OFFICIAL PROCEEDINGS OF THE CITY COUNCIL CITY OF LANSING OCTOBER 21, 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, Yorko

ABSENT: None

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 7 and 14, 2013, Corrected Council Proceedings of March 26, 2007

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Boles

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; In Support of REO Town Commercial Association's application to the Michigan Main Street Center at MSHDA

2. Resolution for consideration this evening; Ratification of UAW Local 2256 Contract with the City of Lansing

3. Freedom of Information Request from Michael E. Cavanaugh

4. Freedom of Information Request from Virginia Rock

By Vice President Boles that the Council resolve itself into the Committee of the Whole

Motion Carried

President Wood reconvened the Council at 7:25 p.m.

SPECIAL CEREMONIES

1. Mayoral presentation; Blue Cross & Blue Shield of Michigan check presentation to the City of Lansing for participation in Winter Warm Up Challenge

Executive Assistant to Mayor Bernero, Randy Hannan, welcomed guests from Blue Cross & Blue Shield of Michigan for the City's 3rd place finish in the Winter Warm Up Challenge, for which the City will receive $1500.

Brett Kachinske, Parks Department Director, spoke about the Winter Warm Up Challenge. He stated the funds will be used for the City's Youth Scholarship Fund.

B. J. Puchala of Blue Cross & Blue Shield spoke about the Winter Warm Up Challenge. He invited participation in the 2014 event.

Randy Hannan acknowledged the many contributions Blue Cross & Blue Shield of Michigan makes in the community.

2. Mayoral presentation; recognition of Gold Level Sponsors of the Mayor's Senior Activities Fair

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the Mayor's Senior Activities Fair.

Steve Etty, Dimondale Rehabilitation & Nursing Care, spoke about his organization and their participation in the fair.

COMMENTS BY COUNCIL MEMBERS AND THE CITY CLERK

Council Member Yorko announced the Greater Lansing Housing Coalition homeowner courses, the Michigan Avenue and Grand River Avenue design charettes, Greater Lansing Housing Coalition's planning sessions for the Regional Fair and Affordable Housing plan, the Center for Financial Health's homebuyer assistance classes and financial fitness classes, and a free asthma health event "Not One More Life" sponsored by the Ingham County Health Department.

Council Member Dunbar announced a Halloween Magic Show at the South Lansing Library, the City Market's Pumpkin Carving event, the final South Lansing Farmers Market, and free community Yoga at Just Be Yoga.

Council Member Washington announced there would not be a first contact meeting in November. She spoke about the recent Allen Neighborhood Center fundraiser and announced that their farmers market will be moving indoors.

Council Member Houghton announced a Sierra Club program on forests.

President Wood announced a candidate forum at Grace Lutheran Church.

City Clerk Swope spoke about the availability of Absent Voter Ballots including Sunday and Saturday hours.

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, announced Trick or Treat on the Square, the Veterans Day Celebration, and Silver Bells in the City. He spoke about Brownfield Redevelopment Plan #57, Saboury Building and Brownfield Redevelopment Plan #58, High Grade Materials. He thanked Council for taking up the UAW Local 2256 contract and encouraged adoption of the resolution.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of SLU-5-2013; request from the Michigan Chamber of Commerce to utilize the property at 534 S. Walnut Street for a parking lot

2. In consideration of Brownfield Redevelopment Plan #57, Saboury Building at 1113, 1115 and 1119 N. Washington Avenue

3. In consideration of Brownfield Redevelopment Plan #58, High Grade Materials at 1800 Turner Street

Council Member Jeffries gave an overview of the public hearings.

- Public Comment on Legislative Matters:

John Morris spoke in support of Brownfield Redevelopment Plan #57, Saboury Building.

Katherine Draper spoke in support of Brownfield Redevelopment Plan #57, Saboury Building.

Louise Gradwohl spoke in support of Brownfield Redevelopment Plan #57, Saboury Building.

Brian Kerkstra spoke in support of Brownfield Redevelopment Plan #58, High Grade Materials.

Willy Williams expressed concerns with the Ratification of UAW Local 2256 being added as a late item.

