AGENDA
Committee of the Whole
Monday, September 25, 2017 – 6:00 p.m. (note time)
City Council Chambers, City Hall 10th Floor

Council Member Spitzley, Chairperson
Council Member Wood, Vice Chair

1. **Call to Order**

2. **Roll Call**

3. **Minutes**
   - August 28, 2017
   - September 7, 2017
   - September 11, 2017

4. **Public Comment on Agenda Items (Up to 3 Minutes)**

5. **Discussion/Action:**

   A.) RESOLUTION – FY2018/2019 Budget Priorities

6. **Other**

7. **Adjourn**

The City of Lansing's Mission is to ensure quality of life by:

I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
II. Securing short and long term financial stability through prudent management of city resources.
III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
V. Facilitating regional collaboration and connecting communities

PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE OF THE WHOLE DATE Sept 25, 2017

Please print

NAME	ADDRESS	Zip Code	Email Address	PHONE
Elaine Womboldt			RSL	

MINUTES
Committee of the Whole
Monday, August 28, 2017 @ 5:00 p.m.
City Council Chambers

CALL TO ORDER
Council President Spitzley called the meeting to order at 5:00 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar- arrived at 5:44 p.m.
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- arrived at 5:03 p.m.

OTHERS PRESENT
Sherrie Boak, Council Staff
Eric Brewer, Council Internal Auditor
Randy Hannan, Mayors Executive
Jim Smiertka, City Attorney
Kathy Miles
Jeff Landgraf
Deb Parrish
Sheila Jackson
Elaine Womboldt
Suzanne Elms Barclay
Sam Wilber
Gillian Dawson
Steve Monti
Jennifer Jones
Michelle Erskine
Rebecca Geller
Aubrey Olton
Lee Klein
Loretta Stanaway
Brant Johnson
Jacob Tonk
Kira Tait

Emily Wakowski
Dawn Lawler
Al Salas
Scott Keith, LEPFA
Angela Bennett, City Finance Director
James Butler III, LEPFA Board Chairman

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM AUGUST 14, 2017 AS PRESENTED. MOTION CARRIED 7-0.

Presentation

- LEPFA PRESENTATION

Mr. Smiertka provided the Committee with an overview of what the LEPFA is and the authority they are authorized by the State. It became a separate body, created in 1995 by Council resolution and Mayor at the time. It was initially the Greater Lansing Convention Bureau and then dissolved. The City owns all facilities and LEPFA is the operating agency.

Mr. Keith distributed a handout and presented a power point presentation. It was noted the original operation agreement was for 20 years, and in January 2017 it was agreed to another 10 years by LEPFA and the City. Mr. Keith proceed in his presentation which included the mission statement, details on the facilities LEPFA operates, the Lansing Center, the Lansing City Market and Cooley Law School Stadium. The economic impact projected for 2017 was $86 million and revenue projected in 2018 at $6.7 million with a $1,205,500 projected subsidy for 2018. Mr. Keith turned the focus to the performance measures. This included information that the Stadium had a 27.9% increase, and projects150 non-baseball events in the coming year. Lastly Mr. Keith committed to collaboration and transparency and meeting with the Committee of the Whole twice a year or more. In the past, there was a Customer Advisory Board and LEPFA has reinstated it.

Council Member Wood asked Mr. Keith for the earlier requested update on vendor agreements at Common Ground and specifically "Got Meds" at the event. Council President Spitzley informed the Committee that Council leadership had sat down with Mr. Keith and Mr. Butler to frame the larger concerns that Council had in preparation for this meeting, and in that meeting they expressed the numerous concerns with the Common Ground event and the City Market. Mr. Keith noted the changes they have made for Common Ground is that those vendors will now have to submit their transient license from Ingham County with their application, and if the vendor is a non-profit they will have to provide their paperwork defining their non-profit. Council President Spitzley reminded Mr. Keith that a key concern of Council Members was that dispensaries are illegal, and to have them on City property, and during an event the City subsidizes is an issue that needs to be corrected.

Council Member Hussain asked Mr. Keith about the Prime concert event, and LEPFA involvement, since it was not mentioned until after the budget sessions. Mr. Keith admitted that at the time of the budget sessions, there was no agreement with Prime, and since then they have agreed to only hold the liquor license under Center Park Productions, no LEPFA staff will be utilized, and they will help Prime work with emergency management personnel.

Council Member Houghton asked for details on the vision for the Market. Mr. Keith stated they are thinking of changing the scope of the market, with a farmer's market one day a week, offering events and activities. Council President Spitzley brought up the topic of a grocery store and an earlier discussion with Mr. Keith. Mr. Keith stated the DLI did a study on that vision. The Committee supported research into a grocery store, and market options, along with delivery options.

Council President Spitzley asked Mr. Keith to explain who would determine the members of the Advisory Board. Mr. Keith stated the program before had a mix use of local businesses, corporate businesses, and a moderator. No one from LEPFA attends.

Council Member Wood asked if LEPFA was exploring the parking issues, and Mr. Keith informed the Committee he had a meeting scheduled with Mr. Johnson with the City to brainstorm. Council Member Yorko acknowledged the many uses in the market area, and stated she has never experienced an issue with locating a parking space.

Mr. Keith was asked to stay for public comment.

