

**CITY OF EAST LANSING  
CITY COUNCIL  
WORK SESSION MINUTES  
August 21, 2012**

Present: Beard, Loomis, Power, Triplett, Goddeeris

Absent: None

Sgt. Andy Bouck conducted a security training from 6:30 p.m. to 6:55 p.m. in Council chambers prior to the scheduled work session.

The meeting was called to order at 7:05 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**

- Aron Sousa, 621 Sunset Lane, spoke regarding St. Anne's lofts.
- Alice Dreger, 621 Sunset Lane, spoke on behalf of Eliot Singer regarding 303 Abbot loan status.
- Alice Dreger, 621 Sunset Lane, spoke regarding Council action and record of meetings.
- Ralph Monsma, 1350 Red Leaf Lane, spoke in support of Fine Park improvements.

**Item 2** **Approval of the Minutes**

It was moved by Power and seconded by Goddeeris to approve the minutes of the July 24, 2012 work session.

ALL YEAS

MOTION CARRIED

**Item 3** **Assessing Projects Presentation**

David Lee, Assessor, said three major assessing projects were completed for 2012 assessments. Lee briefed Council and answered questions on the Whitehills reinspection program, a residential busy street analysis, and a residential rental study.

**Item 4** **Workers Compensation Policy**

Mary Haskell, Finance Director, briefed Council and answered questions on renewal options for the City's workers compensation excess insurance policy.

It was moved by Triplett and seconded by Power to approve a ten month renewal of the City's workers compensation excess insurance policy with Midwest Employers Casualty Company at a rate of \$27,445 and authorize the City Manager to sign the necessary documents to bind coverage by September 1, 2012.

ALL YEAS

MOTION CARRIED

**Item 5**

**East Lansing Public Library Millage Ballot Question**

Kristin Shelley, East Lansing Public Library Director, briefed Council on a title change for the East Lansing Public Library millage ballot question.

It was moved by Power and seconded by Triplett to approve a resolution to amend header language for the East Lansing Public Library millage ballot question.

ALL YEAS  
MOTION CARRIED

**CITY OF EAST LANSING**

**EAST LANSING CITY COUNCIL**

**A RESOLUTION TO PROPOSE A MILLAGE BALLOT QUESTION**

WHEREAS, the City of East Lansing is organized and incorporated as a Home Rule City pursuant to its Charter of the City of East Lansing under the provisions of the Home Rule Cities Act, 1909 PA 279, as amended, MCL 117.1, *et. seq.*; and,

WHEREAS, the City Council of the City of East Lansing established a library and public reading room pursuant to 1877 PA 164 on September 13, 1937; and,

WHEREAS, pursuant to Section 1 of 1877 PA 164, being MCL 397.201, the city council of each incorporated city may levy a tax of not to exceed 1 mill on the dollar annually on all the taxable property in the city to be deposited in a fund known as the library fund for the sole and exclusive use of the public library and reading room; and,

WHEREAS, pursuant to Section 1 of 1877 PA 164, being MCL 397.201, if approved by a majority of the voters voting on the proposal at the regular annual election, the city council may increase the tax levied not to exceed 1 additional mill on the dollar annually on all the taxable property in the city also to be deposited in the library fund for the sole and exclusive use of the public library and reading room; and,

WHEREAS, pursuant to Section 1 of 1877 PA 164, being MCL 397.201, the tax levied thereunder is in addition to any tax limitation imposed by city charter; and,

WHEREAS, prior to 2012 the City of East Lansing had not heretofore levied any tax pursuant to Section 1 of 1877 PA 164, being MCL 397.201; and,

WHEREAS, by its budget resolution of 2012 the City Council of the City of East Lansing levied 1 mill on the dollar annually on all taxable property in the city pursuant to Section 1 of 1877 PA 164, being MCL 397.201, to be deposited in a fund known as the library fund under the exclusive control of the Library Board of Directors, for the sole and exclusive use of the public library and reading room; and,

WHEREAS, the City Council of the City of East Lansing believes that it is necessary to increase the tax levied by up to one additional mill pursuant to Section 1 of 1877 PA 164, being MCL 397.201, to also be deposited in the library fund to be under the exclusive control

of the Library Board of Directors for the sole and exclusive use of the public library and reading room; and,

