

**CITY OF EAST LANSING
CITY COUNCIL
WORK SESSION MINUTES
July 24, 2012**

Present: Beard, Loomis, Power, Triplett, Goddeeris ** Triplett left at 9:39 p.m.
Absent: None

The meeting was called to order at 7:00 p.m. by Mayor Goddeeris. The meeting was held in Courtroom #2 of the 54-B District Court, 101 Linden Street, East Lansing.

Item 1 **Communication from Audience**

- None

Item 2 **Approval of the Minutes**

It was moved by Triplett and seconded by Power to approve the minutes of the June 26, 2012 special meeting.

ALL YEAS
MOTION CARRIED

It was moved by Power and seconded by Triplett to approve the minutes of the June 26, 2012 work session.

ALL YEAS
MOTION CARRIED

Item 3 **213-217 Ann Street Site Plan and Special Use Permit**

An application from Infinity Companies, LLC to modify the approved Site Plan and Special Use Permit to construct a five story mixed-use building at 213-217 Ann Street. The property is zoned B-3, City Center Commercial District.

It was moved by Triplett and seconded by Beard to remove this item from the table and place it on tonight's agenda.

ALL YEAS
MOTION CARRIED

Council discussed, with input from City Attorney Tom Yeadon, the procedures "to table" and "to defer."

George Lahanas, City Manager, updated Council on questions and answers related to the St. Anne Lofts project regarding construction code violation, stop work order, and code compliance.

Council discussed internal and external consultant engineering reports, roof access from fifth floor penthouse, fire code issues, and permitted occupancy.

Tim Dempsey, Planning and Community Development Director, introduced Todd Callaway of The Peabody Group, Architects and Designers, Okemos, who answered questions regarding stairwell drawings on plan A1.3.

Eliot Singer, 137 University, spoke regarding St. Anne Lofts project.

Walter Chomentowski, 616 Marshall, read a statement from Alice Dreger regarding St. Anne Lofts project.

Steve Osborn, 1942 Tamarisk Drive, spoke regarding St. Anne Lofts project.

It was moved by Triplett and seconded by Power to approve a modified Site Plan and Special Use Permit to construct a five story mixed-use building at 213-217 Ann Street, as included in July 19, 2012 packet, including 27 conditions.

Council discussed procedure, safety issues, construction, process failures, tax increment financing (TIF) implications, special use permit connected to land rather than company, assessment timetable, and City code compliance, violations, remedies, and applicable fines.

It was moved by Goddeeris and seconded by Beard to amend the main motion by adding condition #28 and condition #29:

28. All studio, one-bedroom, and two-bedroom apartments in the building shall be licensed for no more than a family or two unrelated individuals. The penthouse unit on the fifth floor may be licensed for up to four unrelated individuals. For purposes of this condition, persons comprising a “domestic unit” as defined under “family” in section 50-6 of the Zoning Code shall be deemed related persons.

29. No roof access shall be provided at the north side of the building from the fifth floor for any use other than maintenance and emergency safety use.

Council discussed occupancy of fifth floor penthouse unit.

ALL YEAS

MOTION TO AMEND MAIN MOTION CARRIED

It was moved by Goddeeris and seconded by Triplett to amend the main motion to read:

Approve to modify the approved Site Plan and Special Use Permit to construct a fifth floor penthouse to the already approved four story, mixed use building at 213-217 Ann Street with the fifth floor penthouse site plan as detailed on A1.3 in the July 19, 2012 packet, subject to the original 27 conditions and the additional two conditions as stated and amended in the July 19, 2012 packet.

Council discussed clarification of site plan.

ALL YEAS

MOTION TO AMEND MAIN MOTION CARRIED

Goddeeris brought Council back to discussion of amended main motion with 29 conditions. Council discussed safety challenges, review standards, current agenda item, and process.

Loomis said he would not vote in favor of consideration of the project until he had assurances of structural integrity.

George Lahanas, City Manager, said all code requirements will be met before a certificate of occupancy will be issued.

Triplett said Council is in unanimous agreement regarding safety issues. He said Council must honor requirements of the City Code and determine if the application to modify the Site Plan and Special Use Permit has met the Zoning Code standards of review.

Power said he agreed with Loomis, referred to engineering reports, and said he preferred to delay a decision until there is safety compliance.

Goddeeris said application for Site Plan and Special Use Permit standards of review have been met, and structural integrity can be addressed in another motion.

Beard said he agreed with Goddeeris' analysis that the fifth floor as proposed complies with the City Code. He said Council cannot violate the City Code to deny an application without solid findings and conclusions. He said the application complies with the Zoning Code and he has an obligation to vote for it.

Goddeeris restated the motion before Council:

Approve to modify the approved Site Plan and Special Use Permit to construct a fifth floor penthouse to the already approved four story, mixed use building at 213-217 Ann Street with the fifth floor penthouse site plan as detailed on A1.3 in the July 19, 2012 packet, subject to the original 27 conditions and the additional two conditions as stated and amended in the July 19, 2012 packet.

