



**OFFICIAL PROCEEDINGS OF  
THE CITY COUNCIL  
CITY OF LANSING  
APRIL 8, 2019**

City Council Chambers  
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:38 p.m. by President Wood

**PRESENT:** Council Members Dunbar, Hussain, Jackson, Spadafore, Washington, Wood

**ABSENT:** Council Members Garza, Spitzley

A quorum was present.

President Wood asked people to remember Ellen Kays, who recently passed away, during the moment of Meditation. 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 Spadafore

To approve the printed Council Proceedings of March 11 and March 25, 2019

Motion Carried

#### **CONSIDERATION OF LATE ITEMS**

By Vice President Spadafore

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Noise Ordinance Waiver; Department of Public Service recommendation to allow for work on Monday through Friday from 8:00 PM to 7:00 AM, Saturdays from 7:00 AM to 5:00 PM for the period of April 29, 2019, through October 10, 2019 for water main work and milling and resurfacing of Cesar E. Chavez Avenue and Washington Avenue

#### **SPECIAL CEREMONIES**

1. Tribute; in recognition of National Crime Victims' Rights Week

President Wood spoke in support of the tribute and thanked those in the community for their support of crime victims.

Mayor Schor spoke in support of the tribute and presented the proclamation to Rina Risper.

Ingham County Prosecutor Carol Siemon spoke in support of the tribute.

Rina Risper spoke in support of the tribute and said that she supports families and friends of crime victims.

Two family members of crime victims spoke in support of the tribute.

Sam Wolf spoke on behalf of Congresswoman Slotkin in support of the tribute.

#### **RESOLUTION #2019-099**

**BY COUNCIL MEMBERS DUNBAR, GARZA, HUSSAIN, JACKSON,  
SPADAFORE, SPITZLEY, WASHINGTON, WOOD  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, every April, the Office of Victims of Crime (OVC) helps lead communities throughout the country in their annual observances of National Crime Victims' Rights Week (NCVRW) by promoting victims' rights and remembering crime victims and those who advocate on their behalf. This year's NCVRW will be held April 7th-13th. This year's theme –Honoring Our Past. Creating Hope for the Futures. The theme celebrates the progress made by those before us as we look to a future of crime victim services that is even more inclusive, accessible, and trauma-informed; and

WHEREAS, we pay homage to all of the victims' rights organizations and movements of the past year. Today, we stand on the shoulders of those intrepid individuals who pushed for progress in crime victims' rights. They envisioned a time when survivors held a shared hope – for change, for healing, for resilience, and to be heard and treated with dignity. We hold tightly to that hope and continue their work, seeking a future where all victims receive culturally sensitive services and support in their recovery; and

WHEREAS, Americans are the victims of more than 20 million crimes each year, affecting individuals, families, and communities; and

WHEREAS, we applaud the current work of the victim services field, which has adapted to and embraced new technologies as tools to engage communities and reach victims who may have been previously overlooked. The future holds new projects and programs, made possible by greater funding, to provide specialized services to victims. Together, we can ensure that those services help victims who need them most; and

WHEREAS, victims who feel understood and supported are more likely to disclose their victimization, seek services and participate in the justice process. A multidisciplinary response, involving collaboration among victim service professionals, criminal justice officials, legal professional, medical and mental health providers, and community leaders is essential to reach and serve all victims—especially those who are marginalized, have disabilities, or live in remote locations; and

WHEREAS, strengthening the multidisciplinary response—bring diverse skills, perspectives, and understandings together in the service of victims—also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution; and

WHEREAS, the Victims of Crime Act has supported efforts for victims of once-hidden crimes such as domestic and sexual violence. Outreach is increasingly focused on previously underserved victim populations, including victims of color, religious and ethnic minorities,

LGBTQ victims, and immigrant populations to name a few. Efforts are being made to ensure that all victims, regardless of their background or the crime committed against them, receive the support they deserve.

NOW, THEREFORE, BE IT RESOLVED THAT, the Lansing City Council appreciates the unwavering commitment and tireless dedication to victims of crime throughout the Nation and especially in the Lansing community. If victims are to trust that the system will work for them, we must meet them where they are—physically, culturally, and emotionally. By serving victims, building trust, and restoring hope, the field can more effectively help victims as they rebuild their lives. While crime victims have legally protected rights, many different groups face significant barriers not only in accessing the resources they need and deserve, but also in reaching out and we must help bridge that gap. We must engage the entire community and maximize and leverage existing resources to better serve all victims of crime and provide the necessary support through their journey of today and tomorrow.