WHEREAS, the City Council adopted a resolution to propose a millage ballot question for the East Lansing Public Library on May 15, 2012; and,

WHEREAS, the City Council desires to amend the language of the header for the ballot question to read "East Lansing Public Library millage" instead of "ballot question";

NOW THEREFORE, IT IS RESOLVED that the City Council of the City of East Lansing approves the following amended millage ballot question language and directs the Clerk to take all necessary actions to submit it to be placed on the November, 2012 election ballot:

#### EAST LANSING PUBLIC LIBRARY MILLAGE

To support the East Lansing Public Library, shall the City of East Lansing be authorized pursuant to MCL 397.201 to impose a new millage of up to 1 mill (\$1 per \$1,000 of taxable value), for a period of ten (10) years (2013-2022) inclusive, to be deposited in a separate fund for the exclusive use of the East Lansing Public Library under the direction of the East Lansing Library Board? Such millage, if fully levied, would raise an estimated \$840,000 in the first year.

[All amounts levied under this millage on property located outside the Downtown Development Authority or Brownfield Redevelopment Authority will be disbursed directly to the East Lansing Library Board for the exclusive use of the East Lansing Public Library. The law requires that fixed amounts levied under this millage on property located within the Downtown Development Authority or Brownfield Redevelopment Authority be disbursed to those authorities. Disbursements to those other authorities account for less than 4% of the total millage revenue.]

#### **Item 6** **Fine Park Improvements Contract**

Tim McCaffrey, Director of Parks, Recreation and Arts, briefed Council on playground and parking lot renovations to be done at Fine Park.

It was moved by Loomis and seconded by Power to approve Fine Park improvements contract award.

ALL YEAS  
MOTION CARRIED

#### **Item 7** **Guidelines for Naming Public Properties**

Council reviewed Policy Resolution 1992-10 "Guidelines for Naming Public Properties" dated June 9, 1992.

Council discussed Section 2.1a *Person must be Deceased*; comparison of guidelines, policy, and resolution; and process to be used in naming public properties.

Goddeeris asked staff for a legal opinion interpreting the current guidelines and to bring back to Council draft updates to this policy.

**Item 8**

**Medal of Honor Memorial**

Mayor Pro Tem Triplett said the East Lansing Rotary Club would like to honor Medal of Honor recipient U.S. Marine Corps Second Lieutenant Sherrod E. Skinner, Jr. who was killed in action in Korea on October 26, 1952 at the age of 22. Triplett said the Rotary Club will raise the funds for a memorial, but before the process was too far along they requested a general direction from Council if a memorial on public property was possible. He said specific details would come before Council at a later date.

Council concurred that fundraising could continue for a memorial of some type which would be placed in a location to be determined. Loomis suggested also receiving input from community members.

**Item 9**

**Non-Conforming Building Uses**

Darcy Schmitt, Planning and Zoning Administrator, briefed Council and answered questions regarding her memo in response to a request from “Rental Owners of East Lansing” to modify the City’s Zoning Code to exempt rental properties that are nonconforming in use from the restrictions of the City’s nonconforming use clause.

Council discussed restrictions, consequences, and purposes of nonconforming use clause; occupancy and housing needs; encouragement of re-investment and improvements; and history, goals, and timeframe of Comprehensive Plan updates.

Matt Hagen, 927 E Grand River Avenue, spoke regarding non-conforming use.

Jeff Hudgins, Hudgins Realty, 117 Gunson Street, spoke regarding non-conforming use.

Joe Goodsir, 2062 Timberview Drive, Okemos, spoke regarding non-conforming use.

Alice Dreger, 621 Sunset Lane, spoke regarding non-conforming use and code issues.

Goddeeris asked Schmitt to draft solutions to issues for Council discussion at a September work session.

**Item 10**

**Liquor License Applications**

Darcy Schmitt, Planning and Zoning Administrator, said the City has one liquor license available under the quota provision and briefed Council and answered questions on liquor license applications from 1050 Trowbridge Road and 313 East Grand River Avenue and their rankings per Policy Resolution 2012-3.