YEAS – 3 Beard, Triplett, Goddeeris

NAYS – 2 Loomis, Power

MOTION CARRIED

It was moved by Goddeeris and seconded by Loomis that weekly reports addressing the reports regarding the deficiencies will be given to Council; and further moved that the City Manager will have those officials responsible to answer Councilmembers' questions at every meeting between now and when a certificate of occupancy is ready to be issued; and further moved that no certificate of occupancy will be issued until City Council is satisfied that all of the requirements for issuance of a certificate of occupancy have been met.

It was moved by Loomis and seconded by Beard to amend the motion to read:

That weekly reports addressing the reports regarding the deficiencies will be given to Council; and further move that the City Manager will have those officials responsible to answer Councilmembers' questions at every meeting between now and when a certificate of occupancy is ready to be issued.

ALL YEAS

MOTION TO AMEND CARRIED

Goddeeris brought Council back to main motion, as amended. She said this will read exactly as the previous amendment.

ALL YEAS
MOTION CARRIED

9:39 p.m. – Council break
9:47 p.m. – Council reconvened

Goddeeris said Triplett would not be in attendance for the remainder of the meeting as he is in the middle of taking the two-day Michigan Bar Exam.

Item 4 **Mural Project**

Ami Van Antwerp, Communications Coordinator, and Kevin Epling, Arts Commission Chair, briefed Council and answered questions regarding a commissioned public art mural project in the Division Street parking ramp.

Council discussed funding, surface preparation, and life expectancy of the mural.

It was moved by Power and seconded by Loomis to approve the design, site, and \$4,000 artist contract for the mural project.

ALL YEAS 4-0
MOTION CARRIED

Item 5 **East Lansing Public Library Carpet Project**

Kristin Shelley, East Lansing Public Library Director, briefed Council on an anonymous donor and Library Board recommendation regarding new carpeting in the East Lansing Public Library.

It was moved by Loomis and seconded by Power to approve expenditure of donated money for the East Lansing Public Library to enter into a contract with Library Design Associates for the carpet project in the amount of \$112,455.00 with a not-to-exceed amount of \$123,700.50.

ALL YEAS 4-0
MOTION CARRIED

Item 6 **Meet the Spartans Event - Closures**

It was moved by Loomis and seconded by Power to approve parking lot and alley closures for Meet the Spartans Event in downtown East Lansing on Tuesday, August 14, 2012:

- Parking Lot #1, Tuesday, August 14, 2012 from 2:00 a.m. to 9:00 p.m.
- 100/200 Grand River Alley, Tuesday, August 14, 2012 from 2:00 p.m. to 9:00 p.m.

ALL YEAS 4-0
MOTION CARRIED

Item 7**Meet the Spartans Event – Sidewalk Use**

It was moved by Loomis and seconded by Power to approve a request to allow merchants to use the sidewalks in front of their businesses on Tuesday, August 14, 2012, during normal business hours, for Meet the Spartans Event.

ALL YEAS 4-0
MOTION CARRIED

Item 8**Kalamazoo Street Interceptor Project**

Robert Scheuerman, Engineering Administrator, briefed Council on completed work of cleaning and televising the 48” and 54” interceptors on Kalamazoo Street from Harrison Road to west of Marigold Avenue.

It was moved by Loomis and seconded by Beard to approve and authorize the City Manager to increase the final contract amount with Terra Contracting LLC for sewer cleaning and televising – Kalamazoo Street Interceptor Project from \$27,408.30 to \$29,320.07.

ALL YEAS 4-0
MOTION CARRIED

Item 9**City Center II Next Steps**

Tim Dempsey, Planning and Community Development Director, said public input will be received regarding development of a project for the City Center II location. He listed constraints of City and private property ownership, the economic issue of Downtown Development Authority (DDA) \$5.6M obligation due in April 2015, and public infrastructure issues of realignment of Albert Avenue, sewer upgrades and public parking.

Lori Mullins, Community and Economic Development Administrator, distributed recommended steps to receive public input in three stakeholder meetings and a timeline for issuing Request for Qualifications and Proposals (RFQ/P).

Ray Vlasin, 1854 Cricket Lane, spoke in support of increased citizen involvement in the next steps for City Center II properties, and citizen input through neighborhood walks with City staff.

John Melcher, 530 Meadowlawn, spoke regarding concerned citizen sub-group to assist with input for Center Center II.

Item 10**LAP Respite Center / ALFA Services**

Tim McCaffrey, Parks, Recreation and Arts Director, answered questions regarding Agreement for the Provision of Adult-based Services in which LAP (Lansing Area Parents) Respite Center would become the service provider for the City of East Lansing’s ALFA (Active Living for Adults) adult day services program. McCaffrey introduced John Stauffer, Executive Director of LAP Respite Center.

Council discussed insurance, transition plan, and cost savings.

