (12) children. In 2014 George will celebrate 90 years of life's accomplishments; and

WHEREAS, George is an alumni of Tennessee State where he pledged Omega Phi Si Fraternity, in addition served his country in the U.S. Navy; and

WHEREAS, Mr. Halliburton married the late Elnora Halliburton in Detroit on June 30, 1956. A year later they purchased their first home on the South side of Lansing, and began their family welcoming two children, Renaye and Duane. George and Elnora welcomed other children later when they became foster parents for several years; and

WHEREAS, in 1984, after 34 years with the Michigan Department of Public Health, George retired as head of the Virology Department. Mr. Halliburton played a role with the Lansing Chapter of Sickle Cell Disease Association of America as Treasurer, and was also the Treasurer for Friendship Baptist Church. George's community service continued when he drove for both the American Red Cross and the Cancer Society for over 20 years; and

WHEREAS, George has 6 grandchildren: Eldred Gravely, Sterling Gravely, Diamon Halliburton, Brandon and Jordan Halliburton and Paris Halliburton, and continues regular contact with his surviving brothers and sisters.

BE IT RESOLVED that the Lansing City Council, along with his friends and family hereby pay tribute to the honors and accomplishments of George Augusts Halliburton, when we wish him a Happy 90th Birthday.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2014-262

BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of John Shaski of 2911 Stoneleigh Drive in Lansing, MI, 48910, as a City of Lansing Representative to the Capital Region Airport Authority for a term to expire September 30, 2018; and

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

WHEREAS, the Intergovernmental Relations Committee met on Monday, October 13, 2014 and took affirmative action; and

BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of John Shaski of 2911 Stoneleigh Drive in Lansing, MI, 48910, as a City of Lansing Representative to the Capital Region Airport Authority for a term to expire September 30, 2018.

By Council Member Houghton

Motion Carried

RESOLUTION #2014-263

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

WHEREAS, the Parks and Recreation Department is required to submit new Cemetery fee recommendations to be considered for approval prior to implementation of new fees; and

WHEREAS, the Parks and Recreation Department has recently opened a new section of fifty-five (55) grave sites at Mount Hope Cemetery for purchase; and

WHEREAS, the addition of fifty-five (55) grave sites within Mount Hope Cemetery will provide burial sites within Lansing's famous historic cemetery and produce new revenue; and

WHEREAS, the Parks and Recreation Department has installed Cremation Towers at Mount Hope Cemetery for purchase for the purpose of interring cremains; and

WHEREAS, the addition of Cremation Towers is a new concept and will save burial space, as well as produce new revenue; and

WHEREAS, the addition of new grave sites at Mount Hope Cemetery and Cremation Towers at Mount Hope Cemetery will provide additional revenue

WHEREAS, the Parks and Recreation Department recommends no further changes to the cemetery fees, other than those listed below; and

WHEREAS, the Mayor has submitted the following fee changes for review by the Council Committee on Ways and Means:

	<u>Current Fee</u>	<u>Proposed Fee</u>
Premium Mount Hope Graves – Resident	\$900.00	\$1,350.00
Premium Mount Hope Graves – Non-Resident	\$1,350.00	\$2,025.00
Tower Marker Foundation Cut		\$25.00
Tower Interment Opening/Closing		\$150.00
2 Person Tower Lot – Resident		\$650.00
2 Person Tower Lot – Non-Resident		\$975.00
3 Person Tower Lot – Resident		\$975.00
3 Person Tower Lot – Non-Resident		\$1,465.00

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the fee changes as stated above in this resolution; and

BE IT FINALLY RESOLVED that these fees will take immediate effect.

By Council Member Wood

Motion Carried

RESOLUTION #2014-264

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

WHEREAS, Michigan's Elliott-Larsen Civil Rights Act, Public Act 453 of 1976, prohibits discrimination in employment, housing, public accommodations, public services and educational facilities based on religion, race, color, national origin, age, sex, height, weight, familial status, or marital status; and

WHEREAS, Representative Jim Dressel (R-Holland) first introduced legislation in 1983 to extend the protection of the Elliott-Larsen Civil Rights to the lesbian, gay, bisexual, and transgender (LGBT) community. Thirty-one (31) years later neither State nor Federal law prohibits discrimination based on sexual orientation and gender identity. As a result, it remains legal to fire someone solely for being gay or transgender, to deny someone housing based solely on their sexual orientation, and to refuse to serve someone based only on their gender identity; and

