

**CITY OF EAST LANSING
REGULAR COUNCIL MEETING
MINUTES
February 21, 2012**

Present: Beard, Loomis, Power, Triplett, Goddeeris
Absent: None

The meeting was called to order at 7:30 p.m. by Mayor Goddeeris. The meeting was held in Council Chambers of the 54-B District Court, 101 Linden Street, East Lansing.

Item 1 **Approval of the Agenda**

It was moved by Goddeeris and seconded by Beard to approve the agenda with the following additions:

CONSENT AGENDA

Item # 23 – New Item

- Approval of a leave of absence for Bill Hartwig of the Planning Commission from March 1-31, 2012

BUSINESS AGENDA

Item # 25 – New Item

- Consideration of the employment contract between George Lahanas and the City Council of the City of East Lansing

ALL YEAS
MOTION CARRIED

Item 2 **Approval of the Minutes**

It was moved by Triplett and seconded by Power to approve the minutes of the February 4, 2012 budget retreat.

ALL YEAS
MOTION CARRIED

It was moved by Triplett and seconded by Power to approve the minutes of the February 7, 2012 regular meeting.

ALL YEAS
MOTION CARRIED

Item 3 **Special Presentations**

Lauren Douglass, Head of Technology Services, East Lansing Public Library, showed a presentation on “Where do we go from here? The future of ELPL.” Douglass highlighted the use of eBooks, eReaders, and challenges and opportunities for libraries.

Item 4**Written Communication**

Between February 14 and 21, 2012, Council received written communication:

- 2/15/12 from Alice Dreger regarding Disclosure policy
- 2/16/12 from Jeffrey Hank regarding friendliness in the City Clerk's office
- 2/17/12 from Andrew Jasmer regarding What Up Dawg? restaurant
- 2/17/12 from Kristen Neithercut regarding What Up Dawg? restaurant
- 2/21/12 from Eliot Singer regarding Brownfield Plan

Item 5**Communication from Audience**

None

Item 6**Communication from Mayor and Council Members**

Councilmember Power:

- No Report

Councilmember Loomis:

- No Report

Councilmember Beard:

- Reminded citizens of Primary election next Tuesday, February 28, and said both partisan and non-partisan ballots contain the East Lansing Public School bond issue. Beard said due to the election on Tuesday, Council work session will be held Wednesday, February 29.

Mayor Pro Tem Triplett:

- Said on Thursday at 7:00 p.m. at Hannah Community Center the City, in cooperation with the Rotary Club of the City of East Lansing, will hold the first of three public input sessions to gather information about the future of the Patriarche Park playground structure. He said the other sessions will be held Tuesday, March 6 at 7:00 p.m. and Saturday, March 10 at 10 a.m. at Hannah Community Center.
- Said Wake Up to Jazz Brunch annual event to support the Summer Solstice Jazz Festival will be held Sunday, March 18, and reservations may be made on the City's website, www.cityofeastlansing.com

Mayor Goddeeris:

- Said on Monday, February 27 at 7:00 p.m. the East Lansing Public Library is offering Speed Friending for Book Lovers.

Item 7**Review of Work Session Actions**

Mayor Goddeeris reviewed the following actions taken at the work session of February 14, 2012:

1. Approved the minutes of the January 26, 2012 work session.
2. Approved the minutes of the January 27, 2012 special meeting.

3. Approved the minutes of the January 31, 2012 special work session.
4. Approved Community Relations Coalition request for Lot 1 east end closure, use of amplified sound, and fee waiver from Saturday, April 21, 2012, at 2:00 a.m. to Sunday, April 22, 2012, at noon for “Taste of East Lansing” event.
5. Introduced and set a public hearing for March 6, 2012, for the following four items:
 - An application from the Islamic Society of Greater Lansing for Site Plan and Special Use Permit approval for the property at 920 Harrison Avenue
 - An application from Wolf River Development Company, LLC for Site Plan and Special Use Permit approval for the property at 514 Michigan Avenue
 - An application from Apollo Investment, LLC for Special Use Permit approval for the property at 301 M.A.C. Avenue
 - An application from Capital City Vineyard Church for modified Site Plan and Special Use Permit for the property at 1635 Coolidge Road
6. Deferred discussion until March 13, 2012, and deferred action until March 20, 2012, on Ordinance No. 1252; a City-initiated Ordinance to amend Article III – of Chapter 50 – Zoning, Section 50-31 and add a Division 5 – of the Code of the City of East Lansing, to provide standards of review for rezoning property and provisions for conditional rezoning.
7. Appointed Chad Obenauf to the Commission on the Environment to a full term ending December 31, 2014.
8. Appointed Jason Fleming to the Parks and Recreation Advisory Commission to a full term ending December 31, 2014.
9. Appointed Mike Vasievich to the Parks and Recreation Advisory Commission to a full term ending December 31, 2014.
10. Appointed Larry Cross to the Building Board of Appeals to a full term ending December 31, 2014.
11. Appointed Robert “Tucker” Wilkinson to the Building Board of Appeals to a partial term ending December 31, 2013.

