Item 1

Present: Altmann, Beier, Draheim, Meadows, Stephens
Absent: None

The meeting was called to order at 7:02 pm by Mayor Meadows. The meeting was held in Council Chambers of the 54-B District Court, 101 Linden Street, East Lansing.

Item 2

Approval of the Agenda

Moved by Draheim, seconded by Altmann to approve the agenda.

ALL YEAS
MOTION CARRIED

Item 3

Approval of Minutes

Moved by Altmann, seconded by Stephens to approve the minutes for the May 9, 2018 regular meeting.

ALL YEAS
MOTION CARRIED

Item 4

Written Communications received by Council

Documentation of written communication received by Council as of today’s date is in agenda packet and available to the public on Granicus system on City website www.cityofeastlansing.com.

Item 5

Communication from Audience

Lokesh Kumar addressed Council regarding his candidacy for the 8th Congressional District of Michigan.

Item 6

Communications from the Mayor and Councilmembers

Mayor Pro tem Altmann
• None

Councilmember Draheim
• None

Councilmember Beier
• Commented on the FY19 budget and East Lansing’s pension system

Councilmember Stephens
• None
Mayor Meadows
  • None

Item 7  City Manager Report

City Manager George Lahanas:
  • None

Item 8  City Attorney’s Report

City Attorney Tom Yeadon:
  • None

Items 9-15  Consent Agenda

9. Authorize the City Manager to issue a purchase order to Gunthorpe Plumbing and Heating, Inc. of East Lansing, Michigan in the amount of $26,365 to perform repairs to a 12” and an 8” underground water line at the East Lansing Family Aquatic Center and authorize $4,000 for a project contingency.

10. Approval of a resolution to recognize May as Safe Building Month.

11. Approval of the following to Boards and Commissions:
   a. Steven Stapleton to the Transportation Commission for a partial term ending December 31, 2019
   b. John Boyse to the Transportation Commission for a partial term ending December 31, 2020

12. Authorize the City Manager to issue a Purchase Order to Color of Sound Audio of Pleasant Lake, MI, in the amount of $21,730 to perform Production related service necessary for the Summer Solstice Jazz Festival on June 22 - June 24.

13. Approve the proposed Resolution authorizing the City Manager to execute the cost sharing agreement with the Michigan Department of Transportation (MDOT) for the reconstruction of North Hagadorn Road between Haslett Road and Lake Lansing Road, in addition to Alton Road between Burcham Drive and Saginaw Street.

14. Approve the proposed Resolutions ordering the reconstruction of designated sidewalks on Alton Road and construction of new sidewalk along Applegate Lane at North Hagadorn Road in conjunction with the 2018 Major Street Improvement Project and the cost to be assessed to each adjoining property owner.

15. Approve the proposed Resolution authorizing the City Manager to execute the cost sharing agreement with the Michigan Department of Transportation (MDOT) for the Harrison Road and Kalamazoo Street traffic signal improvements.

Moved by Draheim, seconded by Altmann to approve the consent agenda.

ALL YEAS
MOTION CARRIES
CITY OF EAST LANSING
EAST LANSING CITY COUNCIL

A RESOLUTION TO RECOGNIZE SAFE BUILDING MONTH IN THE CITY OF EAST LANSING.

WHEREAS, our continuing efforts to address the critical issues of building safety, energy efficiency, water conservation and resilience in the environment that affect our residents, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

WHEREAS, our confidence is achieved through the dedication of vigilant guardians - building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers, and others in the construction industry - who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, and play; and

WHEREAS, the Michigan Residential and Building Codes, the most widely adopted building safety and energy codes used by most Michigan cities, counties and states include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities’ largely unknown guardians of public safety, our local code officials, who assure us of safe, efficient and livable buildings; and

WHEREAS, “Code Officials: Partners in Community Safety and Economic Growth,” the theme for Building Safety Month 2017, encourages all Americans to raise awareness of the importance of building safe and resilient construction, fire prevention, disaster mitigation, water safety and conservation, energy efficiency, and new technologies in the construction industry; and

WHEREAS, Building Safety Month encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and countless lives have been saved due to the implementation of safety codes by local and state agencies; and

WHEREAS, each year, in observance of Building Safety Month, residents and property owners are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW THEREFORE BE IT RESOLVED, that the Council for the City of East Lansing hereby recognizes May as Building Safety Month.