By President Wood

Motion Carried

2. Mayoral Proclamation and Council Tribute; in recognition of Tri County Aging Consortium's 45th Anniversary

Mayor Schor spoke in support of the tribute and presented the proclamation.

City Clerk Swope spoke in support of the tribute and mentioned the impact that the Meals on Wheels program has on the community.

Marian Owens, Director of the Tri County Aging Consortium, spoke in support of the tribute and thanked the City of Lansing for their support.

Tammy Lemmers spoke about the Meals on Wheels program and thanked the community for their support.

**RESOLUTION #2019-100**

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORÉ, SPITZLEY, WASHINGTON, WOOD  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Tri-County Aging Consortium was established by Clinton, Eaton, and Ingham Counties and the cities of Lansing and East Lansing on April 2, 1974; and

WHEREAS, the original signers of the Consortium Charter included Gerald W. Graves, Mayor, City of Lansing; David C. Hollister, Chair, Ingham County Board of Commissioners; Dale Benjamin Jr., Chair, Eaton County Board of Commissioners; Derrill M. Shinabery, Chair, Clinton County Board of Commissioners; and Wilber B. Brookover, Mayor, City of East Lansing; and

WHEREAS, The City of Lansing, Michigan, as a member of the Tri-County Aging Consortium, is committed to supporting older adults as they take charge of their health, explore new opportunities and activities, and focus on independence; and

WHEREAS, the Tri-County Aging Consortium, doing business as the Tri-County Office on Aging, is the Area Agency on Aging serving City of Lansing residents, with the mission is to promote and preserve the independence and dignity of the aging population; and

WHEREAS, meeting and taking care of basic needs is crucial to the livelihood and independence of older adults and persons with disabilities; and

WHEREAS, the Tri-County Office on Aging provided information, assistance, referrals, health and wellness programs, housing assistance, care management, home delivered meals, and a wide

variety of other in-home supports and services to more than 19,000 individuals in Fiscal Year 2018.

THEREFORE BE RESOLVED, the Lansing City Council hereby recognizes the Tri-County Aging Consortium's 45<sup>th</sup> Anniversary. We urge every resident to make themselves aware of the Tri-County Office on Aging, whose work provides meaningful support and service in our community.

By President Wood

Motion Carried

3. Tribute; in recognition of Roma Bakery's 50th Anniversary

Council Member Dunbar spoke in support of the tribute and thanked Roma Bakery's 50 years of business.

Filomena Baldino-Castriciano introduced her family and thanked the Lansing City Council for the tribute.

**RESOLUTION #2019-101**

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORÉ, SPITZLEY, WASHINGTON, AND WOOD  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Filomena Baldino-Castriciano was born in Cosenza, Italy, and at the age of 12, moved with her family to Lansing, Michigan; and

WHEREAS, Sostine Castriciano was born in Messina, Sicily, and at the age of 18, moved to Hamilton, Ontario to work in his cousin's bakery; and

WHEREAS, Mena's family invited her to visit Ontario to meet Sostine, and after four years of letters and phone calls and occasional visits, they were married on October 26, 1968, and settled in Lansing; and

WHEREAS, less than five months later, on March 9, 1969, the newlyweds and Mena's father, Mario Baldino, acquired a small Italian grocery store at the corner of Erie St. and N. Cedar, which they expanded into Roma Bakery; and

WHEREAS, Roma Bakery quickly outgrew its cozy storefront, prompting Mena and Sostine to move one block south, to their current location, and expand several times since; and

WHEREAS, as one of the oldest businesses in Lansing, and particularly the oldest bakery, Roma has made bridal shower, baby shower, 1<sup>st</sup> communion, confirmation, graduation, wedding and anniversary cakes for multiple generations of Lansing families; and

WHEREAS, while Roma Bakery was growing, so too was the Castriciano, family. All three daughters, AnneMarie, Elisabeth, and Filomena (little Mena) grew up working in the bakery, learning their parents strong work ethic; and

WHEREAS, the Castriciano work ethic and adherence to tradition has sustained Roma Baker for more than five decades, and shoppers can still find Mena and Sostine at the bakery every day.

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council invites all residents to join us in congratulating Mena and Sostine Castriciano on the 50<sup>th</sup> anniversary of Roma Bakery.