Mary Ann Prince concerns with the Ratification of UAW Local 2256

REFERRAL OF PUBLIC HEARINGS

1. In consideration of SLU-5-2013; request from the Michigan Chamber of Commerce to utilize the property at 534 S. Walnut Street for a parking lot

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

2. In consideration of Brownfield Redevelopment Plan #57, Saboury Building at 1113, 1115 and 1119 N. Washington Avenue

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. In consideration of Brownfield Redevelopment Plan #58, High Grade Materials at 1800 Turner Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

LEGISLATIVE MATTERS

CONSENT AGENDA

By Vice President Boles

To approve items 2a and 2b on the Consent Agenda.

Motion Carried

RESOLUTION #2013-216
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Coalition Protecting Auto No-Fault has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the Coalition Protecting Auto No-Fault qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Coalition Protecting Auto No-Fault as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Coalition Protecting Auto No-Fault located at 216 N. Chestnut Street, Lansing, MI 48933.

Adopted as part of the Consent Agenda

RESOLUTION #2013-217
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan Environmental Health Association has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Michigan Environmental Health Association as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Michigan Environmental Health Association of PO Box 13276 Lansing, MI 48901.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2013-218
BY COUNCIL MEMBER JODY WASHINGON
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the REO Town Commercial District is vital to our community's identity and quality of life; and

WHEREAS, it is the City of Lansing's intent to reverse the historic trend which has led to the loss of population, jobs and businesses in the downtown district and to work on the continued improvement, revitalization and development of the community by improving pedestrian access and enhancing the areas aesthetics; and

WHEREAS, the Michigan Main Street Center at MSHDA, formed in 2003, provides consulting services to communities that commit to the Main Street Four Point Approach (Design, Organization, Promotion and Economic restructuring) to strengthen commercial activity and improve buildings in a community's downtown; and

WHEREAS, the Main Street Approach to revitalization has generated community-wide interest and support; and

WHEREAS, the REO Town Commercial Association will apply to become an Associate Level Main Street community to stimulate economic development and historic preservation of the downtown, thereby lessening the burden of local government.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council supports the REO Town Commercial Association with their application and understands the REO Town Commercial Association has agreed to these minimum participation standards set forth by Michigan Main Street Center at MSHDA which includes submitting biannual reports to the Main Street Program and participation at required trainings and services. The REO Town Commercial Association has agreed to participate as an Associate Main Street with the intention of applying to become a select Main Street in the future.

By Council Member Washington

Motion Carried

RESOLUTION #2013-219
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert L. McElmurry has requested a Farmland Agreement with Eaton County under the Farmland and Open Space Preservation Program; and

WHEREAS, Eaton County is required to seek input from jurisdictions within 3 miles of the property proposed to be covered by the Farmland Agreement; and

WHEREAS, the Eaton County Clerk has asked for approval or disapproval of the Farmland Agreement for Robert L. McElmurry from the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the Farmland Agreement for Robert L. McElmurry.

By Council Member Jeffries

Motion Carried

RESOLUTION #2013-220
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kathleen Ryan sought to eliminate a special assessment of a trash administration fee and contractor charge totaling $1,013.00 and all associated penalties and interest on the property tax bill for 832 E. Genesee, Lansing, Michigan (Tax ID 33-01-01-15-104-481); and

WHEREAS, upon appeal to the Committee on General Services the claim in the amount of $1,013.00 was denied on October 15, 2013; and

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Kathleen Ryan in the amount of $1,013.00 for special assessment on a trash administration fee and contractor charge and all associated penalties and interest on the property tax bill of 832 E. Genesee, Lansing, Michigan (Tax ID 33-101-15-104-481); 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 #2013-221
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert Teed sought to eliminate a special assessment of $1,500.00 for red tag fees and a $75.00 multiple notice fee, and all associated penalties and interest on the property tax bill of 319 Dunlap St., Lansing, Michigan (Tax ID# 33-01-01-28-333-161); and

WHEREAS, upon appeal to the Committee on General Services, the claim in the amount of $1,500.00 and a $75.00 multiple notice fee was denied on October 15, 2013; and