CITY OF EAST LANSING
EAST LANSING CITY COUNCIL

RESOLUTION TO AUTHORIZE THE CONTRACT FOR THE RECONSTRUCTION OF NORTH HAGADORN ROAD BETWEEN HASLETT ROAD AND LAKE LANSING ROAD, IN ADDITION TO ALTON ROAD BETWEEN
WHEREAS, the City Council of the City of East Lansing has received a contract proposal from the Michigan Department of Transportation for the reconstruction of North Hagadorn Road between Haslett Road and Lake Lansing Road, in addition to Alton Road between Burcham Drive and Saginaw Street and any related utilities; located within the corporate limits of the City of East Lansing, Michigan; and

WHEREAS, said proposal is identified as Michigan Department of Transportation Contract Number 18-5176; and

WHEREAS, this project is recommended for the improvement of vehicular and non-motorized travel and safety; and

WHEREAS, the estimated cost of this project will be funded by the Federal Highway Administration, the City’s Major Street Fund, Water Fund, Sewer Fund and Sidewalk Fund as outlined in MDOT Contract 18-5176 with the Michigan Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the East Lansing City Council does hereby authorize the City Manager to execute MDOT Contract No. 18-5176 with the Michigan Department of Transportation.

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

RESOLUTION TO ORDER THE REPAIR OR REPLACEMENT OF EXISTING SIDEWALK IN CONJUNCTION WITH THE 2018 MAJOR STREET PROJECT ON ALTON ROAD BETWEEN BURCHAM DRIVE AND SAGINAW STREET

WHEREAS, the City of East Lansing Engineering Department has inspected the public sidewalk within the project limits of Alton Road and identified areas of hazardous sidewalk in need of replacement as part of the "2018 Major Street Project;" and

WHEREAS, sidewalks adjacent to the properties included on the attached list must be removed and replaced for the safety of the pedestrians traveling thereon; and

WHEREAS, this portion of the project is recommended for the improvement of non-motorized travel and safety; and

WHEREAS, Chapter 38, Article III, Division 2, Section 38-123 & 38-124 of the East Lansing City Code states that if the owner shall fail to keep the sidewalk adjoining his/her property in good repair, City Council may cause the same to be done and the cost of said construction of a new sidewalk and/or repair of existing sidewalk may be paid out of the contingent fund of the City and the Council may assess such expense as a special assessment against such parcel of land;

NOW, THEREFORE, BE IT RESOLVED, the East Lansing City Council does hereby order the property owners of the addresses included on the attached list to repair or replace the existing sidewalk section or sections found to be in poor condition; and
BE IT FURTHER RESOLVED THAT, if the repairs or replacement of the above described existing sidewalk are not completed within the time period established by the Director of Public Works, which time shall not be less than 20 days from the date of notification, the work shall be completed by direction of the City of East Lansing and the cost of such repairs or replacement shall be charged to the adjoining property owner in accordance with Policy Resolution 1999-3; and

BE IF FURTHER RESOLVED THAT, if the repair or replacement work is completed by the City and the cost of such work is not paid by the adjoining property owner, the cost shall be assessed against the affected property as a special assessment.

CITY OF EAST LANSING
EAST LANSING CITY COUNCIL

RESOLUTION TO ORDER THE PLACEMENT OF NEW SIDEWALK ALONG APPLEGATE LANE AT NORTH HAGADORN ROAD IN CONJUNCTION WITH THE 2018 MAJOR STREET PROJECT

WHEREAS, the City of East Lansing Engineering Department has inspected the public sidewalk within the project limits of North Hagadorn Road and identified a gap along the south side of Applegate Lane approaching North Hagadorn Road, which will be constructed as part of the "2018 Major Street Project;" and

WHEREAS, sidewalk adjacent to the property included on the attached list shall be constructed for sidewalk connectivity and improved safety of the pedestrians traveling thereon; and

WHEREAS, this portion of the project is recommended for the improvement of non-motorized travel and safety; and

WHEREAS, the process for ordering in the construction of new sidewalk and the costs for related work will be in accordance with Section 38 of the City Code of Ordinances and Policy Resolution 2016-5 for further installation of sidewalks along public streets;

NOW, THEREFORE, BE IT RESOLVED, the East Lansing City Council does hereby order the property owners of the address included on the attached list to be assessed for the construction of new sidewalk along local streets, wherever practical sidewalks five feet in width are paid in full by the property owners.