Discussion/Action

RESOLUTION – Second Amendment to the Defined Contribution Plan

Ms. Bennett stated that the amendment being made was the effective date change from 9/15/2012 to 1/1/2013. The date needed to be the same date as the changes in the document. Ms. Bennett confirmed that there were no new hires during that time frame, so no employees were affected. Lastly, Ms. Bennett asked that the resolution be amended to include the name of the Chairperson to William Barkyoumb.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION WITH THE ADDITION OF “WILLIAM BARKYOUMB” FOR THE AMENDMENTS TO THE DEFINED CONTRIBTUION PLAN. MOTION CARRIED 8-0.

Other

2018/2019 BUDGET PRIORITIES

Council President Spitzley asked the all Committee members review the document, address at their committees, and bring back any amendments to the September 25, 2017 Committee of the Whole meeting for discussion and passage. Per the Charter the Priorities need to be adopted by October 1, 2017.

DISCUSSION – Ordinance Amendments; Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments

Council Member Brown Clarke offered additional changes to the COW Draft 1 of the Medical Marihuana Ordinance and asked Council President Spitzley if it should be reviewed before the public comment. Council Member Washington stated she too had changes, in additional Council President Spitzley herself noted she had some. It was determined public comment would be taken at this time.

Public Comment on Agenda Items

Ms. Miles spoke in opposition on to “Got Meds” at Common Ground, the COW Draft #1, and asked Council not to pass an ordinance with all 5 types listed in it.

Mr. Landgraf spoke to the Committee on his proposed future business which would be a Safety Compliance Facility, and pointed out that the ordinance requirement for an onsite security guard could be an additional extra expense.

Ms. Parrish spoke briefly about the posting of Council agendas on the website, spoke in support of additional designate parking for the City Market, and lastly spoke in support of the Medical Marihuana Ordinance that came from the Committee on Public Safety.

Ms. Jackson spoke to the Committee on the benefits of medical marihuana on the beneficiaries' health.

Ms. Womboldt spoke in opposition to "Got Meds" at Common Ground, and noted she appreciate the new procedure Mr. Keith mentioned earlier. Ms. Womboldt then spoke on the Medical Marihuana Ordinance, citing seven (7) points that Rejuvenating South Lansing felt strong about. Those were the definition of "Park" and keeping it the same as the Master Plan, no playground equipment listed; buffering should be property line to property line, within 1,000 ft. from schools, day care, child care, or 500 ft. from churches, substance abuse center, rehabilitation centers, parks or their facilities, no commercial grow, no drive-thru, no grandfathering, and no more than 24 that are equally divided between the 4 wards, and lastly drop the criteria of the Zoning Board of Appeals. Ms. Womboldt conclude by asking the Committee not to rush into a decision.

Ms. Elms-Barclay spoke on her family experience with medical marihuana, and provided information to the Committee, asking them to take action.

Ms. Wilber spoke in her role as a social worker who works with young mothers at a residence center, then spoke on her personal experience, and supported the use of medical marihuana. Lastly she asked the Committee to not shut dispensaries.

Ms. Dawson read from then submitted a Freedom of Information Act Request Letter to the City Attorney. The letters stated her request for copies of any and all emails by all currently seated City Council Members that contain the words Marijuana, Marihuana, MMFLA, Medical Marihuana Facilities Licensing Act, Dispensaries, Cannabis and Weed. Any email conversations pertaining or referring to Chapter 1300 of the Lansing City Code of Ordinances, and any email conversations pertaining or referring to Lansing Loves Safe Jobs sent or received by the aforementioned persons. Council President Spitzley provided Ms. Dawson with the appropriate procedure for submission of a FOIA and then Mr. Smiertka accepted Ms. Dawson's letter on the floor.

Mr. Monti spoke briefly on LEPFA and his concerns with LEPFA not showing a profit but the City subsidizing them. Mr. Monti then moved onto the topic of medical marihuana asking for a unilateral decision, and questioned the requirement of an armed guard.

Ms. Jones spoke to the Committee on her personal experience with medical marihuana, and her belief that Lansing is the last place patients can get medical marihuana. Ms. Jones stated her belief that "Got Meds" at Common Ground was only passing out educational information.

Ms. Erskine spoke in support of medical marihuana dispensaries, and asked for safe access to the product so resident can work, live and thrive in Lansing. Ms. Erskine spoke in support of the medical marihuana dispensaries and asked for safe locations for the medical marihuana to be kept.

Ms. Geller spoke in support of medical marihuana dispensaries.

Ms. Olton spoke in support of the use of medical marihuana and asked the Committee to allow dispensaries.

Mr. Klein spoke in support of the medical benefits of cannabis, encouraged the Committee to read about what is happening in Colorado, and to speak to their constituents.

Ms. Stanaway spoke about the presentation by LEPFA earlier in the meeting, and gave her opinion that she did not believe their changes will lower the City subsidy. Ms. Stanaway also spoke in opposition to dispensaries noting they are illegal, then encouraged the Committee to spend their time on the FY2018/2017 Budget Priorities to address Police, Fire, roads, sidewalks, and the pension.

Mr. Johnson spoke about the funding determination for the dispensary and spoke in opposition to 25 dispensaries. Mr. Johnson then asked them why they would prohibit drive-thru instead of limiting them.

Ms. Tait spoke in support of medical marihuana dispensaries.

Council Member Hussain stepped away from the meeting at 6:28 p.m.

Ms. Walkowski provided personal experience and spoke in support of dispensaries.

Ms. Lawler presented to the Committee her person experience with medical marihuana.

Council Member Hussain returned to the meeting at 6:31 p.m.

Ms. Lawler asked the Committee to consider keeping dispensaries open.