By Council Member Dunbar

Motion Carried

4. Mayoral Proclamation and Council Tribute; in recognition of Autism Awareness Month

Vice President Spadafore spoke in support of the tribute.

Xaiver DeGroat thanked the Lansing City Council for their support of Autism Awareness.

Mayor Schor recognized Xavier and presented the proclamation to him.

**RESOLUTION #2019-102**

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON,  
SPADAFORE, SPITZLEY, WASHINGTON, WOOD  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on December 18, 2007 the United Nations General Assembly adopted Resolution 62/139 declaring World Autism Awareness Day (WAAD) to be celebrated April 2, 2008 in perpetuity; and

WHEREAS, WAAD will celebrate the unique talents and skills of persons with autism on April 2, 2019 and individuals with autism are warmly welcomed and embraced in community events around the globe; and

WHEREAS, the month of April is designated as National Autism Awareness Month to increase public awareness of the need to support individuals with autism and the family members, educators and other professionals who teach and care for individuals with autism, and

WHEREAS, in November, 2015, the Centers for Disease Control and Prevention's National Health Statistics Report concluded the prevalence of autism spectrum disorder has risen to one in every 45 children in the United States; and

WHEREAS, Autism Spectrum Disorder (ASD) represents a broad group of disorders that vary widely from mild to severe, and is characterized by difficulty with social interaction, communication, severely limited interests and repetitive behaviors; and

WHEREAS, Autism knows no racial, ethnic, family, income, lifestyle, social boundaries, or educational levels. It can affect any family and any child; and

WHEREAS, communities have a role, in identifying, assessing, or supporting individuals with ASD and their families.

NOW THEREFORE, BE IT RESOLVED, that the Lansing City Council does hereby proclaim April as Autism Awareness Month in the City of Lansing, and encourages our residents to become educated and informed about programs, services, and opportunities to support individuals with autism.

By Vice President Spadafore

Motion Carried

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

Council Member Washington thanked individuals for attending her constituent contact meeting.

Vice President Spadafore thanked Roma Bakery for their 50 years of business.

Council Member Hussain mentioned his upcoming 3<sup>rd</sup> Ward constituent contact meeting.

President Wood mentioned Council Member Garza's upcoming constituent contact meeting.

City Clerk Swope provided more information about the Sinking Funds Millage Election, absentee ballots, and application deadline to be on the ballot for City Council.

**COMMUNITY EVENT ANNOUNCEMENTS**

Loretta Stanaway provided information about an upcoming Friends of Lansing Historic Cemetery event.

Teresa Lark provided information about an upcoming Recycle-Rama recycling event.

**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**

Mayor Schor thanked the Mayor's Neighborhood Advisory Board for their hard work reviewing applications, provided details about the upcoming 2019 Love Lansing event, Red Cedar Renaissance property event, and other upcoming City events.

**PUBLIC COMMENT ON LEGISLATIVE MATTERS**

Legislative Matters included the following public hearings:

1. In consideration of Special Assessment; Glenburne Commons, Trash & Grass Abatement, Roll #GB-2018 (PEND-777, 726)
2. In consideration of Red Cedar Development, Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement (PEND-799, 800)
3. In consideration of an Ordinance to amend Chapter 292 regarding the vesting requirements of the Employees Retirement System

Vice President Spadafore gave an overview of the public hearings.

Public Comment on Legislative Matters:

Mary Johnson spoke about the Red Cedar Development.

Guillermo Lopez spoke in favor of renaming City Council Chambers in honor of Tony Benavidez.

Joseph M. Ladd spoke about the Red Cedar Development.

Brian J. Doyle spoke about the Red Cedar Development.

Walter Sorg spoke about the Red Cedar Development.

Sam Ingot spoke about the Red Cedar Development.

Mitch Rice spoke about the Red Cedar Development.

Loretta Stanaway spoke about the Red Cedar Development.

Alac McCann spoke about the Red Cedar Development.

Nicholas Premo spoke against the Claim Denial #1656 at 1126 Farrand Street.

Cole Spalding spoke about the Red Cedar Development.

Dali Giese spoke about the Red Cedar Development.  
 Mike Jacobs spoke about the Red Cedar Development.  
 Theresa Lark spoke about the Red Cedar Development.  
 Jeff Hanes spoke about the Red Cedar Development.  
 Bob Ruigh spoke about the Red Cedar Development.  
 Abby Clark spoke about the Red Cedar Development.  
 Terry Terry spoke about the Red Cedar Development.  
 Jack Davis spoke about the Red Cedar Development.  
 Brad Minor spoke about the Red Cedar Development.