Item 8**City Manager’s Report**

City Manager George Lahanas:

- Asked Darcy Schmitt, Planning and Zoning Administrator, to provide information on applicability of lot splits to site plan approvals. Schmitt presented information to Council.

Item 9**City Attorney’s Report**

Assistant City Attorney Tom Yeadon:

- Presented information on the legal requirements for lot splits based on the Michigan Land Division Act, and how the Act relates to East Lansing City ordinances.

Consideration of Ordinance No. 1272; an application from Caddis Development Group, LLC to rezone the property at 1525 West Lake Lansing Road from B-5, Community Retail Sales District, subject to a Conditional Rezoning Agreement, to B-4, Restricted Office Business District. On January 23, 2012, with five (5) members present, the Planning Commission voted unanimously to recommend Council approve the application.

Darcy Schmitt, Planning and Zoning Administrator, presented a brief overview of Ordinance No. 1272.

Goddeeris said there are three public hearings tonight related to this property. She said this property is now owned by Caddis Development Group, LLC.

Goddeeris opened the public hearing on Ordinance No. 1272.

Milton Price, 2158 Coolidge Road, spoke regarding sewage and water issues and in opposition to Ordinance No. 1272.

Ralph Monsma, 1350 Red Leaf Lane, spoke in support of Ordinance No. 1272, and agenda items 12 and 16.

Seeing no one else come forward, Goddeeris closed public hearing on Ordinance No. 1272.

It was moved by Power and seconded by Beard to approve Ordinance No. 1272 as written.

ALL YEAS
MOTION CARRIED

CITY OF EAST LANSING

ORDINANCE NO. 1272

**AN ORDINANCE TO AMEND THE ZONING USE
DISTRICT MAP OF CHAPTER 50 -- ZONING -- OF THE
CODE OF THE CITY OF EAST LANSING**

THE CITY OF EAST LANSING ORDAINS:

The Zoning Use District Map is hereby amended to rezone the following described parcel from the B-5, Community Retail Sales Business District (subject to a Conditional Rezoning Agreement), to B-4, Restricted Office Business District:

Parcel Number: 33-20-01-02-427-015 (partial)

A part of the Northeast 1/4 of Southeast 1/4 of Section 2, T4N, R2W, Commencing at the Southeast corner of said Section 2; thence on East Section line N00°07'43" East 1325.94 feet to the South line of Northeast 1/4 of Southeast 1/4; thence N89°51'37" West 50.00 feet; thence N00°07'43" East 331.50 feet to the point of beginning; thence S89°53'12" West 277.72 feet; thence N00°11'55" East 290.00 feet to South line of Lake Lansing

Road, thence N89°53'12" East 127.54 feet, thence N00°24'15" West 17.02 feet, thence N89°53'12" East 150.00 feet to the West line of Coolidge Road, thence S00°07'43" West 307.02 feet to point of beginning, containing approximately 1.91 acres more or less.

More commonly known as 1525 West Lake Lansing Road, East Lansing, Michigan

Item 11 **Public Hearing – 1525 West Lake Lansing Road Site Plan and SUP**

Consideration of an application from Caddis Development Group, LLC for Site Plan and Special Use Permit approval for the property at 1525 West Lake Lansing Road. The proposed application would permit the construction of two medical office buildings and a banking facility with drive through lanes on the former Blue Cross Blue Shield office site. The majority of the property is zoned B-4, Restricted Office Business, with the remainder of the property proposed to be rezoned to B-4 under Ordinance No. 1272. On January 23, 2012 with five (5) members present, the Planning Commission voted unanimously to recommend Council approve the application.

Goddeeris opened the public hearing on application from Caddis Development Group, LLC for Site Plan and Special Use Permit approval for the property at 1525 West Lake Lansing Road.

Seeing no one come forward, Goddeeris closed the public hearing on Caddis Development Group application.

Darcy Schmitt, Planning and Zoning Administrator; and Tim Dempsey, Director of Planning and Community Development, answered questions regarding soil remediation.

George Lahanas, City Manager, reported on sanitary sewer issues and communication with residents.

It was moved by Power and seconded by Triplett to approve application from Caddis Development Group, LLC for Site Plan and Special Use Permit approval for the property at 1525 West Lake Lansing Road, subject to 13 conditions.