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Robert Teed in the amount of $1,575.00 for a special assessment on red tag fees and a late fee, and all associated penalties and interest on the property tax bill of 319 Dunlap St., Lansing, Michigan (Tax ID #33-01-01-28-333-161); 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 #2013-222
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Nathan Menzie sought a refund of 50% for recycling service fees charged since 1996 for the property located at 421 N. Jenison Ave., Lansing, Michigan; and

WHEREAS, the COMMITTEE ON GENERAL SERVICES met on October 15, 2013 to review the claim; and

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, approves a partial refund of recylcing service fees within statutory limits in the amount of $225.75 for property located at 421 N. Jenison Ave., Lansing, Michigan;

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

By Council Member Houghton

Motion Carried

RESOLUTION #2013-223
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, for the past seventeen years the Capital Area Response Effort (CARE) Program has served the City of Lansing in ending intimate relationship violence in Ingham County; and

WHEREAS, the CARE Program provides empathic listening to the victims, assesses a victims risk of further injury or homicide, provides education on the power and control behavior of assaults, personal safety planning, helps to arrange safe shelter, provides advocacy with legal and civil court proceedings, assists with Victims' Rights Compensation medical forms, provide available free 911 phones, Verizon minute phones if available, arrange transportation to local community agencies to assist the victims , dispenses emergency personal need items; and

WHEREAS, drawing upon community referrals, the CARE Program is a post-arrest response team dispatched to respond to victims of intimate relationship violence in Lansing, East Lansing, Lansing and Meridian Townships and Michigan State University Police Departments; and

WHEREAS, The CARE Program operates with 3 full time staff and approximately forty-two volunteers (on-call 7 days a week from 0800 to 0100 hours) via Tri-County Dispatch Center; and

WHEREAS, The CARE Program also responds to victims of non-arrest relationship violence via phone contacts and/or Walk-in to the CARE office, or dispatched after local police departments deem it necessary for CARE staff and/or volunteers to provide advocacy at a local hospital; and

WHEREAS, in partnership with Ending Violent Encounters (EVE,Inc) and M.S.U. Safe Place shelters, the CARE Program provides thirty-five (35) hours of volunteer training sessions three (3) times a year with a 60 day probation period for CARE volunteers. Volunteer training is geared specifically to domestic violence laws, victim's rights, and community resources, empathic listening, crisis intervention and safety planning; and

WHEREAS, via numerous agencies and organizations the CARE Program also promotes better community awareness of relationship violence by provides community education and training; and

WHEREAS, The CARE Program is funded for 10/01/2013 – 09/30/2014 by a renewable direct federal Victims of Crime Act (VOCA) grant of $155,000.00 not to exceed $124,000.00 (using in-kind local match estimated at $31,000.00).

NOW, THEREFORE, BE IT RESOLVED, THE Lansing City council authorizes the Administration to accept and administer a VOCA-CARE grant from the Michigan Crime Victims Service Commission in the amount of $124,000.00 total compensation, for the fiscal period beginning October 1, 2013 and ending September 30, 2014 and to create accounts and make necessary transfer.

By Council Member Boles

Motion Carried

RESOLUTION #2013-224
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Lansing Office of Emergency Management receives Federally-funded grant dollars, Emergency Management Performance Grant (EMPG), to pay for 38.0896% of the program Coordinators Salary and Fringe benefits; and

WHEREAS, The EMPG grant is an annual hand down grant to the State of Michigan and is awarded to Emergency Management programs within the State of Michigan annually; and

WHEREAS, The EMPG grant is designed to provide federal EMPG funds to the sub grantee for the development and maintenance of an emergency management program capable of protecting life, property, and vital infrastructure in time of disaster or emergency; and

WHEREAS, The FY 2013 EMPG awards $55,525.00 for the duration of twelve (12) months; and

WHEREAS, The State of Michigan award of $55,525.00 requires no local match or additional funding; and

WHEREAS, The EMPG grant will fund a percentage of the compensation of the Emergency Management program coordinator's salary and fringe benefits;

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the EMPG grant in the total amount of $55,525.00 for the grant period beginning October 1, 2012 and ending September 30, 2013 to fund 38.0896% of the Emergency Management program coordinators salary; and

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Boles

Motion Carried

RESOLUTION #2013-225
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Lansing Office of Emergency Management, as Region One Fiscal agent, receives recurring Homeland Security grants, the current grant being the FY 2013 Homeland Security Grant Program Grant (HSGP); and