## LEGISLATIVE MATTERS

### REFERRAL OF PUBLIC HEARINGS

1. In consideration of Special Assessment; Glenburne Commons, Trash & Grass Abatement, Roll #GB-2018 (PEND-777, 726)

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. In consideration of Red Cedar Development, Seventh Amendment to the Amended and Restated Real Estate Purchase and Development Agreement (PEND-799, 800)

REFERRED TO THE COMMITTEE OF THE WHOLE

3. In consideration of an Ordinance to amend Chapter 292 regarding the vesting requirements of the Employees Retirement System

ON THE AGENDA FOR ADOPTION TONIGHT

### CONSENT AGENDA

Vice President Spadafore asked that items all items be removed from the Consent Agenda.

There were no items remaining on the Consent Agenda.

### RESOLUTIONS

#### RESOLUTION #2019-103

BY COUNCIL MEMBER DUNBAR, GARZA, HUSSAIN, JACKSON, SPADAFORE, SPITZLEY, WASHINGTON, WOOD  
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marge Hetherington has been recognized by the Community Circle Players for her tireless commitment and inspiring example on behalf of all who have participated in the Greater Lansing Community Theatre; and

WHEREAS, Ms. Hetherington was a board member from 2002 through 2013, a producer with a focus on complex musicals, has been involved in the design and running of the production lighting, and assisted as an usher and concession worker with the Riverwalk Theatre; and

WHEREAS, Marge has been instrumental in starting and managing The Costume Shop for the Riverwalk Theatre. Marge coordinated finding the new location, prepared costumes to relocate them, organized them and from time to time used her skills not only as manager, but working alongside staff in the day-to-day duties; and

WHEREAS, Marge and her husband Jack have played a key role in all aspects at the Riverwalk Theatre productions and have been recognized with the dedication of the concession stand in their names.

THEREFORE BE IT RESOLVED that the Lansing City Council extends our gratitude for the many years of distinguished service and being an excellent ambassador promoting the Riverwalk Theatre and the Lansing community.

By Vice President Spadafore

Motion Carried

#### RESOLUTION #2019-104

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

WHEREAS, The League of Michigan Bicyclists 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 League of Michigan Bicyclists 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 League of Michigan Bicyclists of 410 S Cedar St., Suite A Lansing, MI 48912.

By Council Member Washington

Motion Carried

#### RESOLUTION #2019-105

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

WHEREAS, Nicholas John Premo sought to eliminate a special assessment of \$3,065.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 1126 Farrand Street (Tax ID #33-01-01-10-328-061); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on March 25, 2019 and denied the claim in the amount of \$3,065.00.

THEREFORE, BE IT RESOLVED, the City Council, hereby, denies the claim in the amount of \$3,065.00 for the trash furniture removal fees, and all associated penalties and interest on the property tax bill for 1126 Farrand Street (Tax ID #33-01-01-10-328-061).

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

By Council Member Washington

Motion Carried with Council Member Dunbar voting "Nay"

#### RESOLUTION #2019-106

BY THE COMMITTEE ON PERSONNEL  
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on December 6, 1996, by resolution #573, the Council amended the "City of Lansing Council Staff Personnel Rules," Article 5, Section B, to provide that Council staff could donate unused leave time

and compensatory time into a newly created "Time Bank" for Council staff's use in the case of hardship, subject to Council approval; and,

WHEREAS, the Time Bank was set-up and donation made with the date of the last donation of time being in 2009; and,

WHEREAS, the Time Bank balance in 2009 has never been used and none of the current Council staff were employees at the time of the last Time Bank contribution; and,

WHEREAS, the Time Bank balance has remained over 900 hours since 2009.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby amends the Council Staff Personnel Rules regarding the Time Bank and bank balance in Article 4, Section B as follows:

1. No addition donations may be made to the Time Bank after December 31, 2018.
2. The current Time Bank balance of 911.97 hours shall continue to be available for use until fully depleted.
3. A Council staff member may make no more than two (2) hardship requests (per calendar year) to use the Time Bank and, if granted, the number of hours approved for any single request shall not exceed 32 consecutive hours.
4. All hardship requests for Time Bank time use shall be evaluated on a per case basis by the Council President and Vice President and if approval of the request is recommended, granting the request shall be subject to final approval made by Council action upon submission of a resolution from the Committee on Council Personnel.