Beard extended an apology to Mr. Price for the inconvenience of water and sewer damage to his home and said he will be contacted in the next day or two with a full explanation.

ALL YEAS
MOTION CARRIED

Item 12 **Public Hearing – Trilogy Health Services Site Plan and SUP**

Consideration of an application from Trilogy Health Services, LLC for Site Plan and Special Use Permit approval for the vacant property at the southeast corner of Coleman and Coolidge Roads. The proposed application would permit construction of nearly 81,000 square feet of senior living and long term health care facilities in two buildings. The property is proposed to be rezoned to RM-8, Planned Unit Development, in conjunction with Ordinance No. 1273. On January 23, 2012 with five (5) members present, the Planning Commission voted unanimously to recommend Council approve the application.

Darcy Schmitt, Planning and Zoning Administrator, presented a brief overview and answered questions on application from Trilogy Health Services.

Goddeeris opened the public hearing on application from Trilogy Health Services for Site Plan and Special Use Permit approval.

David Pierson, 1305 S. Washington Avenue, Lansing, on behalf of Trilogy Health Services, spoke in support of agenda items 13, 14, and (re-numbered) 24.

Seeing no one else come forward, Goddeeris closed the public hearing on Trilogy Health Services application.

Goddeeris said in light of next item to rezone the property, it would be appropriate to defer action on this application from Trilogy Health Services for Site Plan and Special Use Permit approval.

It was moved by Power and seconded by Beard to defer action and move to the Business agenda consideration of application from Trilogy Health Services, LLC for Site Plan and Special Use Permit approval.

ALL YEAS
MOTION CARRIED

Item 13 **Public Hearing – Ordinance No. 1273**

Consideration of Ordinance No. 1273; an application from Trilogy Health Services, LLC to rezone the vacant property at the southeast corner of Coleman and Coolidge Roads from DeWitt Township's A, Agricultural District to East Lansing's RM-8, Planned Unit Development District. On January 23, 2012 with five (5) members present, the Planning Commission voted unanimously to recommend Council approve the application.

Goddeeris opened the public hearing on Ordinance No. 1273.

Seeing no one come forward, Goddeeris closed the public hearing on Ordinance No. 1273

It was moved by Triplett and seconded by Power to approve Ordinance No. 1273; an application from Trilogy Health Services, LLC to rezone the vacant property at the southeast corner of Coleman and Coolidge Roads from DeWitt Township's A, Agricultural District to East Lansing's RM-8, as included in February 21, 2012 Council packet.

ALL YEAS
MOTION CARRIED

CITY OF EAST LANSING

ORDINANCE NO. 1273

AN ORDINANCE TO AMEND THE ZONING USE
DISTRICT MAP OF CHAPTER 50 -- ZONING -- OF THE
CODE OF THE CITY OF EAST LANSING

THE CITY OF EAST LANSING ORDAINS:

The Zoning Use District Map is hereby amended to rezone the following described area from DeWitt Township's A, Agricultural District, to the City of East Lansing's RM-8, Planned Unit Development District:

Tax Parcel No. 19-20-50-36-300-030

A parcel of land in the Southwest ¼ of Section 36, T5N, R2W, DeWitt Township, now the City of East Lansing, Clinton County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southwest corner of said Section 36; thence N00°25'44"W along the West line of said Section 36 a distance of 712.59 feet; thence N89°34'16"E 663.30 feet to the East line of the West ½ of the Southwest ¼ of said Southwest ¼; thence S00°21'41"E along said East line 723.81 feet to South line of said Section 36; thence N89°27'30"W along South line 662.55 feet to the point of beginning; said parcel containing 10.93 acres, more or less, including 1.04 acres, more or less, presently in use as public right of way; said parcel subject to all easements and restrictions if any.

More commonly known as E. Coleman Road Vacant Land, East Lansing, Michigan.

Item 14 **Public Hearing – Michigan Hot Dog Experiment SUP**

Consideration of an application from the Michigan Hot Dog Experiment, LLC for modified Special Use Permit approval for the property at 309-317 M.A.C. Avenue. The application is a request to change the existing conditions for the What Up Dawg? restaurant to allow the dining room to remain open until 3:00 a.m. and to allow beer sales until 2:00 a.m. The property is zoned B-3, City Center Commercial. On January 11, 2012 with six (6) members present, the Planning Commission voted unanimously to recommend Council approve the application.

Darcy Schmitt, Planning and Zoning Administrator, briefed Council and answered questions on Michigan Hot Dog Experiment application for modified Special Use Permit.