Mr. Salas asked the Committee to support the renaming of Grand River to Cesar Chavez.

DISCUSSION – Ordinance Amendments; Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments

Council President Spitzley acknowledged the efforts of the Committees that have worked on the document so far, and recapped that the Committee of the Whole reviewed the document in June before setting a public hearing. It was also noted to all Committee Members that amendments can be discussed and voted upon at the Committee meeting.

Council Member Houghton stepped away from the meeting at 6:36 p.m.

Council President Spitzley continued the process, but noting that the amendments will be brought forward and voted on at that time. The Committee has listened to the residents, constituents, business owners and have vetted the document. She noted again the Committee has had the COW Draft #1 document since June, 2017. The goal would not be to close dispensaries and that characterization is unfair. At no point has any Council Member said they will close everyone in Lansing. The State of Michigan regulatory structure says they cannot issue a license unless there is a license from the City. Therefore, the City Council has to put a regulatory structure in place for the licensing of the dispensaries or they will have to close.

Council Member Houghton returned to the meeting at 6:39 p.m.

In regard to comments made that dispensaries have had to close, Council President Spitzley reminded the public that there is a Moratorium in place from last May 2016 and if someone has opened a dispensary since that time, that is why they are required to close now.

Council Member Yorko referenced page 13 of COW Draft #1 which spoke to security, and noted there is nothing that states it would be an “armed” guard however that was referenced by the public during public comment, so she asked the Committee to refer her to the section where it states “armed” security guard. It was noted by the Committee there was no definition for security guard in the document. Council Member Yorko then referred to page 15, line 5 asking for verification on why it was suggested and why. This spoke to the verification of the funds. Council President Spitzley cited the Medical Marihuana Facilities Licensing Act qualification section, which is where the language came from.

333.27408 Proof of financial responsibility. Sec. 408. (1) Before the board grants or renews any license under this act, the licensee or applicant shall file with the department proof of financial responsibility for liability for bodily injury to lawful users resulting from the manufacture, distribution, transportation, or sale of adulterated marihuana or adulterated marihuana-infused product in an amount not less than $100,000.00. The proof of financial responsibility may be in the form of cash, unencumbered securities, a liability insurance policy, or a constant value bond executed by a surety company authorized to do business in this state.

The Committee held a discussion on the interpretation of the language and if it meant insurance, or net worth. Mr. Smiertka confirmed "net worth" was used because it does mean cash and could be all types of assets.

Council Member Yorko stated she could not support how it was written on page 15 line 5, but would support the language from the State law.

Council Member Yorko then referred to page 16, line 40 which spoke to "Proof of Surety Bond in the amount of $50,000 with the City of Lansing listed as the oblige to guarantee performance by the applicant of the terms, conditions and obligations of this chapter in a manner a surety approved by the City Attorney or in the alternative." She then asked who was responsible for writing it. Mr. Smiertka confirmed law wrote it, and the surety bond was in the case of inspections and claims dealing with the five (5) types of operations to protect the City against damages. Council Member Yorko asked it was required on liquor licenses and other licenses. Mr. Smiertka stated it was typical with a municipality address licenses and contracts operations. Council Member Wood asked if this item on page 16, line 40 was the first time it was in a draft, and Mr. Smierkta confirmed it has been in the COW draft.

Council Member Dunbar did not support a $100,000 minimum net worth. Mr. Smiertka assured her that it is not "cash in the bank", but assets minus liabilities; therefore, could be everything they have as an asset in the business. Council Member Dunbar asked if "bank statements" could be removed from page 15 line 5, and replaced with items that demonstrate net worth. Then Council Member Dunbar moved the Committee back to page 16, line 40 and asked by the surety bond with the City additionally insured. Mr. Smierkta noted it was a performance bond made in favor of the City, but again noted on line 44 it stated, "or in the alternative". An "escrow" would be considered "an alternative". Council President Spitzley pointed out to the Committee and the public that "surety bonds" are a business term and any business owner would be aware of the term and interpretation, if not their lawyer could explain it to them. Lastly, she too referred the Committee back to page 15, line 5 where it spoke to the $100,000, not that the same amount would be required by the State Law, therefore if the City removes it from their Ordinance, the applicants will still have to obtain it when they apply to the State. By keeping it in the City Ordinance, the applicants will be addressing it as part of the application process with the City first.

Council Member Wood asked Mr. Smiertka why on page 16, line 25 item (26) had everything was listed, and Mr. Smierkta confirmed it was because they serve different purposes.

Council Member Brown Clarke distributed a substitute document that she created after a discussion with the City Attorney, noting there were no substantive changes, and that the majority of the changes reflected earlier discussions with the City Clerk on the handling of the licenses. She then referred everyone to page 17 of the document.

Council Member Wood distributed her notes for discussion and amendments, and asked Council President Spitzley how to incorporate those into the discussion. The documents were distributed to the Committee.

Council Member Brown Clarke referred the Committee to pages 17-19 of her document which highlighted moving the licensing to the Clerk's office.

Council Member Washington noted that in light of the recently distributed documents she was asking for time to review the changes, and also had some changes of her own.

Council Member Spitzley asked Mr. Smiertka and Council Member Brown Clarke for a red-lined version of her changes.

Council Member Wood referred the Committee to her distributed document, noting she had made changes to the definition of "Parks" and listed the 36 parks with no playground equipment in them.

Council Member Yorko stepped away from the meeting at 7:13 p.m.