BE IT FINALLY RESOLVED that this resolution shall not alter or amend the Council Staff Personnel Rules provisions permitting Council staff to donate leave time to other Council staff members, who have exhausted the staff member's leave time.

By Vice President Spadafore

Motion Carried

**RESOLUTION #2019-107**

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

WHEREAS, the Public Service Department updates the Public Street System in accordance with Public Act 51 of 1951, which requires that streets that are not open to automobile traffic be decertified and removed from the Act 51 Street System; and

WHEREAS, the Public Service Department has identified street segments currently shown on the Act 51 Street System Map and are not used as public streets; and

WHEREAS, the City of Lansing does wish to decertify, but not vacate, the following street segments; and

WHEREAS, the street segments to be decertified are:

Wilson Street – from Herbert Street west to the dead end, 90 feet

Linwood Street – from Glenn Street south to the dead end, 111 feet

Fernwood Avenue – from Clemens Avenue west to the dead end, 132 feet

Southgate Avenue – from Parkway Drive north to the dead end, 206 feet

Pattengill Avenue – from Victor Avenue south to the dead end, 79 feet

Whyte Street – from Indiana Avenue east to the dead end, 153 feet

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the decertification, but not the vacation, of a total of 771 feet described in the recitals above from the Act 51 Street System.

BE IT FINALLY RESOLVED that the Director of Public Service is authorized to transmit the decertification described in this Resolution to the Michigan Department of Transportation to update the Act 51 Street System consistent with these changes.

By Vice President Spadafore

Motion Carried

**RESOLUTION #2019-108**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION TO SET PUBLIC HEARING FOR ACTION PLAN FY  
2019-2020

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 22, 2019 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of receiving comments on the proposed CDBG resources for the Annual Action Plan submission to HUD for FY 2019-2020.

By Vice President Spadafore

Motion Carried

**RESOLUTION #2019-109**

BY THE COMMITTEE OF THE WHOLE  
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tony Benavides was born in San Vicente, Nuevo Leon in Mexico on May 5, 1937; and

WHEREAS, Tony Benavides' family migrated to Lansing in 1952—with his parents and 12 siblings; and

WHEREAS, Tony Benavides attended Sexton High School while continuing to work beside his family in the fields, while also working as a bag boy at Schmidt Brothers' Hometown Markets; and

WHEREAS, Tony Benavides graduated from Michigan State University with a degree in Public Administration and Management; and

WHEREAS, in 1969 Tony Benavides became the Executive Director of the Cristo Rey Community Center. For 33 years, he developed his vision of building a community organization that offered social services for Lansing's lower-income population, bringing the center from a \$50,000 budget to a \$2.8 million dollar budget and growing the staff from 3 to 75; and

WHEREAS, Tony Benavides was first elected to represent the 3<sup>rd</sup> Ward on the Lansing City Council in 1981, and served for 22 years. During that time, he was also elected by his colleagues to serve as Council President a half dozen times and sat on every Committee numerous times; and

WHEREAS, Tony Benavides, as Council President in 2002, became Mayor when David Hollister stepped down to accept a position with the new governor. Later that year, Tony won the election to become the first Hispanic Mayor of Lansing; and

WHEREAS, Tony has exceeded the high expectations set by his family with a strong work ethic, respect for others, and a true dedication to serve his family and community.

THEREFORE; LET IT BE RESOLVED that the Lansing City Council joins the rest of the City in its desire to honor Tony Benavides as a true public servant and as the first Hispanic Council Member and first Hispanic Mayor of Lansing.

LET IT BE FURTHER RESOLVED that due to our appreciation and wanting to honor Tony Benavides, the Lansing City Council Chambers will be renamed the Tony Benavides Lansing City Council Chambers and will be referred to as such from this time forward at the current site or any future site.