WHEREAS, The HSGP grant is a pass through grant from the State of Michigan and is awarded to eight Emergency Management Regions with in the State of Michigan; and

WHEREAS, The HSGP grant is designed to provide federal funds to the sub grantee for the purpose of planning, exercising, training and purchasing equipment based on homeland security guidelines; and

WHEREAS, The HSGP awards $895,055.00 for the duration of thirty-two (32) months; and

WHEREAS, The State of Michigan award of $895,055.00 requires no local match or additional funding; and

WHEREAS, The HSGP grant will support Region one with funding for Planning, exercising, training, and equipment; and

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the HSGP grant in the total amount of $895,055.00 for the grant period beginning September 1, 2013 and ending May 31, 2015 to fund Region One approved projects in accordance with federal grant guidelines.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

By Council Member Boles

Motion Carried

RESOLUTION #2013-226
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2014 transfer be approved;

$14,543.95 from: Homelessness Donations	101.000000.255011
$14,543.95 to: Human Services Discretionary	101.883710.960120

Donations received through income tax donations for homeless assistance.

By Council Member Boles

Motion Carried

RESOLUTION #2013-227
BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2013 transfer be approved:

General Fund:
$112,000.00 from ESG City Match-Emergency Svcs 101.833730.960264.0
$16,520.00 from ESG City Match-Child & Family 101.833720.960264.0
$128,520.00 to Operating Trf-ESG Fund 101.966000.991264.0

ESG Fund:
$128,520.00 from ESG Estimated Revenues 264.000000.696101.02012
$128,520.00 to ESG – Operations 264.932666.960264.02012

These amounts represent the City match for Emergency Shelter Grant Program qualified programs, including EVE Inc $40,000, Haven House Operating $25,000, Loaves and Fishes $25,000, VOA Homeless Program $16,520, Gateway Community Services $22,000.

By Council Member Boles

Motion Carried

RESOLUTION #2013-228
BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2013 transfer be approved:

General Fund:
$26,194.00 from ESG City Match-Emergency Svcs 101.833730.960264.0
$26,194.00 to Operating Trf-ESG Fund 101.966000.991264.0

ESG Fund:
$26,194.00 from ESG Estimated Revenues 264.000000.696101.02011
$26,194.00 to ESG – Operations 264.932666.960264.02011

These amounts represent the City match for Emergency Shelter Grant Program Substantial Amendment for program year 2011 qualified programs, including EVE Inc $2,915, Haven House Operating $10,542, Loaves and Fishes $12,737 and the appropriation of matching funds to Emergency Shelter Grant Program.

By Council Member Boles

Motion Carried

RESOLUTION #2013-229
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the UAW Local 2256, Lansing City Unit have negotiated a labor agreement for the period covering October 1, 2013 through September 30, 2016; and

WHEREAS, the membership has ratified this agreement; and

WHEREAS, the Mayor has recommended that the contract be approved; and

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the contract between the City of Lansing and the UAW Local 2256, Lansing City Unit for the period October 1, 2013 through September 30, 2016.

By Council Member Boles

Motion Carried

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Boles 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. Building Board of Appeals Rules of Administrative Procedure

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Letter(s) from the Mayor re:
   a. Joint Memorandum of Understanding; Redevelopment Ready Communities

REFERRED TO THE COMMITTEE OF THE WHOLE

   b. Notice of Intent for Capital Improvement Bonds; Technology Infrastructure

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

1. Notice from the Michigan Liquor Control Commission of an application from Day Ventures, LLC to transfer interest in 2013 SDD & SDM License, 800 E. Michigan Avenue

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Materials from American Legion Post 12 in support of acquiring former Fire Station #5

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

3. Freedom of Information Request from Michael E. Cavanaugh

REFERRED TO THE DEPARTMENT OF LAW

4. Freedom of Information Request from Virginia Rock

REFERRED TO THE DEPARTMENT OF LAW

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Mary Ann Prince spoke about the City of Lansing election.

Claude Beavers spoke about various City matters.

Willy Williams spoke about various City matters.

ADJOURNED TIME 8:54 P.M.

CHRIS SWOPE, CITY CLERK