WHEREAS, the Michigan Department of Civil Rights has concluded that discrimination based on sexual orientation and gender identity in Michigan "exists and is significant" and "has direct negative economic effects on Michigan" and has recommended that the Michigan Legislature expand the Elliott-Larsen Civil Rights Act to include both sexual orientation and gender identity; and

WHEREAS, thirty-three (33) Michigan cities have passed local civil rights ordinances banning discrimination based on both sexual orientation and gender identity; and

WHEREAS, business leaders from across Michigan have come together to form the Michigan Competitive Workforce Coalition to affirm that basic fairness and equality are cornerstone of our economy and that including sexual orientation and gender identity in Michigan's Elliott-Larsen Civil Rights Act strengthens that cornerstone at the very time Michigan is pushing hardest toward economic recovery; and

WHEREAS, eighteen (18) States and the District of Columbia have already adopted legislation prohibiting discrimination based on sexual orientation and gender identity; and

WHEREAS, hardworking people in the State of Michigan, including those who are gay and transgender, should have the opportunity to earn a living and provide for themselves and their families. No one should have to live in fear that they could be legally fired for reasons that have nothing to do with their job performance.

NOW BE IT RESOLVED, that the City of Lansing hereby calls upon the Michigan Legislature to enact legislation to amend the Elliott-Larsen Civil Rights Act to ban discrimination based on both sexual orientation and gender identity without further delay.

NOW BE IT FURTHER RESOLVED, the City of Lansing calls upon the Michigan Legislature to enact fully inclusive legislation. It is essential to include protection based on sexual orientation and gender identity. Fair-minded Michiganders cannot and will not support legislation that will not protect the transgender residents of the State of Michigan.

BE IT FURTHER RESOLVED, the City of Lansing calls upon the Michigan Legislature to resist attempts to add provisions to the Elliott-Larsen Civil Rights Act that would allow employers and businesses to use religion to discriminate against LGBT Michiganders. Compliance with generally applicable civil rights statutes historically has not been and cannot be a matter of personal preference.

BE IT FINALLY RESOLVED, that the Lansing City Clerk provide this Resolution to the Speaker of the Michigan House of Representatives, the Majority Leader of the Michigan Senate, Governor Snyder, State Representative Andy Schor, State Representative Tom Cochran and State Senator Gretchen Whitmer.

By Council Member Brown Clarke

Motion Carried

RESOLUTION #2014-265

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

WHEREAS, on July 28, 2014 ACTION of Greater Lansing appeared before Lansing City Council to request a resolution to be adopted in "Support of Children In Need"; and

WHEREAS, ACTION of Greater Lansing is known for its diverse congregations, direct action model to bring specific commitments to the fore front, and work nationwide to reform America's immigration laws and ensure civil rights for all people, native born and immigrant; and

WHEREAS, on September 8, 2014 the Lansing City Council unanimously adopted Resolution #2014-226 *In Support of Children of South America-Immigration* ; and

WHEREAS, Resolution #2014-226 affirms that the City of Lansing, Michigan welcomes the children of Central and South American and will encourage people and organizations to provide housing, care and protection to these children seeking refuge or asylum from the inhumanities of political unrest, violence and corruption.

NOW BE IT RESOLVED, to ensure and continue positive support of the continued efforts of the City of Lansing, Michigan as a welcoming community for diverse populations, this Resolution will establish an AD-HOC Committee on Diversity and Inclusion that will be meeting from October 13, 2014 thru October 13, 2016 with an option to renew or extend in future years; and

BE IT FURTHER RESOLVED, that this AD-HOC Committee will meet to pursue future support options and protection for these children seeking refuge or asylum; and

BE IT FINALLY RESOLVED, that this AD-HOC Committee will consist of Council Member Derrick Quinney (Vice Chairperson), Council Member Carol Wood (Chairperson) and Council Member Jessica Yorko, and the alternate member will be Council Member Jody Washington.

By Council Member Brown Clarke

Motion Carried

RESOLUTION #2014-266

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

WHEREAS, the City of Lansing has a franchise agreement with Comcast of Michigan, LLC (hereinafter "Comcast") which shall expire on May 3, 2017; and

WHEREAS, the City is desirous of commencing a public hearing pursuant to 47 U.S.C. 546.

NOW, THEREFORE, BE IT RESOLVED, that the City shall commence a public hearing pursuant to 47 USC 546, for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of Comcast under its consent agreement during the current term of that agreement.