Goddeeris said this item will be on Council Business agenda August 8, 2012.

Item 11

Strategic Priorities

George Lahanas, City Manager, presented two versions of the East Lansing City Council Strategic Priorities. Lahanas said the concise shorter version stating just goals and objectives will be used by Council. He said the longer version contains action items to be completed by staff and will be reported to his office for tracking. Lahanas proposed providing Council with a narrative-form progress report every six months.

Council reviewed the five broad categories and discussed items to be included and wording changes. Lahanas said he will provide a draft for further review which incorporates Council ideas.

Item 12

Neighborhood Association Engagement

George Lahanas, City Manager, presented a new Neighborhood Partnership Initiative to support citizenship, foster communication and build community. He said there will be a Neighborhood Partnership Initiative webpage. The Initiative will include a City sponsored, community maintained Neighborhood Association website to share information. It will also include the introduction of City Staff neighborhood liaisons.

Item 13

Comprehensive Plan Process

Darcy Schmitt, Planning and Zoning Administrator, presented a draft outline of how the Comprehensive Plan, which was adopted in 2006, will be updated. She highlighted trends to incorporate, a work plan to develop a steering committee, review phases, public input process, and the plan approval process. Schmitt distributed data-driven maps which she said can be easily updated and incorporated into the Plan.

Schmitt said the Planning Commission is excited to work on this update.

Item 14

Avondale Square Update

Lori Mullins, Community and Economic Development Administrator, updated Council and answered questions on Avondale Square home construction and marketing efforts, infrastructure, the status of the development agreement, and the status of discussions with home builders.

Loomis asked to see financial figures matrix including City financial exposure, indebtedness, and interest rates.

Goddeeris said the next monthly report will be at August 21, 2012 work session.

Item 15

City Council Work Session Set-up

George Lahanas, City Manager, reviewed current and past room set-up for City Council work sessions.

Council discussed security, citizen participation, and sound system and microphone use.

Lahanas said he will explore sound system improvement and will talk with Police Chief Juli Liebler to schedule a refresher course on security procedures.

Goddeeris said Council will continue to meet in Courtroom #2 in the current set-up.

Item 16 **Transportation Commission Appointment**

It was moved by Power and seconded by Beard to approve the appointment of Robert Rutledge to the Transportation Commission for a partial term ending December 31, 2013.

ALL YEAS 4-0
MOTION CARRIED

Item 17 **Active Living for Adults Advisory Commission Appointment**

It was moved by Beard and seconded by Power to approve the appointment of Felix Fliss to the Active Living for Adults Advisory Commission for a partial term ending December 31, 2013.

ALL YEAS 4-0
MOTION CARRIED

Item 18 **Tri-County Office on Aging Advisory Council Appointment**

It was moved by Power and seconded by Beard to approve the appointment of Felix Fliss to the Tri-County Office on Aging Advisory Council for a term ending December 31, 2014.

ALL YEAS 4-0
MOTION CARRIED

Item 19 **Tri-County Office on Aging Area Plan**

It was moved by Power and seconded by Beard to approve a resolution to approve the Tri-County Office on Aging Area Plan for Fiscal Year 2013.

ALL YEAS 4-0
MOTION CARRIED

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

**RESOLUTION TO APPROVE THE TRI-COUNTY OFFICE ON AGING AREA PLAN
FOR FISCAL YEAR 2013**

WHEREAS, the Tri-County Aging Consortium, know as Tri-County Office on Aging, produced the Area Plan for Fiscal Year 2013 as required by the Older Americans Act and the Older Michigianians Act; and,

WHEREAS, the East Lansing Senior Commission received a copy of the plan for their review; and,

WHEREAS, the a public hearing was noticed and held in June 2012; and,

WHEREAS, East Lansing City Council appointed a representative to serve on the Advisory Council which reviewed and recommended approval to the Consortium Administrative Board; and,

WHEREAS, East Lansing City Council Member of the Consortium Administrative Board has reviewed the plan and recommended approval;

NOW, THEREFORE, BE IT RESOLVED that the East Lansing City Council approves the Tri-County Office on Aging Area Plan for Fiscal Year 2013.

Item 20

Council Member Reports

Councilmember Loomis:

- No Report

Councilmember Beard:

- Thanked Council for expressions of sympathy and condolences on the passing of his mother. He said funeral and memorial service will be held Saturday at First United Methodist Church in Grand Ledge.
- He encouraged citizens to assist in watering the young street trees to help them survive during this dry weather.

Councilmember Power:

- No Report

Mayor Goddeeris:

- No Report

Item 21

City Manager's Report

City Manager George Lahanas:

- No Report

Item 22

Adjournment

It was moved by Power and seconded by Beard to adjourn.

ALL YEAS
MOTION CARRIED

There being no further business the meeting was adjourned at 11:58 p.m.

Diane Goddeeris
Mayor

Nancy O. Wagner
Administrative Secretary