Council discussed ranking system, quota provision license vs Downtown Development Authority liquor license, and purchasing liquor license on open market.

Goddeeris asked Schmitt to provide Council with more information, including staff report of goals and objectives in granting liquor licenses.

9:15 p.m. Council recessed

9:25 p.m. Council reconvened

**Item 11**

**Amended Brownfield Plan #16 Resolution**

Tim Dempsey, Planning and Community Development Director, said amended Brownfield Plan #16 was approved last week; however, for the record, the resolution approving the plan also needs to be adopted.

It was moved by Power and seconded by Loomis to approve resolution to adopt amended Brownfield Plan #16 for the City of East Lansing, approving tax increment financing for the Interstate Partners project.

ALL YEAS

MOTION CARRIED

**CITY OF EAST LANSING**

**EAST LANSING CITY COUNCIL**

A RESOLUTION TO ADOPT AMENDED 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 Amended Brownfield Plan #16 for the Interstate Partners Project ("Amended 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 June 28, 2012, approved Amended Plan #16; and,

WHEREAS, East Lansing City Council has reviewed Amended 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 Amended 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 Amended Plan #16; and,

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

WHEREAS, the City of East Lansing Council held a public hearing on August 8, 2012 to receive comment on the proposed Amended Plan #16 in accordance with Sections 13(10) and 13(12) of the Act; and,

WHEREAS, on August 21, 2012, East Lansing City Council deemed that Amended 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 Amended 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 Amended Brownfield Plan #16 for the Interstate Partners Project.

**Item 12**

**Avondale Square Update**

In keeping with Triplett's disclosure statement of June 3 and July 15, 2008, he asked to be recused from discussion of Avondale Square update.

It was moved by Beard and seconded by Power to recuse Triplett from discussion of this item.

ALL YEAS  
MOTION TO RECUSE CARRIED

Triplett stepped away from the Council table and sat in the audience.

Tim Dempsey, Planning and Community Development Director, updated Council and answered questions on the long-term financial outlook of the project and staff's recommendation to continue relationship with Mayberry Homes pending successful renegotiation of a new development agreement.

Council discussed original and revised projection comparisons and revised TIF (tax increment financing) assumptions, development agreement changes, and market-rate and income qualified purchases.

Dempsey said Council will continue to receive updates and revised development agreement will be on Council agenda in September.

Triplett returned to the Council table.

**Item 13** **Regional Vendor and Bid Process**

Todd Sneathen, Director of Public Works and Environmental Services, updated Council and answered questions on local purchasing preference and its effect on contract bids and competitive pricing for large construction projects.

Council discussed need for more data. George Lahanas, City Manager, said this item will come back to Council for further discussion with additional data.

**Item 14** **Shared Public Services Initiative - Fire**

George Lahanas, City Manager; Randy Talifarro, Fire Chief; and Marie McKenna, City Clerk/Project Administrator, briefed Council and answered questions on a Shared Services feasibility study conducted by Plante & Moran. Lahanas said municipalities participating in the past 20 months in the study were the City of East Lansing, City of Lansing, and Townships of Delhi, Delta, Lansing, and Meridian.

Councilmember Power distributed a variety of documents including his previous memos to Council dated July 10 and August 8, 2012; his questions for Lahanas, Talifarro, and McKenna regarding the Plante & Moran study report; and his observations and suggestions.

Lahanas, Talifarro, and McKenna acknowledged recommendations and challenges of working with six municipalities, said another meeting will be held later this week, and said early stage thoughtful discussions are being held. Goddeeris requested a report back to Council regarding next steps.

Gerald Rodabaugh, East Lansing Fire Union L-1609, spoke regarding the Metro Fire Study.

\*\* 11:50 p.m. It was moved by Power and seconded by Triplett to extend the meeting past midnight.

ALL YEAS  
MOTION CARRIED

**Item 15** **St. Anne's Update**

Tim Dempsey, Planning and Community Development Director, updated Council and answered questions on issues to be resolved before a temporary certificate of occupancy is issued for St. Anne's lofts. Dempsey said he expected these issues will be addressed this week.