BE IT FURTHER RESOLVED that the City Clerk shall give notice of the public hearing to Comcast.

BE IT FINALLY RESOLVED that the City Clerk shall cause to be published in a newspaper of general circulation within the City, at least five (5) days before such hearing, a notice in substantially the following form:

NOTICE OF PUBLIC HEARING
COMCAST CONSENT AGREEMENT RENEWAL WITH
THE CITY OF LANSING

The City of Lansing on its own initiative and as an exercise by the City of its Federal rights under Section 546(a)(1) is commencing a proceeding - - a public hearing - - which affords the public appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of Comcast under its consent agreement during the current term of that agreement.

This public hearing is also held pursuant to the notice by Comcast of Michigan, LLC, doing business as Comcast, to renew its consent agreement to provide cable service in the City and to start a formal proceeding under Section 546 which affords the public appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of Comcast under its consent agreement during the current term of that agreement.

The hearing will start on October 27, 2014 in the City Council Chambers, at City Hall, 124 W. Michigan Ave., Lansing, MI 48933, during the regularly scheduled City Council meeting which starts at

7:00 P.M. The hearing may be recessed but kept open. Written comments will be accepted at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

The public is hereby given notice of the hearing and is invited to participate. Appropriate notice will be given of continuations of the hearing.

By Council Member Wood to place an affirmative role on the Resolution

By Council Member Wood to amend the 3rd paragraph of the Notice of Public Hearing contained in the Resolution by adding "Written comments will be accepted at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov."

Motion Carried

The question being adoption of the Resolution as amended

Motion Carried

**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. Microbrewery, Small Winery, Small Distillery License for Lansing Brewing Company, LLC, 518 E Shiawassee St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Notification of expanded walk-in Absentee Voting on Wednesday nights and specific weekend dates

RECEIVED AND PLACED ON FILE

- c. Board of Water and Light Financial Audit Reports

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Letter(s) from the Mayor re:

- a. Ordinance Amending Chapter 294 of the Lansing Codified Ordinances, IAFF Pension Benefits

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE POLICE AND FIRE RETIREMENT BOARD

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

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Act-10-2013, Sale of 1.4 Acres of 601 Leshar Place (Oak Park), Neogen Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

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

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

e. Appointment of Clayton Gibson King as an At-Large Member of the Park Board for a term to expire June 30, 2018
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

f. Appointment of Patricia Spitzley as a City of Lansing Representative to the Capital Regional Airport Authority for a term to expire September 30, 2017
REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

g. Ordinance Amending Chapter 1020 of the Lansing Codified Ordinances, Snow and Ice
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

h. Sole Source Purchase; Hydrodynamics Incorporated, Public Service
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

i. Sole Source Purchase; Ironbrook UV Disinfection System, Public Service
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

j. Budget Transfer and Grant Acceptance, 2014 Emergency Management Program Grant
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

k. Budget Transfer, 2015 Sobriety Court Grant
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

l. Budget Transfer, FY 2014 Income Tax Donation Appropriations, LPD Special Overtime
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

m. Budget Transfer, FY 2014 Income Tax Donation Appropriations, Homelessness Donations
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

3. Letters from the Internal Auditor re:
a. Report on Charges to Teamster 580 Retirees for Healthcare Coverage
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

b. Audit Report of Blue Bag Procedures
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

• Communications and Petitions, and Other City Related Matters:

1. Notices from the Michigan Liquor Control Commission re:
a. Request ID #: 767645, NB Liquor, Inc., 800 W. Mt. Hope Ave, Transfer ownership of 2014 SDD & SDM Licensed Business with Sunday Sales Permit (p.m.) and Sunday Sales Permit (a.m.) from Perex, Inc.
REFERRED TO THE COMMITTEE ON GENERAL SERVICES

b. Request ID #: 767106, Store 102, LLC, 200 S. Martin Luther King Jr. Blvd, Transfer location of Escrowed 2014 SDD & SDM Licenses
REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Claim appeal submitted by Saideh Bulos on behalf of Nemri Badaway for nuisance fee at 605 E Mt. Hope Ave.
REFERRED TO THE COMMITTEE ON GENERAL SERVICES

By Council Member Carol Wood to excuse Council Member Dunbar and Washington from tonight's proceedings.

Motion Carried

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Willie Williams spoke about various city issues.

Russell Terry spoke about roads.

ADJOURNED TIME 8:30 P.M.

CHRIS SWOPE, CITY CLERK

MOTION OF EXCUSED ABSENCE