CITY OF EAST LANSING
EAST LANSING CITY COUNCIL

RESOLUTION TO AUTHORIZE THE CONTRACT FOR TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF HARRISON ROAD AND KALAMAZOO STREET AND ANY RELATED UTILITIES; LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF EAST LANSING, MICHIGAN

WHEREAS, the City Council of the City of East Lansing has received a contract proposal from the Michigan Department of Transportation for traffic signal improvements at the intersection of Harrison Road and Kalamazoo Street and any related utilities; located within the corporate limits of the City of East Lansing, Michigan; and
WHEREAS, said proposal is identified as Michigan Department of Transportation Contract Number 18-5190; and

WHEREAS, this project is recommended for the improvement of vehicular and non-motorized travel and safety; and

WHEREAS, the estimated cost of this project will be funded by the Federal Highway Administration, which includes Congestion Mitigation and Air Quality Improvement Program funds, the City’s Major Street Fund and Sidewalk Fund as outlined in MDOT Contract 18-5190 with the Michigan Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the East Lansing City Council does hereby authorize the City Manager to execute MDOT Contract No. 18-5190 with the Michigan Department of Transportation.

Item 16

16. Consideration of the following Ballot proposals:
   a. Charter amendment authorizing Tax Income (with blanks)
   b. Charter amendment authorizing Tax Income (with pension restrictions)
   c. Charter amendment authorizing Tax Income (without restrictions)
   d. Charter amendment authorizing creation of a Police and Fire Debt Pension Board
   e. Headlee Override (Parks and Recreation and CIP)
   f. Headlee Override with blanks
   g. Headlee Override (without restrictions)
   h. Resolution Placing Street Proposal on Ballot
   i. Resolution Placing Parks and Rec Proposal on Ballot
   j. Charter amendment authorizing Income Tax (dedicated percentage)

Mr. Yeadon presented the proposed ballot proposals and answered questions from Council.

Mr. Lahanas presented to Council the timeline of how the ballot proposals were created and answered questions from Council.

No action was taken on the Charter amendment authorizing Tax Income (with blanks).

No action was taken on the Charter amendment authorizing Tax Income (with pension restrictions).

No action was taken on the Charter amendment authorizing Tax Income (without restrictions).

No action was taken on the Charter amendment authorizing creation of a Police and Fire Debt Pension Board.

No action was taken on the Headlee Override (Parks and Recreation and CIP).

No action was taken on the Headlee Override with blanks.

No action was taken on the Headlee Override (without restrictions).

No action was taken on the Resolution Placing Street Proposal on Ballot.

No action was taken on the Resolution Placing Parks and Rec Proposal on Ballot.
Moved by Beier, seconded by Draheim to approve the resolution to propose an amendment to the Charter of the City of East Lansing to authorize an income tax.

Moved by Altmann, seconded by Beier to amend the resolution as follows:

Shall Section 11.1 of the East Lansing City Charter be amended to authorize an excise tax on income for 12 years commencing January 1, 2019 implementing reduction of the City property taxes from a maximum of 20 mills to a maximum of 13 mills and requiring the net income tax revenue to be dedicated as follows: 20% to police and fire protection; 20% to the maintenance and improvement of streets and sidewalks, water and sewer systems, and parks, and recreation, and city-owned facilities; and, 60% to supplemental payments for unfunded pension liabilities for retired city employees.

ALL YEAS
MOTION CARRIED

Moved by Altmann, seconded by Beier to amend the resolution as follows:

In order to carry out the purposes, powers, and duties of the City government established by this Charter, the City may assess, levy and collect taxes, rents, tolls and excises. THE CITY IS AUTHORIZED TO LEVY AN EXCISE TAX ON INCOME IN ACCORDANCE WITH STATE LAW. IF ANY INCOME TAX IS LEVIED BY THE CITY, THE CITY MUST DEDICATE TWENTY PERCENT (20%) OF THE NET INCOME TAX REVENUE, AS DEFINED HEREIN, TO POLICE AND FIRE PROTECTION, THE CITY MUST DEDICATE TWENTY PERCENT (20%) OF THE NET INCOME TAX REVENUE, AS DEFINED HEREIN, TO THE MAINTENANCE AND IMPROVEMENT OF STREETS AND SIDEWALKS, WATER AND SEWER SYSTEMS, AND PARKS, AND RECREATION, AND CITY-OWNED FACILITIES, AND THE CITY MUST DEDICATE SIXTY PERCENT (60%) OF THE NET INCOME TAX REVENUE, AS DEFINED HEREIN, TO SUPPLEMENTAL PAYMENTS FOR THE CITY’S UNFUNDED PENSION LIABILITIES. NET INCOME TAX REVENUE MEANS THE INCOME TAX REVENUE ACTUALLY RECEIVED BY THE CITY MINUS THE DIFFERENCE BETWEEN THE AMOUNT OF PROPERTY TAXES WHICH LAWFULLY COULD HAVE BEEN ASSESSED WITHOUT THE REDUCTION IN PROPERTY TAXES REQUIRED BY SECTION 10.5 OF THE CITY CHARTER AND THE AMOUNT OF PROPERTY TAXES ACTUALLY RECEIVED BY THE CITY, AS CALCULATED ANNUALLY; AND, FURTHER REDUCED BY THE COST OF ADMINISTRATION OF THE EXCISE TAX ON INCOME AND REFUNDS. ANY INCOME TAX AUTHORIZED BY THIS SECTION SHALL HAVE A DURATION THROUGH DECEMBER 31, 2030, AT WHICH TIME THE AUTHORITY PROVIDED BY THIS SECTION SHALL CEASE.

ALL YEAS
MOTION CARRIED

Moved by Draheim, seconded by Stephens to amend the resolution as follows:

BE IT FURTHER RESOLVED, that the aforesaid proposition to amend Section 11.1 of Chapter 11 of the City Charter shall be submitted to the electors of the City of East Lansing at the election to be held in the city on Tuesday, November 6, 2018; and
TWO YEAS; DRAHEIM, STEPHENS
THREE NAYS; ALTMANN, BEIER, MEADOWS
MOTION FAILED

Moved by Altmann, seconded by Beier to amend the resolution as follows:

BE IT FURTHER RESOLVED, that the aforesaid proposition to amend Section 11.1 of Chapter 11 of the City Charter shall be submitted to the electors of the City of East Lansing at the election to be held in the city on Tuesday, August 7, 2018; and

ALL YEAS
MOTION CARRIED

Council asked Mr. Lahanas to see preliminary budget cuts upon the approval of the resolution.

ALL YEAS
MOTION CARRIED ON ORIGINAL MOTION

CITY OF EAST LANSING

EAST LANSING CITY COUNCIL

A RESOLUTION TO PROPOSE AN AMENDMENT TO THE CHARTER OF THE CITY OF EAST LANSING TO AUTHORIZE AN INCOME TAX

WHEREAS, the City of East Lansing is organized and operates as a Home Rule City pursuant to its Charter of the City of East Lansing adopted July 11, 1944, as amended, under the provisions of the Home Rule Cities Act, 1909 PA 279, as amended, MCL 117.1, et. seq.; and

WHEREAS, the City Council has adopted Ordinance #1413 imposing an excise tax equal to 1% on the income on resident individuals and businesses and ½ % on nonresident individuals for income earned in East Lansing; and

WHEREAS, a Charter Amendment amending Section 11.1 of the Charter, if adopted, will authorize the implementation of Ordinance #1413 and Section 10.5 of the Charter, thereafter limiting property taxes to a maximum of 13 mills during the time an excise tax on income is operational; and

WHEREAS, the City Council of the City of East Lansing believes that the qualified and registered electors of the City of East Lansing should have the option to authorize the levy of a City Income Tax with all of the following Charter limitations:

1. That twenty percent (20%) of net income tax revenue shall be dedicated to police and fire protection; and

2. That twenty percent (20%) of net income tax revenue shall be dedicated to the maintenance and improvement of streets and sidewalks, water and sewer systems, and parks and recreation; and

3. That sixty percent (60%) of net income tax revenue shall be dedicated to supplemental payments for unfunded pension liabilities for retired city employees.
NOW THEREFORE, IT IS RESOLVED that in accordance with 1909 PA 279, as amended, MCL 117.21, the East Lansing City Council hereby proposes that Section 11.1 of Chapter 11 of the Charter of the City of East Lansing be amended to read as follows:

11.1. Power to Provide Funds.

In order to carry out the purposes, powers, and duties of the City government established by this Charter, the City may assess, levy and collect taxes, rents, tolls and excises. THE CITY IS AUTHORIZED TO LEVY AN EXCISE TAX ON INCOME IN ACCORDANCE WITH STATE LAW. IF ANY INCOME TAX IS LEVIED BY THE CITY, THE CITY MUST DEDICATE TWENTY PERCENT (20%) OF THE NET INCOME TAX REVENUE, AS DEFINED HERETIN, TO POLICE AND FIRE PROTECTION, THE CITY MUST DEDICATE TWENTY PERCENT (20%) OF THE NET INCOME TAX REVENUE, AS DEFINED HERETIN, TO THE MAINTENANCE AND IMPROVEMENT OF STREETS AND SIDEWALKS, WATER AND SEWER SYSTEMS, AND PARKS, AND RECREATION, AND CITY-OWNED FACILITIES, AND THE CITY MUST DEDICATE SIXTY PERCENT (60%) OF THE NET INCOME TAX REVENUE, AS DEFINED HERETIN, TO SUPPLEMENTAL PAYMENTS FOR THE CITY’S UNFUNDED PENSION LIABILITIES. NET INCOME TAX REVENUE MEANS THE INCOME TAX REVENUE ACTUALLY RECEIVED BY THE CITY MINUS THE DIFFERENCE BETWEEN THE AMOUNT OF PROPERTY TAXES WHICH LAWFULLY COULD HAVE BEEN ASSESSED WITHOUT THE REDUCTION IN PROPERTY TAXES REQUIRED BY SECTION 10.5 OF THE CITY CHARTER AND THE AMOUNT OF PROPERTY TAXES ACTUALLY RECEIVED BY THE CITY, AS CALCULATED ANNUALLY; AND, FURTHER REDUCED BY THE COST OF ADMINISTRATION OF THE EXCISE TAX ON INCOME AND REFUNDS. ANY INCOME TAX AUTHORIZED BY THIS SECTION SHALL HAVE A DURATION THROUGH DECEMBER 31, 2030, AT WHICH TIME THE AUTHORITY PROVIDED BY THIS SECTION SHALL CEASE.

BE IT FURTHER RESOLVED, that the aforesaid proposition to amend Section 11.1 of Chapter 11 of the City Charter shall be submitted to the electors of the City of East Lansing at the election to be held in the city on Tuesday, August 7, 2018; and

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby directed to submit a certified copy of this resolution and proposition to the Governor of the State of Michigan for his approval of said amendment of said Charter provision pursuant to Section 22 of 1909 PA 297; MCL 117.22; and,

BE IT FURTHER RESOLVED, that before the submission of said amendment to the qualified electors of the City of East Lansing, the amendment herein proposed shall be published in full together with the existing Charter provision which will be altered thereby, being Section 11.1 as it now exists, and a notice of said election, in at least two issues of the City Pulse, or other newspaper of general circulation in the city of East Lansing, the first publication to be not less than two weeks nor more than four weeks prior to said election; and,

BE IT FURTHER RESOLVED, that the purpose of such proposed Charter amendment or question shall be designated on the ballots to be printed by the City Clerk, which Ballot Question and Statement of Purpose shall be as follows:

BALLOT QUESTION

Shall Section 11.1 of the East Lansing City Charter be amended to authorize an excise tax on income for 12 years commencing January 1, 2019 implementing reduction of the City property
taxes from a maximum of 20 mills to a maximum of 13 mills and requiring the net income tax revenue to be dedicated as follows: 20% to police and fire protection; 20% to the maintenance and improvement of streets and sidewalks, water and sewer systems, and parks, and recreation, and city-owned facilities; and, 60% to supplemental payments for unfunded pension liabilities for retired city employees.

YES _____ NO ______

BE IT FURTHER RESOLVED, that the City Clerk shall do and perform all acts required of said Clerk by the City Charter and the statutes of the State of Michigan in such case made and provided in regard to the registration of electors for said election, the giving of notice thereof, the giving of notice of such election, the preparation and furnishing of necessary ballots, the obtaining of necessary approval of this amendment by the Michigan Attorney General and Governor of the State of Michigan, and for the conduct of such election.

Item 17 Adjournment

Without objection, the meeting was adjourned at 8:13 pm.

______________________________  ________________________
Mark S. Meadows  Jackson Mills
Mayor  Administrative Assistant