By Vice President Spadafore

Motion Carried

**RESOLUTION #2019-110**

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Hoffman Bros., Inc. has been awarded a construction contract for the rehabilitation of Cesar E Chavez Avenue from the bridge over the Grand River west to Capitol Avenue and also Washington Avenue from Maple Street to just north of Cesar E Chavez Avenue during the 2019 construction season; and

WHEREAS, this construction project involves water main work and milling and resurfacing of Cesar E Chavez Avenue, water main work and reconstruction of Washington Avenue; and

WHEREAS, to minimize impacts to business owners and residents, facilitate utility service connections and maintain progress schedule the contractor is requesting a waiver of the noise ordinance as it relates to construction noise for this project, to allow weekday work and weekend work if needed; and

WHEREAS, this construction project is expected to begin after April 29, 2019 and continue through the 2019 construction season; and

WHEREAS, Hoffman Bros., Inc. has requested a waiver of the noise ordinance on weekdays and weekends, at the site of the construction work; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to minimize disruption to businesses and reduce construction schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on April 22, 2019 at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the construction contractor Hoffman Bros., Inc.'s request for granting a waiver of the noise ordinance, for construction noise on weekdays and weekends for the period of April 29, 2019, through October 10, 2019, at the following locations:

- Cesar E. Chavez Avenue, from Capitol Avenue east to the bridge over the Grand River;
- Washington Avenue from Maple Street to Cesar Chavez Avenue; and
- The intersection of Washington Avenue and Cesar Chavez Avenue.

By Vice President Spadafore

Motion Carried

**ORDINANCES FOR PASSAGE**

**PASSAGE OF ORDINANCE**

An Ordinance of the City of Lansing, Michigan, to amend the Lansing codified ordinances by amending Chapter 292, Sections 292.14(G) and (H), to provide that an employee who, between October 30, 1990 and September 30, 2003, transferred from a full-time City UAW Union position into a full-time City Teamsters 580 Union position, but was not vested in the Employees' Retirement System (ERS) at the time of transfer, may use the accrued UAW time for calculation of the employee's Teamsters Union service credit vesting but not for pension benefit multiplier purpose; and to renumber the existing Subsection 292.14(G) to 292.14(H) without text change.

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

Yeas: Council Members Dunbar, Garza, Hussain, Jackson, Spadafore, Spitzley, Spadafore, Wood

Nays: None

By Vice President Spadafore that the Ordinance be given immediate effect

Motion Carried

**ORDINANCE #1248**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 292, SECTIONS 292.14(G) AND (H), TO PROVIDE THAT AN EMPLOYEE WHO, BETWEEN OCTOBER 30, 1990 AND SEPTEMBER 30, 2003, TRANSFERRED FROM A FULL-TIME CITY UAW UNION POSITION INTO A FULL-TIME CITY TEAMSTERS 580 UNION POSITION, BUT WAS NOT VESTED IN THE EMPLOYEES' RETIREMENT SYSTEM (ERS) AT THE TIME OF TRANSFER, MAY USE THE ACCRUED UAW TIME FOR CALCULATION OF THE EMPLOYEE'S TEAMSTERS UNION SERVICE CREDIT VESTING BUT NOT FOR PENSION BENEFIT MULTIPLIER PURPOSE; AND TO RENUMBER THE EXISTING SUBSECTION 292.14(G) TO 292.14(H) WITHOUT TEXT CHANGE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 292, Section 292.14(G) AND (H), of the Codified Ordinances of the City of Lansing, Michigan, be and [is, are] hereby amended to read as follows:

292.14(G)

COMMENCING MARCH 15, 2019, A TEAMSTERS 243 (FORMERLY TEAMSTERS 580) EMPLOYEE, WHO IS A MEMBER OF THE RETIREMENT SYSTEM AND MEETS ALL THE FOLLOWING CRITERIA, SHALL BE ELIGIBLE TO HAVE THE EMPLOYEE'S PRIOR UAW ACCRUED PENSION SYSTEM MEMBERSHIP CREDITED SERVICE INCLUDED IN THE MEMBER'S SERVICE CREDITS FOR VESTING PURPOSES ONLY AND NOT FOR PURPOSE OF RETIREMENT ALLOWANCE MULTIPLIER CALCULATIONS UNDER THIS CHAPTER:

- (1). THE MEMBER DID NOT ACCRUE EIGHT OR MORE YEARS OF CREDITED SERVICE WHILE EMPLOYED IN THE UAW;
- (2). THE MEMBER TRANSFERRED INTO THE TEAMSTERS 243 POSITION BETWEEN OCTOBER 29, 1990 AND

OCTOBER 1, 2003 FROM THE UAW POSITION WITHOUT ANY BREAK IN CITY SERVICE;

- (3). THE TEAMSTER 243 RETIREMENT SYSTEM MEMBER'S DATE OF SEPARATION FROM CITY SERVICE IS AFTER MARCH 15, 2019.