Council Member Wood referenced 1300.4 in her recent amendments, which would strike (B) from the ordinance. Mr. Smierkta stated if that was done it would create a legal issue based on the hearings he has been present at with LARA. He continued by stating that if they apply with the new ordinance in affect and currently are operating a dispensary they could continue to operate until they are approved or rejected.

Council Member Houghton asked what the time period was between the City Ordinance and LARA will give licenses, since everyone will have to close until they get the State license. Mr. Smiertka noted that once the ordinance is adopted, it requires a license. The ordinance will take effect 30 days after publication, if they are in violation it would be a civil infraction for operating without a license. That would be a $750 fine for the first day, and $500 for every day after. The language currently states if they have been there since the beginning, even if they are in operation and have no license, they can file an application and can continue until they are approved or denied. If they are approved they will get a provisional license from the City until they go through the process and get approved by LARA.

Council Member Wood asked for a Special Committee of the Whole to address everyone's recommendations. The Committee was asked to look at dates, and Council President Spitzley stated she would not wait another 3 weeks. Council Member Washington inquired into why the urgency, and suggested if there was urgency, to only address provisioning centers at this time.

Council Member Yorko stepped away from the meeting at 7:22 p.m.

Council Member Washington then pointed out that currently there is no employee to regulate the process, and for $1 million in sales it would only generate 3%. Council Member Spitzley acknowledged Council Member Washington's suggestions, but stated she would not pursue the ordinance in a "piece meal" and her agenda is to move forward with a good public policy looking at all the recommendations from the Committee Members.

Council Member Yorko returned to the meeting at 7:26 p.m.

Council Member Washington also acknowledged her goal for a good public policy that is financially responsible to up hold the policy. She confirmed she would give her suggestions to the Committee.

Council Member Brown Clarke stated to the Committee that if there is a lack of code enforcement and policing, then the Committee needs to focus on safe and accessible quality product, and a public policy needs to be put in place. She confirmed she sat down with the City Attorney to work on her recent recommendations which align with State law.

Council President Spitzley recessed the Committee of the Whole meeting at 7:30 p.m. to address the pending Council Meeting that was scheduled to start at 7:00 p.m.

Mr. Hannan noted before recess that the State estimates the sales of medical marihuana in Michigan and Lansing can generate $2 million in a year in tax revenue, exclusive of property taxes and income taxes.

Reconvene

Council President Spitzley reconvened the Committee of the Whole meeting at 10:30 p.m. Council Member Yorko was not present.

Council President Spitzley set a Special Committee of the Whole meeting for September 7, 2017 at 5:00 p.m. The Committee was directed to provide any suggestions to amend COW Draft #1 to Council President, Vice President and Council Staff no later than Friday, September 1, 2017. Council President Spitzley then asked Law and Council Member Brown Clarke for a “strike-out” version of the recommendations she presented earlier in the meeting.

Council Member Houghton asked if maps could provide the number of dispensaries within 1,000 ft. and the 500 ft. to determine how many would be allowed to stay. Council President Spitzley referenced the COW Draft #1 which noted only twenty (20) licenses would be issues, and Council Member Washington noted that the zoning determinations could take that number to eight (8). Council Member Wood pointed out to the Committee that currently there is not a complete list of where all the dispensaries are currently, and if they are going to stay there if they are licensed. Council Member Brown Clarke asked the Committee to look at all five (5) types, not just dispensaries.

Adjourn

Adjourned at 10:45 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

MINUTES
Special Committee of the Whole
Thursday, September 7, 2017 @ 5:00 p.m.
City Council Chambers

CALL TO ORDER
Council President Spitzley called the meeting to order at 5:03 p.m.

PRESENT
Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- arrived at 5:18 p.m.

OTHERS PRESENT
Sherrie Boak, Council Staff
Randy Hannan, Mayors Executive- arrived at 5:15 p.m.
Jim Smiertka, City Attorney
Amanda O'Boyle, Assistant City Attorney
Heather Sumner, Assistant City Attorney
Nicole Maison, City Attorney Office
Sheryl Landgraf
Deb Parrish
Jeff Landgraf
Devin Boehm
Elaine Womboldt
Susie Simons
Stephen Monti
Sam Pernic
Samantha Wilbur
Jason Durham
Rebecca Geller
Aubrey Olton
Suzanne Elms- Barclay
Lee Klein
Bryan Madle
Brant Johnson

John Schneider
Emily Wolkowski
Ellen Dowling
Adel Manuel
Heather Deneau

Public Comment on Agenda Items
Ms. Landgraf – spoke about previous concern with onsite security guard. Spoke about the back ground check, and felt redundant in city ord. since having one at the state.

Ms. Parrish outlined the timeline of Committee meetings, the process of the ordinance, a previously held hearing, and council participation.

Council Member Brown Clarke asked for point of order.

Council Member Spitzley spoke to Mr. Smiertka who advised her that any public comments cannot be derogatory and should tie into the ordinance on the agenda.

Ms. Parrish continued speaking on her opposition to the current ordinance which was distributed prior to the meeting, and asked for a new public hearing.

Mr. Landgraf spoke in opposition to the security guard option in the ordinance previously and was pleased it was eliminated.

Mr. Boehm spoke in support of dispensaries noting his belief that it eliminates any vacant run-down area.

Ms. Womboldt referenced the draft ordinances in front of the Committee and voiced her frustration on the time lines and changes. Concluding that in her opinion it was inappropriate to present the document without public review and comment.

Council Member Spitzley had to reiterate to the public the correct decorum of the public comment.