Councilmember Loomis requested copy of a letter from Russell Peabody, principal designer in charge, regarding safety of building.

Goddeeris asked if everything else was acceptable, and asked that Dempsey keep Council informed throughout this week.

Loomis said Council does not vote to issue a certificate of occupancy, temporary or otherwise, but said he wants to go on record that this is not acceptable to him.

Alice Dreger, 621 Sunset Lane, spoke of concerns regarding St. Anne project.

**Item 16** **Parking Agreements**

Tim Dempsey, Planning and Community Development Director; and Dan O'Connor, Parking Administrator, briefed Council and answered questions regarding proposed parking agreements for the A & G Partnership (Residences) and St. Anne projects.

It was moved by Loomis and seconded by Power to approve parking agreement for A & G Partnership project, as discussed.

ALL YEAS  
MOTION CARRIED

It was moved by Triplett and seconded by Goddeeris to approve a parking agreement related to the development agreement dated July 26, 2011, between St. Anne, LLC and the City of East Lansing, as included in August 21, 2012 Council packet, with the changes noted by Mr. Dempsey.

YEAS – 3 Beard, Triplett, Goddeeris  
NAYS – 2 Loomis, Power  
MOTION CARRIED

**Item 17** **Strategic Priorities**

George Lahanas, City Manager, provided highlighted copies of the Strategic Priorities with minor changes suggested by Council. Lahanas said issues raised by Council in the last discussion have been addressed and if this meets with Council approval, he will proceed.

Power said his suggestions have been incorporated and this is a good product.

Goddeeris thanked Lahanas and Power for their work on this document.

**Item 18** **Hometown Housing Partnership, Inc. Appointment**

It was moved by Triplett and seconded by Power to appoint Richard Ballard to the Hometown Housing Partnership, Inc. to an At-Large position for a partial term ending June 30, 2014.

ALL YEAS  
MOTION CARRIED

**Item 19****1321 Wolf Court**

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Amy Schlusler-Owens, Community Development Specialist II, presented an overview of the resale of 1321 Wolf Court from the City of East Lansing to Hometown Housing Partnership, Inc. as it pertains to Buy-Sell Agreement between Hometown Housing Partnership and the City of East Lansing.

It was moved by Triplett and seconded by Power to authorize the City Manager to sign a quit-claim deed for resale of 1321 Wolf Court as provided for in Buy-Sell Agreement between the Hometown Housing Partnership and the City of East Lansing.

ALL YEAS  
MOTION CARRIED

**Item 20****Council Member Reports**

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Councilmember Power:

- Reported on actions of three East Lansing police officers and suggested they be publicly acknowledged at an upcoming Council meeting.
- Commented on August 21, 2012 Lansing State Journal editorial and requested Council provide a response. Goddeeris said she would follow up.

Councilmember Loomis:

- No Report

Councilmember Beard:

- Said he was thanked by Karen McKnight Casey of MSU for addressing Resident Assistants at the Rock Monday morning as they were preparing to do their day of community service at Bailey Community Center and elsewhere across the Lansing region.

Mayor Pro Tem Triplett:

- Said today he and George Lahanas spoke with the new class of CRC (Community Relations Coalition) interns at their training and said they are looking forward to meeting and working with Council.

Mayor Goddeeris:

- Said she will not in attendance at the next Council meeting.

**Item 21****City Manager's Report**

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City Manager George Lahanas:

- Reported on Granicus software which should be in place by October and will allow for searchable database of televised meetings.
- Said MEDC loan is in good standing until December 30, 2012 and said the City will be submitting a formal extension letter to request extension of the loan until June 30, 2014.

It was moved by Goddeeris and seconded by Triplett to adjourn to Executive session to discuss attorney-client privileged communication.

Roll Call:

YEAS – Beard, Loomis, Power, Triplett, Goddeeris

NAYS – None

MOTION CARRIED

Council adjourned to Executive session at 12:27 a.m.

Council returned to work session at 12:35 a.m.

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 12:36 a.m., August 22, 2012.

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Diane Goddeeris  
Mayor

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Nancy O. Wagner  
Administrative Secretary