



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
OCTOBER 7, 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 Jeffries, Quinney, Washington, Wood, Yorko

ABSENT: Council Members Boles (arrived at 7:28 p.m.), Dunbar (arrived at 7:13 p.m.), Houghton (arrived at 7:13 p.m.)

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

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Jeffries

To approve the printed Council Proceedings of August 12 and 26, 2013

Motion Carried

SPECIAL CEREMONIES

1. Tribute, in recognition of Special Olympics Unified Sports – The Lansing Spartans

Council Member Washington spoke about the achievements of the Special Olympics Unified Sports – The Lansing Spartans.

City Clerk Swope read the following resolution:

RESOLUTION #2013-208

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

WHEREAS, the Special Olympics Project Unify is an education based project, supported by the U.S. Department of Education, and uses sports and education to unite students with and without disabilities. Having sports in common is a way to break down the stereotypes about people with intellectual disabilities; and

WHEREAS, Unified Sports has paired up athletes with and without disabilities on the same team to build friendships, acceptance and promote social inclusion; and

WHEREAS, in the Lansing area the Special Olympic Project Unify has a unified softball team named the Lansing Spartans. The Lansing Spartans is comprised of students from Eastern High School and Everett High School inspired by a simple idea of training and playing together to form friendships and understanding; and

WHEREAS, the Lansing Spartans were coached by Mark Hayes, Glenn Lopez, Amy Robinson, and Meredith DiMaria in a Special Olympics National Softball Tournament in New Jersey on August 22,

2013. While there, they were joined by twenty-four (24) teams from across the United States, Canada, Dominican Republic, and Puerto Rico; and

WHEREAS, during the National Softball Tournament the Lansing Spartans were one of a few unified teams that used a Special Olympic pitcher for all six (6) games, and the Lansing Spartans accomplished a rare feat of turning a triple play with one athlete catching the ball, and getting runners out at first base and second base; and

WHEREAS, the Lansing Spartans went on compete in the Gold Medal round in the Tournament, beating Florida to bring home the Gold Medal for their Division.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council congratulates the Special Olympics Project Unify on their continued efforts and endeavors in using sports to unite students with and without disabilities. And the congratulate the members and coaches of the Lansing Spartans on their gold medal finish in their Division at the 2013 Special Olympics North America Softball Invitational.

By Council Member Washington

Motion Carried

Coach Glenn Lopez thanked the City Council for the recognition and spoke about the accomplishments of the team.

Coach Mark Hayes expressed his pride in the athletes.

Coach Amy Robinson talked about the hard work of the athletes.

Council Member Washington presented certificates to the athletes.

Council Members Dunbar and Houghton arrived at 7:13 p.m.

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

Council Member Yorko spoke about the recent Moores Park Neighborhood cleanup. She announced the upcoming Preservation Lansing Awards.

Council Member Quinney announced the Last Taste of Summer fundraiser and the Lansing Zonta's Survival of the Stylish event.

Council Member Dunbar spoke about the need for people to document their property in case of theft.

Council Member Yorko announced the Moores Park Neighborhood meeting, the Riverside Neighborhood meeting, and the Men's Summit. She spoke about how to use bike lanes and how automobiles should interact with bike lanes.

President Wood announced the Old Everett Neighborhood meeting, the Love and Logic early parenting classes, and the Fenner Center's Apple Butter Festival. She thanked those that worked on the Cristo Rey cleanup.

City Attorney McIntyre announced the Uplift Our Youth Foundation's Harvest Dinner.

City Clerk Swope announced the League of Women Voters forum on Redistricting in Michigan. He announced the close of registration for the November election and the opening of the South Washington Office Complex for Absent Voter ballots.

Council Member Boles arrived at 7:28 p.m.

COMMUNITY EVENT ANNOUNCEMENTS

Claude Beavers announced Council Member Boles' Second Saturday meeting.

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

Acting Executive Assistant to Mayor Bernero, Chad Gamble, announced Trick-or-Treat on the Square, the Veterans Day Celebration, and Silver Bells in the City. He spoke about the Downtown Food Fight.

President Wood and Council Member Quinney asked for some clarification about the new recycling carts, which Chad Gamble provided

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Thomas Hitch spoke in favor of Z-3-2013, 3600 Dunckel Road.