Ms. Simons agreed with the comments by Ms. Womboldt, provided her own firsthand experiences and asked for more time for the public to review it.

Mr. Monti referred the Committee to Council Member Hussain's recommendations in the packet and agreed with removing "Commission", but then also referred to Council Member Washington recommendations and her suggestion to allow only one "transporter". Mr. Monti spoke in opposition to the capping of the number of dispensaries, and asked for some defined criteria.

Mr. Pernic, with the Young Democrats of Michigan out of Oakland County and voiced a concern on how the ordinance was put together. Mr. Pernic also questioned the number of dispensaries permitted in the ordinance, stating his opinion that patients come to Lansing because they can't get it anywhere else. Mr. Pernic concluded by speaking in support of the medical marihuana access.

Ms. Wilbur listed her firsthand experiences, spoke in support of allowing people the right to choose, and questioned the limited on the number of dispensaries.

Mr. Durham spoke on his personal experience with medical marihuana, and asked the Council to keep the dispensaries

Ms. Geller provided information on her personal experience and spoke in opposition to the regulation of medical marihuana.

Ms. Olton spoke in support of dispensaries.

Ms. Elms- Barclay spoke in opposition to medical marihuana and reminded the Committee that there is already an ordinance that is not being enforced.

Council President Spitzley provided instruction to the public on their decorum.

Ms. Elms-Barclay continued with her opinion on medical marihuana.

Mr. Klein representing six (6) clients in the Lansing area spoke in opposition to the draft ordinance presented tonight and gave his opinion that it is a constitutional violation. Mr. Klein then questioned the required $100,000 net worth in the ordinance, and asked who would decide “reasonable resources”.

Council Member Washington stepped away from the meeting at 5:48 p.m.

Mr. Madle suggested changes to the zoning procedure, asking for a change from 500’ to 300’ between provisioning centers.

Council Member Washington returned to the meeting at 5:50 p.m.

Mr. Madle continued by questioning the denial process and the “spread-out” of the dispensaries in the City.

Mr. Johnson referenced his earlier written comments and acknowledged the Council for their work.

Mr. Schneider spoke in opposition to restrictions to safe access to medical marihuana.

Ms. Wolkowski spoke about the public comment process this far, and then provided her personal experience in relation to the medical marihuana.

Ms. Dowling provided her personal experience and spoke in support of dispensaries.

Ms. Deneau, noted she was new resident to Lansing moving here from the UP because of the supply of dispensaries. Ms. Deneau then asked why the City does not tax the dispensaries., asked why they would want them closed because her belief is they are viable, and lastly agreed with the testing required in the ordinance.

<u>Ordinance Amendments; Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments</u>
MOTION BY COUNCIL MEMBER BROWN CLARKE TO ADOPT THE ORDINANCE AMENDMENTS TO CHAPTER 1300, REGULATION AND LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS AS NOTED IN THE DRAFT #2 DATED SEPTEMBER 7, 2017.
It was noted the only changes from the last version were the changes that were recommended from Friday, up to this meeting.

Council President Spitzley invited Mr. Smiertka to provide an overview. Mr. Smiertka noted for the Committee and public that the ordinance under construction for months was Chapter 1300 and established in 2010. The current ordinance up for adoption is a replacement to Chapter 1300 and has zoning and licensing components. There are regulations for medical marihuana establishment's, the 5 types mentioned in the MMFLA and will covers all those that can be licensed by the State in December 2017. The ordinance will include zoning restrictions for those 5 types. The Ordinance follows the Act that says the local City can set the number, zoning and other regulations. If adopted this ordinance will take affect and dovetail with the State law. Mr. Smiertka continued by adding that the ordinance creates an application procedure, where applications will be made during an enrollment period through the City Clerk's office in a period established by the City Clerk. The application will require 26 criteria items and once the Clerk receives the application they will verify all 26 items are attached. No decision will be made at that time, but once reviewed will route it to the enforcement divisions (LPD, LFD, Treasury, Code, Zoning, etc.) Once those approvals are made, the City Clerk will verify a license can be issued, if a State License has been approved. If there is no State license at that time, the City license will be conditional. Regarding the provisioning centers, Mr. Smiertka noted the ordinance would allow 25; 20 in the 1st Phase, then 5 in the 2nd phase. The Clerk will review the applications for the provisioning centers, using the listed criteria and score on a scale of 0-100, and then rank them based on assigned points. The ranking will determine the top 25 of the provisioning centers, and if there is a tie, there will be a lottery. If an applicant wants to appeal their denial, they appeal to the Clerk and the Clerk will determine a hearing officer to listen to the appeal. Mr. Smiertka continued the appeal noting that if the appeal is denied, they can then appeal to the Medical Marijuana Commission. The Commission will only handle appeals and can make suggestions on the rules to Council, but stated again their only role is the appeal and if they decide in favor of the applicant, they will send it back to the Clerk. If it is denied by the Commission, the next resort for the applicant would be court. As for provisioning centers, Mr. Smiertka pointed out the ordinance also speaks to the zoning requirements. The applicant can go to the Zoning Board of Appeals for a variance from the distance requirements if they feel they need a variance. Lastly, Mr. Smiertka pointed out that the ordinance will not have immediate effect, but an effective date in 30 days.