292.14(G)(H)

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

Section 5. This ordinance shall expire December 31, 2027, unless extended prior to that date.

### **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 Spadafore 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. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office  
PLACED ON FILE
    - b. Executive Order 2019-04, Transfer of all UAW 400 Parking Enforcement Workers from the Police Department to the Economic Development and Planning Department  
REFERRED TO THE COMMITTEE OF THE WHOLE
  2. Letter(s) from the Mayor re:
    - a. Sole Source Purchase; Human Resources Department request for Segal Waters Consulting as the vendor for classification services  
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR
    - b. Orders to Make Safe or Demolish; 840 Maplehill Avenue (PEND-833, 834)  
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY
    - c. Special Assessment; Red Cedar Floodplain (PEND-840)  
REFERRED TO THE COMMITTEE OF THE WHOLE
    - d. Bylaws; Saginaw Street Corridor Improvement Authority

(PEND-828)  
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

e. Bylaws; Michigan Avenue Corridor Improvement Authority (PEND 829)  
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

f. Grant Acceptance; State of Michigan Enhancement Grant for the purposes of funding of the Downtown Two-way Street Conversion Project  
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

g. Additional Funding Acceptance; State of Michigan Transportation Funding  
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

h. Grant Acceptance; U.S. Conference of Mayors Dollarwise Grant (PEND-832)  
REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE INTERNAL AUDITOR

i. Noise Ordinance Waiver; Department of Public Service to allow for work on Saturdays and Sundays from 8:00 a.m. to 8:00 p.m. for the period of June 1, 2019, through August 30, 2019 for resurfacing Mt. Hope Avenue and Capitol Avenue (PEND-835, 836)  
REFERRED TO THE COMMITTEE ON GENERAL SERVICES

j. SLU-1-2019; Church in the "F" Commercial District, 900 Southland Avenue, Suite 918  
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

k. Appointment; Walter L. Sorg Jr. as the Second Ward member of the Board of Public Service for a term to expire June 30, 2022  
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

late Noise Ordinance Waiver; Department of Public Service recommendation to allow for work on Monday through Friday from 8:00 PM to 7:00 AM, Saturdays from 7:00 AM to 5:00 PM for the period of April 29, 2019, through October 10, 2019 for water main work and milling and resurfacing of Cesar E. Chavez Avenue and Washington Avenue  
REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:
  1. Letter from the Michigan Liquor Control Commission regarding an application for a New SDM License Issued under MCL 436.1533(5)(b)(i) and Sunday Sales Permit (AM) for Meijer Inc. at 600 E. Michigan Avenue  
REFERRED TO THE COMMITTEE ON GENERAL SERVICES
  2. Letter from the Michigan Liquor Control Commission regarding an application to transfer stock interest through transfer of stock from the corporation to new and existing stockholders for Mash Mavericks at 523 E. Shiawassee Street  
REFERRED TO THE COMMITTEE ON GENERAL SERVICES
  3. Claim Appeal; Claim #1660, Fairleen Wilson for \$1,414 in trash fees at 921 Shepard Street (PEND-###)  
REFERRED TO THE COMMITTEE ON GENERAL SERVICES
  4. Claim Appeal; Claim #1666, Lonnie Simpson and Kimberly Hawkins for \$689 in trash fees at 1008 Hickory Street (PEND-

###)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. Claim Appeal; Claim #1670, Lee and Carrie Ballou for \$440 in trash fees at 2324 Maplewood Avenue (PEND-###)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

**MOTION OF EXCUSED ABSENCE**

By Vice President Spadafore to excuse Council Members Garza and Spitzley from tonight's proceedings.

Motion Carried

**REMARKS BY COUNCIL MEMBERS**

City Clerk Swope thanked Loretta Stanaway for donating to the Eastside Neighborhood Association fundraiser event and winning a lunch with the Clerk.

**REMARKS BY THE MAYOR  
OR EXECUTIVE ASSISTANT**

Mayor Schor mentioned that a new City Treasurer will be hired and announced soon.

**PUBLIC COMMENT ON  
CITY GOVERNMENT RELATED MATTERS**

Robert Gray spoke about various City matters.

Loretta Stanaway spoke about various City matters.

Brian Doyle spoke about various City matters.

**ADJOURNED TIME 9:48 P.M.**

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**CHRIS SWOPE, CITY CLERK**