LEGISLATIVE MATTERS

CONSENT AGENDA

By Council Member Boles

To approve item 4a on the Consent Agenda.

Motion Carried

RESOLUTION #2013-209

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

Whereas, the City of Lansing recognizes the threat that natural and technological hazards pose to people and the community; and

Whereas, undertaking hazard mitigation actions will reduce the potential harm to people and property from future hazard occurrences; and

Whereas, an adopted hazard mitigation plan is required as a condition of future funding for multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the Michigan State Police Emergency Management Division and the Federal Emergency Management Agency officials have reviewed the Lansing Hazard Mitigation Plan and the Lansing Flood Mitigation Plan and approved them contingent upon this official adoption;

Whereas, the Michigan State Police Emergency Management Division

and the Federal Emergency Management Agency officials have reviewed the Lansing Hazard Mitigation Plan and the Lansing Flood Mitigation Plan and approved them contingent upon this official adoption; and

WHEREAS, the Lansing City Council held a Public Hearing on September 30, 2013 which allowed the public another opportunity to review the plan and submit comments.

Now, Therefore, Be it Resolved that the City of Lansing hereby adopts the Lansing Hazard Mitigation Plan and the Lansing Flood Mitigation Plan as official plans; and,

Be it further Resolved, the City of Lansing will submit this adoption to the Michigan State Police Emergency Management Division and the Federal Emergency Management Agency, Region V, officials to enable the Lansing Hazard Mitigation Plan's final approval.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2013-210

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, November 4, 2013, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-4-2013: Special Land Use Permit, Church at 3015 S. ML King Blvd.

By Council Member Jeffries

Motion Carried

RESOLUTION #2013-211

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

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-08-80) on December 22, 1980, on the property located at 920 Townsend Avenue; and

WHEREAS, the City of Lansing received and filed an application from General Motors LLC requesting an Industrial Facilities Exemption Certificate (IFT-01-13) for personal and real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held April 15, 2013, on the Industrial Facilities Exemption Certificate (IFT-01-13) filed by General Motors LLC, at which all owners of real and personal property within IDD-08-80, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-08-80 area had the opportunity to appear and be heard; and

WHEREAS, General Motors LLC has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the Lansing City Council previously approved IFT-01-13 on April 22, 2013;

WHEREAS, the State Tax Commission has requested clarification with regard to both the aggregate SEV of real and personal property taxes exempt within the City of Lansing and the length of the industrial

Facilities Tax Certificate in keeping with its new policy;

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of twelve (12) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for real and personal property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of General Motors LLC for an Industrial Facilities Exemption Certificate (IFT-01-13), for real and personal property investments in the area of IDD-08-80 legally described as:

PARTS SECS 20 & 21, AND ALL LOTS, BLOCKS, PLATS, VACATED STREETS & ALLEYS LYING WITHIN PARCEL DESC AS: COM INTN C/L WILLIAM ST & E LINE M-99, TH E TO W LINE BUTLER ST EXT'D S, N TO SE COR ZUBKUS WAY, N'LY TO S LINE MAIN ST, E TO W LINE WALNUT ST, S TO N LINE WILLIAM ST, E TO W LINE TOWNSEND ST, S TO N LINE ELM ST, E TO W BANK GRAND RIVER, S'LY TO N LINE GTW RR R/W, W'LY TO E LINE M-99, N TO BEG, EXC PARTS USED FOR CITY OR MDOT STREET PURPOSES; SEC 21 T4N R2W.

BE IT FINALLY RESOLVED that this Resolution shall be effective retroactively to April 22, 2013.

By Council Member Jeffries

Motion Carried

RESOLUTION #2013-212

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

WHEREAS, the Mayor made the appointment of Tameko Richard of 260 Arbor Glen Drive #101, East Lansing, MI, 48823, as a Business Representative to the Downtown Lansing Inc. Board for a term to expire June 30, 2014.

WHEREAS, the General Services Committee met on October 1, 2013 and took affirmative action;

WHEREAS, Tameko Richard has been vetted by the Administration and meets all Charter & Ordinance requirements;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tameko Richard as a Business Representative to the Downtown Lansing Inc. Board for a term to expire June 30, 2014.

By Council Member Houghton

Motion Carried

City Clerk Swope administered the Oath of Office to Tameko Richard.