Goddeeris opened the public hearing on application from Michigan Hot Dog Experiment for modified Special Use Permit approval.

Seth Tompkins, an owner of What Up Dawg? restaurant, spoke in support of application from Michigan Hot Dog Experiment.

Seeing no one else come forward, Goddeeris closed the public hearing on an application from Michigan Hot Dog Experiment.

It was moved by Triplett and seconded by Power to approve a modified Special Use Permit for the property at 309-317 M.A.C. Avenue, as detailed in February 21, 2012 Council packet.

ALL YEAS
MOTION CARRIED

Item 15 **Public Hearing – Brownfield Plan #16-Interstate Partners Project**

Consideration of Brownfield Plan #16 for the Interstate Partners Project (former BCBSM/Health Central site).

Tim Dempsey, Planning and Community Development Director; and David Lee, City Assessor, briefed Council and answered questions on Brownfield Plan #16 and tax assessment of property.

Goddeeris opened the public hearing on Brownfield Plan #16.

Seeing no one come forward, Goddeeris closed the public hearing on Brownfield Plan #16.

It was moved by Loomis and seconded Power to approve Brownfield Plan #16.

ALL YEAS
MOTION CARRIED

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

**A RESOLUTION TO ADOPT BROWNFIELD PLAN #16
FOR THE CITY OF EAST LANSING, APPROVING TAX
INCREMENT FINANCING FOR THE INTERSTATE
PARTNERS PROJECT IN COMPLIANCE WITH THE
PROVISIONS OF ACT 381, PUBLIC ACTS OF 1996 AS
AMENDED**

WHEREAS, on August 15, 2000, the City of East Lansing Council, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), established the City of East Lansing Brownfield Redevelopment Authority (the “Authority”) to facilitate the implementation of plans relating to the identification and treatment of eligible properties in East Lansing; and,

WHEREAS, on August 15, 2000, the City of East Lansing Council adopted the original Brownfield Plan for the City of East Lansing; and,

WHEREAS, the property located at 1525 West Lake Lansing Road, in the City of East Lansing, has been determined to be a “Facility” as defined by Act 381 of Public Acts of 1996, being defined as the “Property”; and,

WHEREAS, a brownfield redevelopment plan has been prepared as Brownfield Plan #16 for the Interstate Partners Project (“Plan #16”), to restore the environmental and economic viability of the Property; and,

WHEREAS, pursuant to and in accordance with Section 13 of the Act, the Authority, on December 15, 2011, approved Plan #16; and,

WHEREAS, East Lansing City Council has reviewed Plan #16, and has provided a reasonable opportunity to interested persons to express their views and recommendations regarding it in accordance with Section 13(12) of the Act; and,

WHEREAS, a public hearing notice on the proposed Plan #16 was published in the manner as required by Section 13(10) of the Act prior to the East Lansing City Council giving consideration to the resolution adopting Plan #16; and,

WHEREAS, all taxing jurisdictions that levy taxes under the Act were notified of the public hearing regarding Plan #16, informed of the fiscal and economic implications of Plan #16, and provided an opportunity to be heard; and,

WHEREAS, the City of East Lansing Council held a public hearing on February 21, 2012 to receive comment on the proposed Plan #16 in accordance with Sections 13(10) and 13(12) of the Act; and,

WHEREAS, on February 21, 2012, East Lansing City Council deemed that Plan #16 meets all requirements of a Brownfield Plan under the Act, the plan constitutes a public purpose, the proposed method of financing the costs of eligible activities is feasible, the costs of eligible activities are reasonable and necessary to carry out purposes of the Act, and the amount of captured taxable value estimated to result from adoption of Plan #16 is reasonable.

NOW, THEREFORE BE IT RESOLVED, that the Council for the City of East Lansing accepts the recommendation of the Authority, and approves the adoption of Brownfield Plan #16 for the Interstate Partners Project.

Item 16

Consent Agenda

City Manager George Lahanas reviewed the Consent agenda:

1. Introduce and refer to Planning Commission, Ordinance No. 1276, a City-initiated Ordinance to amend language of the RM-54 District to limit building height.
2. Approval of the 2012-2016 Park, Recreation, Open Space and Greenways Plan.
3. Approval of the changes to the Park and Recreation Advisory Commission meeting dates from the third Wednesday of any given month to the first Wednesday of any given month.
4. Approval of the Housing Commission recommendation for a Conditional Class III rental license for up to 2 unrelated persons or a family at 2160 Regency Drive. The owner is Robert Born and the legal agent is Renaissance Property Management represented by Kip Wilson.
5. Approval of the following street closures for the Lansing Marathon on Sunday, April 22, 2012:
 - Michigan Avenue between the western boundary of the City to Harrison Road from 8:15 a.m. to 9:15 a.m. or the last runner/walker passes through
 - Harrison Road between Michigan Avenue and Kalamazoo Street from 8:15 a.m. to 9:45 a.m. or the last runner/walker passes through