Council President Spitzley asked Mr. Smiertka if a dispensary be allowed to operate during their application process. Mr. Smiertka noted that if the ordinance is effective, they would be in violation because they need a City license and State license to operate. Council President Spitzley then asked about when the applications are submitted before issuing of the licenses, can they still operate. Mr. Smiertka answered it would discretionary and a determination would have to be made by Law, the Mayor and LPD. After the ordinance is in effect, unless they are in operation with the Michigan Medical Marihuana Act, is a commercial activity and they will need a license from the City and the State. Council President Spitzley then posed the question, who would decide when the Clerk will start the application process. Mr. Smiertka confirmed it would be the Clerk's discretion to set the time period, and he can also hire experts to review evaluations.

Council President Spitzley informed the Committee they will take the vote on COW #2 dated September 7, 2017 as stated in the motion on the table, then begin discussions on any of the proposed amendments.

Council Member Washington stated her frustration that she was not given the opportunity to review that draft, and it appears to include the amendments suggested from Council Member Brown Clarke and Spitzley, but not the ones she submitted. Council President Spitzley confirmed for Council Member Washington that a meeting was held with Law and Council President and Vice President to review all the suggested amendments, in turn some were already added into the Draft 2. Council Member Washington stated she did not see any of her amendments in the document, and could not support the document. Council President Spitzley extended an apology if she offended anyone.

Council Member Wood agreed with Council Member Washington that some Council Members amendments were not included in the recent draft. Council Member Hussain added to the discussion, stating that he understood the frustration articulated by the public and felt Committee cannot go through the legislative process when they are just getting the document. He did understand to some extent that there is some need to move through this, but his opinion was that they can only put so many tools in the hands of the administration. He asked that all Council Members deserves to go through this in a deliberate manner and consider every one of their amendments. Council Member Hussain concluded by asking the Committee to take pause and consider.

Council Member Yorko asked for confirmation on the process currently on the table, and if there was an active motion to adopt COW Draft #2, and if that document was the redlined version of COW Draft #1 that the Committee asked for at the last meeting. Council President Spitzley confirmed, but noted that some amendments had been made per Committee Members suggestions and legal. Council Member Spitzley then clarified to the Committee that the process she was going to move forward on was to take action on the motion to adopt COW Draft #2 dated September 7, 2017. Then the Committee will begin discussing the amendments Committee members have suggested.

Council Member Yorko referred the Committee to page 3 of the document, and asked if a business were to close, at what point would the license go back into the pool. Council President Spitzley admitted that item was addressed by legal in their changes from COW Draft #1. Mr. Smiertka explained that the language Council Member Yorko was referencing was from the State Statue, and if the business closes, the license is still there, and with an annual review, that now closed business would not apply to renew, it would lapse and the license would then go back into the pool. Council Member Houghton asked when the due date would be on the annual renewals, at which Mr. Smiertka stated that would be up to the Clerk.

MOTION CARRIED 5-3 TO ADOPT THE ORDINANCE AMENDMENTS NOTED AS DRAFT #2.

Council President Spitzley moved the discussion to the amendments submitted by the Council Members. She first started with an earlier email she had sent out to Law about the impact at the FOIA and what is protected under a FOIA. Mr. Smiertka confirmed the Medical Marihuana Commission is clear and clear on their rules of procedures, and they were addressed by the City Attorney in the document.

Council Member Wood asked Mr. Smiertka to go over all the changes in Draft #2 that the City Attorney office made.

Council Member Dunbar stepped away at 6:26 p.m. and returned at 6:30 p.m.

Mr. Smiertka started on page 1 pointed out the highlighted sections.

Council Member Yorko and Council President Spitzley stepped away from the meeting at 6:28 p.m.

Mr. Smiertka noted that all the changes were in highlighted yellow in Draft #2, then moved to page 3, lines 40-41 he stated he had added language that came from the State Statue.

Onto page 9, lines 20 and lines 36-38, Mr. Smiertka noted the process on recommendations and procedures. On page 25, lines 35-39 now includes the reference of the Michigan Freedom of Information Act.

Council President Spitzley returned to the meeting at 6:30 p.m.

Mr. Smiertka moved to the changes on page 33, line 27 which spoke to training programs.

Council Member Houghton stepped away from the meeting at 6:33 p.m.

On page 36, lines 34-45, which were not highlighted, but Mr. Smiertka noted that there were changes to those that address accreditation.

Council Member Houghton returned to the meeting at 6:36 p.m.

Council Member Washington pointed out that her amendments were not in the Draft #2 document, and asked to go over what was important to her. She then noted she was in agreement with what was in there, but opposed the redefining of “Park”, and was opposed to the proposed zoning changes.

Council Member Yorko returned to the meeting at 6:40 p.m.

Council Member Spitzley began the review of the excel spreadsheet that referenced each section and the name of a Council Member who was looking to make an amendment.

<u>1300.2; Definitions</u>
Council President Spitzley noted in the submitted amendments that Council Member Hussain, Washington and Wood all had amendments to “Public Playground Equipment”. A map in the Chambers and in the Committee packet was then referenced that included a layer denoting the parks in the City.

MOTION BY COUNCIL MEMBER WASHINGTON TO STRIKE “PUBLIC PLAYGROUND EQUIPMENT” FROM DEFINITIONS.