ORDINANCES FOR PASSAGE

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.

Z-3-2013; Request from Tom Hitch to rezone the property at 3600 Dunckel Road from "F" Commercial and "J" Parking Districts to "DM-2" Residential District for a Planned Residential District for student housing

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Boles, Dunbar, Houghton, Jeffries, Quinney, Washington, Wood, Yorko
Nays: None

ORDINANCE #5273

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.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2013
Address: 3600 Dunckel Road
Parcel Number: PPN: 33-01-01-36-362-777
Legal Descriptions: Lot 1, Hospitality Motor Inns, A Subdivision on part of the SW ¼ of Section 36, T4N, R2W, City Of Lansing, Ingham County, MI, as recorded in Liber 29 of Plats, Pages 9-11, Ingham County Records, Except Commencing at the NW Corner of said Lot 1; thence S86°09'45" E along the North line of said Lot 1 a distance of 676.19 feet to the point of beginning; thence S86°09'45" East continuing along said North line 118 feet to the Northeastly line of said Lot 1; thence S44°58'35" East along said Northeastly line 109.12 feet; thence S03°50'15" West perpendicular to said North line 78.14 feet; thence N86°09'45" West parallel with said North line 200.12 feet; thence N03°50'15" East perpendicular to said North line 150 feet to the point of beginning; said parcel containing 12.09 acres more or less, from "F" Commercial and "J" Parking Districts to "DM-2" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on October 7, 2013, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

The Council returned to the order of

RESOLUTIONS**RESOLUTION #2013-213**

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

PRD-1-2013

Planned Residential Development - 3600 Dunckel Road

WHEREAS, Thomas Hitch on behalf of the owner, FG&P, LLC, is requesting approval of a Planned Residential Development plan to permit student housing on the 12.09 acre parcel of land at 3600 Dunckel Road, to the maximum density permitted under the "DM-2" Residential district and in accordance with the site plan dated June 5, 2013; and

WHEREAS, the Planning Board held a public hearing for the Planned Residential Development permit on July 2, 2013, where the applicant spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board reviewed the petition at its meeting held on July 9, 2013 and found that the Planned Residential Development meets the criteria set forth in Section 1280.02(e) and Section 1282.02(f) of the *Zoning Code*; based on testimony, evidence, and the staff report; and

WHEREAS, the Planning Board after review of the petition at its meeting held on July 9, 2013, voted unanimously (5-0) to recommend approval of PRD-1-2013; and

WHEREAS, the City Council held a public hearing on September 30, 2013; and

WHEREAS, the City Council Committee on Development & Planning has reviewed the request in accordance with the criteria described in Section 1282.02(f) and the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Planned Residential Development request (PRD-1-2013), to permit student housing on the 12.09 acre parcel of land at 3600 Dunckel Road to the maximum density permitted under the "DM-2" Residential district and in accordance with the site plan dated June 5, 2013.

BE IT FURTHER RESOLVED that this PRD shall remain in effect only so long as the applicant fully complies with the site plan, agency requirements during the site plan review, and conditions set forth in this resolution.

By Council Member Jeffries

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. Letters from the City Clerk re:

- a. Request for Recognition of Non-Profit Status in the City of Lansing for Coalition Protecting Auto No-Fault

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Request from the Eaton County Clerk for approval or disapproval of a Farmland Agreement for Robert L. McElmurry for property located within 3 miles of the City of Lansing under the Farmland and Open Space Preservation Program

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

- c. Lansing Board of Water & Light's Audited Financial Statements

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO THE INTERNAL AUDITOR

• Communications and Petitions, and Other City Related Matters:

1. Notice from the Michigan Liquor Control Commission regarding: Transfer interest in SDD & SDM licenses; Mathon, Inc., 1245 E Grand River, Lansing

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY COUNCIL MEMBERS

Council Member Quinney expressed concern about the Public Services Department's lack of availability at a recent Public Services Committee meeting.

**PUBLIC COMMENT ON
CITY GOVERNMENT RELATED MATTERS**

Frank S. Curtis X spoke about various City matters.

L. W. Morrow spoke about blight and alternative fuels.

Willy Williams spoke about various City matters.

Claude Beavers spoke about the City election.

ADJOURNED TIME 8:05 P.M.

CHRIS SWOPE, CITY CLERK