

**CITY OF EAST LANSING
CITY COUNCIL
WORK SESSION MINUTES
March 13, 2012**

Present: Beard, Loomis, Power, Triplett, Goddeeris

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 February 29, 2012 work session.

ALL YEAS

MOTION CARRIED

Item 3 **LEAP Strategy Update**

Tim Dempsey, Planning and Community Development Director, introduced Robert Trezise, Jr., President and CEO of Lansing Economic Area Partnership (LEAP). Trezise highlighted regional assets and said LEAP's focus is to reinvent regional culture to become an innovative entrepreneurial community in addition to recruiting and retaining businesses. He thanked Council for its partnership in the SmartZone regional economic development agreement.

Item 4 **City Hall and Bailey Community Center Roofing Project**

Tim McCaffrey, Parks, Recreation and Arts Director, briefed Council and answered questions on re-roofing bids for City Hall and Bailey Community Center.

Goddeeris said contract award request will be on Council agenda next week.

Item 5 **FY13 Budget and 5 Year Financial Forecast Review**

George Lahanas, City Manager, and Mary Haskell, Finance Director, updated Council and answered questions on estimated budget cuts from all funds since 2002 and presented additional worst-case scenario cuts and consequences to City services. Dennis McGinty, City Attorney, presented potential sources of additional revenue for the City's General Operating Fund.

Goddeeris said discussion of McGinty's presentation and answers to Council questions will continue at March 27 work session. She said fiscal year 2013 budget document will be reviewed at a budget work session at 5:30 p.m. on April 3, 2012.

Item 6**Amendments to FY12 Budgets**

Mary Haskell, Finance Director, briefed Council and answered questions on amendments to fiscal year 2012 budgets of the General, Major Streets, Brownfield Redevelopment Authority, Drug Forfeiture, Library, Capital Improvement, Sewage Disposal System, Computer Service and Technology, and Garage and Public Works Service Funds in the combined amount of \$1,139,541.

Goddeeris said these amendments will be on Consent agenda next Tuesday.

Item 7**Ordinance No. 1252**

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.

Darcy Schmitt, Planning and Zoning Administrator, highlighted a document containing Council amendments to Ordinance No. 1252, citizen suggestions, and opinions from Dennis McGinty, City Attorney.

Ralph Monsma, 1350 Red Leaf Lane, distributed citizen list of eight issues regarding Ordinance No. 1252.

Joe Reynolds, 2168 Coolidge, distributed additional language for consideration regarding Ordinance No. 1252.

Goddeeris thanked those who have given input on Ordinance No. 1252. Council discussed ordinance language. Goddeeris said Council will review the ordinance next week and make amendments as needed.

Item 8**Policy Resolution 2012-1 – Public Disclosure Process**

Tom Yeadon, Assistant City Attorney, updated Council and answered questions on proposed Policy Resolution 2012-1 which would require Council members to notify the City Clerk of business meetings with vendors, contractors, developers, and applicants.

Council discussed use of formal or informal resolution, language to be included or excluded, and definition of terms.

Goddeeris said Council will discuss revised draft at March 27, 2012 work session.

Item 9**Settlement Proposal**

Tom Yeadon, Assistant City Attorney, briefed Council on the case of *Dino Cascardo Holdings, Lansing LLC v City of East Lansing* and a settlement proposal from the plaintiff.

Council discussed previous Council's split vote denial of special use permit, statement of findings and conclusions, and proposed settlement.

It was moved by Triplett and seconded by Beard to suspend the rules in order to conduct business past midnight.

ALL YEAS
MOTION CARRIED

Council continued discussion of proposed settlement and need for further negotiation.

Goddeeris said she is not willing to accept offer. She said Council should review special use permits and conditions in relation to alcohol and gas stations.

Loomis said he cannot reject something that is less than what he has already approved, and a decision must be made based upon what the ordinance was at the time the application came before Council.

Triplett said the portion of the offer related to the Police Chief's approval must be removed. He said he stands by the decision he made originally when this was before Council that there is no reason with the existing review standards that can justify not granting this request.

Beard said he thinks there are sufficient grounds to vote no on the request. He said he has stated a couple of them and can reference the code to justify. He said if anything is done to amend the code, it should not be to deal with this issue, but to anticipate future requests.

Power said he will reject the offer.

It was moved by Power and second Beard to reject settlement offer from Dino Cascardo Holdings, Lansing, LLC.

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

Item 10 **Right-of-Way Licenses**

It was moved by Triplett and seconded by Beard to approve right-of-way license for Leo's Coney Island, 333 Albert Avenue, and Cosi Restaurant, 301 E. Grand River Avenue.

ALL YEAS
MOTION CARRIED

Item 11 **Council Member Reports**

Councilmember Power:

- No Report

Councilmember Loomis:

- No Report

Councilmember Beard:

- Said he talked with Captain Mitchell and encouraged Council members to ride along with police on St. Patrick's Day.
- Reported on Celebrations Commission communication plan regarding NCAA tournament celebrations.

Mayor Pro Tem Triplett:

- No Report

Mayor Goddeeris:

- No Report

Item 12

City Manager's Report

City Manager George Lahanas:

- Informed Council there is a law suit filed in Federal District Court and advised Council they need to hire special counsel for the purpose of representing the City.

Tom Yeadon, Assistant City Attorney, said he is a named defendant in this suit so he is unable to represent the City. Yeadon suggested law firms for Council to consider.

Council discussed case, timing, and law firms.

It was moved by Beard and seconded by Triplett to retain law firm of Cummings, McClorey, Davis, and Acho to represent City of East Lansing in case pending in Federal District Court for the Western District of Michigan.

ALL YEAS
MOTION CARRIED

- Said he intends to meet with developer tomorrow and, pending outcome of that meeting, could request special Council meeting for 5:30 p.m. on Tuesday, March 20, 2012. Tom Yeadon, Assistant City Attorney, said City Manager may make written request for a special Council meeting.

Council discussed property demolition and construction, agreement language definitions, and legal position.

Item 13

Adjournment

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

ALL YEAS
MOTION CARRIED

There being no further business the meeting was adjourned at 12:24 a.m.

Diane Goddeeris
Mayor

Nancy O. Wagner
Administrative Secretary