Council Member Hussain appealed that a definition is intended to shield the children and it should not be assumed that public playgrounds are the only place they are playing. Council President Spitzley pointed out that it is defined for a location purpose, when there is equipment in the park. Council Member Wood’s earlier list of parks was used for the layer on the map. Council Member Wood acknowledged her list came from the Parks Plan, and in that Plan, it specifically says, “no playground equipment”. She suggested more could be added to the list. Council Member Houghton asked where the “three or more apparatus” recommendation in the definition came from. Mr. Smiertka answered it was from the regulatory ordinance and is in the Drug Free Zone Act. Council Member Dunbar added to that conversation that the recommendation is from the Alcohol and Tobacco. Council Member Wood asked why they should not be included as part of the definition since most are outside the areas and have no impact by zoning around them. Council President Spitzley answered that since most areas will already exclude provisioning centers near parks there is no need to list them. Council Member Wood appealed again stating if there is no impact than why not include them, and then asked Law what would happen if a playground gets equipment or loses it. Mr. Smiertka confirmed it will be evaluated at the time the application is being reviewed.

Council Member Brown Clarke referred to an earlier discussion on where the language originated, and verified it was used in Alcohol and Tobacco and in the Medical Marihuana Acts. This is being used as the measuring tool with parks.

Council Member Wood stated to the Committee she is interested in smaller buffers. Council Member Dunbar stated there will be two ways to regulate; zoning and the cap on the number licensed. Mr. Smiertka clarified that the playground apparatus information came from the Federal Drug Free Zone Ace, which does not define “parks” as a buffered use, but defines the play goers. The definition he cited was “an outdoor facility open to the public with three (3) or more apparatuses.

MOTION FAILED 3-5.

MOTION BY COUNCIL MEMBER HUSSAIN TO STRIKE “BUFFERED USE” FROM THE DEFINTIONS.

Council Member Yorko asked for clarification on the sections that were reference in that definition. (1300.13 (A) and (D)). Mr. Smiertka explained it was because Section 1300.13 was on Location and Buffering. Council Member Dunbar spoke in opposition to any comparison to the same buffering as alcohol.

MOTION FAILED 3-5.

<u>1300.3; Establishment of the Medical Marihuana; Commission; Membership; Chairperson; Meetings</u>

Council President Spitzley acknowledged her recommendations had been incorporated into the document.

Council Member Hussain withdrew his suggested amendment to completely remove Section 1300.3 which would have removed the Commission completely.

Council President Spitzley referred the Committee to page 9 under 1300.3 and asked Mr. Smiertka to clarify why the highlighted changes. Mr. Smiertka read lines 19-20 and 36-39, noting these were done to change it so an At-Large member could submit a name to the Mayor, the same as a Ward member. This was changed in the document already under line 23-27 on page 9.

Council Member Dunbar asked to take the discussion back to Definitions, page 4, under “Buildings”, line 23.

MOTION BY COUNCIL MEMBER DUNBAR TO REMOVE “GREENHOUSES” IN LINE 4.

After a Committee discussion and concerns from other Committee members to keep “greenhouses” in the definition, Council Member Dunbar amended her motion.

AND ADD “OR GREENHOUSES NOT IN COMPLIANCE WITH THE MMA” AFTER “STRUCTURES” IN LINE 24.

MOTION CARRIED 8-0.

<u>1300.4; Operation without License Prohibited</u>

The Committee reviewed the section, and Council President Spitzley noted that Council Member Hussain, Washington and Wood’s recommendation to strike (B) on page 11 was address in this Draft #2 and removed.

1300.5; License Application Submission
Council President Spitzley pointed out that amendments suggested by Council Member Hussain and Wood in (B) (17), which had to do with zoning. Council Member Wood referred to her amendments, and asked that what is currently represented as “strikened” be added back in starting on page 16, line 36. Council President Spitzley asked Mr. Smiertka to explain why he took it out. Mr. Smiertka stated the ordinance only requires a map, and refers to 1300.13 which details buffering and has the distances. Again (17) only requires a map so the other information is not necessary, it states there is a map that shows the measurements noted in 1300.13. By removing what they show removed in lines 35-2 on page 17, does not change the body of the document. If they want to pursue an amendment, Mr. Smiertka suggested they amend 1300.13.

Council Member Hussain stated his concerns were met.

1300.6; License Application Evaluation
MOTION BY COUNCIL MEMBER HUSSAIN TO AMEND 1300.6(C) AND (D) WHICH WOULD ALLOW FIVE (5) PROVISIONING CENTERS PER WARD, AND REPLACING PAGE 23, LINE 8-28 WITH LANGAGUGEA TO ADDRESS THE SCORING IN THE CASE OF TIE.

Council President Spitzley noted the changes in this draft include a cap of provisioning centers at 25, implemented in a two phase with 20 in year one and additional 5 in year 2. The changes also included a 30-day enrollment period.

COUNCIL MEMBER HUSSAIN MADE A MOTION TO AMEND 1300.6 (D), PAGE 8-28 PER HIS LIST OF RECOMMENDATIONS TO ADDRESS A TIE WITH THE SCORING.

Council Member Wood suggested putting an exact number per Ward for the first 20 licenses, allowing for equal distribution in all 4 Wards. Council Member Dunbar suggested dictating a cap per ward, taking the scoring aspect out of it, and say if there is a large amount qualified in one place it would max out, but if not enough qualified in another Ward, then letting the unqualified in. Council Member Brown Clarke spoke in opposition to the limit per Ward, noting the zoning should determine most of it, and a business owner will do a market study and know where to go. Council Member Hussain agreed with Council Member Wood, noting that the intent of this act is to allow this industry to make sure people with conditions had reasonable access, suggesting maybe it should state “at least”. Council Member Hussain supported 5 provisioning centers per Ward. Council Member Dunbar pointed out that if the Committee cared about access to the patients, the maybe they should not put a cap on them. Council Member Yorko pointed out that there are zoning restrictions, buffering guidelines and a hard cap making it restrictive enough, so she would support lowering the cap.
Council Member Spitzley then read the suggested recommendations from Council Member Hussain; 1300.6 (D), striking language for Phase 2, and inserting “If there are more applicants who meet the criteria set forth in 1300.6(B) than licenses available, the 20 top scoring applicants shall be eligible to receive licenses. In the event of a tie which causes there to be more than 20 top applicants, the tied applicants will be entered a random draw using procedures set by the City Clerk. All license applications must be submitted during the open enrollment periods set by the Clerk.”