- Kalamazoo Street from Harrison Road to the bridge from 8:15 a.m. to 9:45 a.m. or the last runner/walker passes through
6. Approval of the submission of a grant application to the National Endowment of the Arts (NEA) in the amount of \$50,000 to support the Great Lakes Folk Festival in cooperation with the Michigan State University Museum.
 7. Approval of a leave of absence for Bill Hartwig of the Planning Commission from March 1 through March 31, 2012.

It was moved by Triplett and seconded by Beard to approve the Consent agenda.

ALL YEAS
MOTION CARRIED

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

2012-2016 COMMUNITY PARKS, RECREATION, OPEN SPACE AND GREENWAYS PLAN

WHEREAS, the City of East Lansing has undertaken the development of a Five Year Community Parks, Recreation, Open Space and Greenways Plan which describes the City of East Lansing physical features and existing parks, recreation, open space and greenways facilities, and the desired actions to be taken to improve and maintain these facilities during the period between 2012 and 2016; and,

WHEREAS, the City of East Lansing has developed the Plan for the benefit of the entire community and wishes to adopt the Plan as a document to assist in meeting the needs of the community for parks, recreation, open space and greenways; and,

WHEREAS, a public comment session was held during a regular meeting of the City of East Lansing Parks and Recreation Advisory Commission on Wednesday, January 18, 2012 to provide opportunity for citizens to express opinions, ask questions and discuss all aspects of the Community Parks, Recreation, Open Space and Greenways Plan; and,

WHEREAS, the during its January 18, 2012, Regular Business Meeting the Parks and Recreation Advisory Commission adopted a resolution recommending the adoption of the Plan by City Council; and,

WHEREAS, the Planning Commission reviewed the Community Parks, Recreation, Open Space and Greenways Plan during a Regular Business Meeting on Wednesday, January 25, 2012, and adopted a resolution recommending the adoption of the Plan by City Council during a Regular Business Meeting on January 25, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the City of East Lansing City Council hereby adopts the City of East Lansing 2012-2016 Community Parks, Recreation, Open Space and Greenways Plan as a guideline for improving recreation for the residents of the City of East Lansing.

FURTHER BE IT RESOLVED, that the City Council directs the Interim City Manager to make copies of the Parks, Recreation, Open Space and Greenways Plan available for public inspection at the East Lansing City Hall, East Lansing Hannah Community Center and the East Lansing Public Library, and to submit the Plan to the Michigan Department of Natural Resources.

Item 17

Business Agenda

- 1. Consideration of a lot split application from Trilogy Health Services, LLC for the vacant property at the southeast corner of Coleman and Coolidge Roads. The applicant is requesting lot split approval to create a new parcel for the proposed Trilogy Health Services facility. On January 11, 2012 with six (6) members present, the Planning Commission voted unanimously to recommend Council approve the application.**

It was moved by Power and seconded by Beard to approve a lot split application from Trilogy Health Services, LLC for the vacant property at the southeast corner of Coleman and Coolidge Roads.

ALL YEAS
MOTION CARRIED

- 2. Consideration of an application from Trilogy Health Services, LLC for Site Plan and Special Use Permit approval for the vacant property at the southeast corner of Coleman and Coolidge Roads. The proposed application would permit construction of nearly 81,000 square feet of senior living and long term health care facilities in two buildings. The property is proposed to be rezoned to RM-8, Planned Unit Development, in conjunction with Ordinance No. 1273. On January 23, 2012 with five (5) members present, the Planning Commission voted unanimously to recommend Council approve the application.**

It was moved by Power and seconded by Beard to approve an application from Trilogy Health Services, LLC for Site Plan and Special Use Permit approval for the vacant property at the southeast corner of Coleman and Coolidge Roads.

ALL YEAS
MOTION CARRIED

- 3. Consideration of the employment contract between George Lahanas and the City Council of the City of East Lansing.**

It was moved by Triplett and seconded by Power to approve the employment contract between George Lahanas and the City Council of the City of East Lansing.

ALL YEAS
MOTION CARRIED

Goddeeris said Lahanas will be formally sworn-in as City Manager at the March 6, 2012 Council meeting.

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

ALL YEAS
MOTION CARRIED

There being no further business the meeting was adjourned at 9:35 p.m.

Diane Goddeeris
Mayor

Nancy O. Wagner
Administrative Secretary