MOTION BY COUNCIL MEMBER WOOD TO DIVIDE LICENSES PER WARD AND LIMIT IT TO 20 LICENSES FOR DISPENSARIES.

MOTON FAILED 3-5.

COUNCIL MEMBER HUSSAIN WITHDREW HIS MOTION FOR AMENDMENTS TO 1300.6 (C) AND (D).
Council Member Dunbar voiced a concern with the 30-day time line listed on page 22, line 35 and stated her opinion that people need more time to make a business plan.

MOTION BY COUNCIL MEMBER DUNBAR TO CHANGE THE ENROLLMENT PERIOD IN PHASE 1 FROM 30 DAYS TO 60 DAYS.

Mr. Smiertka confirmed he had a discussion with the Clerk on the change to 30 days, and it was acceptable and believed to be sufficient time. Council President Spitzley added to the discussion by reminding the Committee the Ordinance takes effect 30 days after publication, at which point the 30 days in the ordinance begins. This will allow anyone 60 days for enrollment. The Clerk has the discretion when to set up the application date, and the State will start issuing their licenses on December 15, 2017, and they can't approve without local approval.

MOTION WITHDRAWN.

Council President Spitzley asked to remove (H) on page 27, lines 37-38, noting that the State law does have provisions that it must go in a trunk, so it is given it must be in accordance with state law.

MOTION BY COUNCIL MEMBER YORKO TO STRIKE PAGE 27, LINE 37-38 (H) "DRIVE THRU WINDOWS".

Council Member Wood voiced a concern with this because of vehicles that do not have trunk, and currently the ordinance does state exchanges do have to occur in a private room, and with a drive thru her concern would be that there are kids in the car or others.

MOTION CARRIED 5-3.

Council Member Washington stepped away from the meeting at 7:51 p.m.

<u>1300.7; License Renewal Application</u>
Council Member Hussain had amendments to remove "and the medical marihuana commission" from (D) on page 24 line 22-23 and that was already addressed in the document, along with (E) (5) page 25, to remove "and the medical marihuana commission". It was confirmed his other concern was addressed.

Council Member Washington returned to the meeting at 7:52 p.m.

<u>1300.8; Licenses Generally</u>
Council Member Hussain was the only Member with suggested amendments, and it was confirmed his amendments and concerns were addressed or not a concern since the Commission was approved.

<u>1300.9; Minimum Operational Standards of a Medical Marihuana Provisioning Center</u>
The concerns or amendments suggested by Council Members Hussain and Wood were addressed in the zoning.

<u>1300.10; Minimum Operational Standards of a Medical Marihuana Grower Facility</u>
Council Member Wood amendment was regarding a question on a cap on grow facilities.

Council Member Washington withdrew all her suggested amendments.

Council Member Wood stepped away from the meeting at 7:53 p.m.
Council Member Wood returned to the meeting at 7:54 p.m.

COUNCIL MEMBER WOOD MADE A MOTION TO AMEND THE ORDINANCE WITH A CAP ON GROWER FACILITIES, TO ONLY 2 IN THE CITY OF LANSING. MOTION FAILED 3-5.

1300.11; MINIMUM OPERATIONAL STANDARDS OF A MEDICLA MARIHUANA SAFETY COMPLIANCE FACILTY
Council Member Wood was the only member with amendments, but withdrew any request for action or changes to the current.

1300.12; Minimum Operational Standards of a Medical Marihuana Processor Facility, a Medical Marihuana Safety Compliance Facility, and Medical Marihuana Secure Transporter
Council President Spitzley asked Council Member Wood if her concerns had already been addressed in earlier discussions and in the Draft #2 amendments. Council Member Wood confirmed her amendments had already been made, which was to delete page 35, lines 26 starting with “or secure” and ending with “suites” on line 28.

1300.13; Location of Medical Marihuana Provisioning Centers
Council Member Wood’s amendments included changing the location and buffering back to 1,000 feet from property line to property line. Mr. Smiertka pointed out that in 1300.13 (D) Law added in 1,000 feet from property line to property line for provisioning centers. Page 38, lines 31-34. This would make it more restrictive then how it is written currently.

MOTION BY COUNCIL MEMBER WOOD TO AMEND 1300.13 (A)(1) & (2) TO STATE THE SETBACK IS MEASURED FROM PROPERTY LINE TO PROPERTY LINE. MOTION FAILED 305.

Council Member Wood withdrew her amendment noted in her document to strike all (D) under 1300.13.

Council Member Hussain withdrew all his suggested amendments in 1300.13.

1300.14; Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporter
Council Member Wood withdrew her amendments noted in her document to change the buffering distance to 1,000 feet from property line to property line.

Council Member Hussain withdrew his suggested amendments to limit zoning in 1300.14 (A).

1300.15; Revocation; Bases for Revocation; Appeal of License Denial
Council Member Hussain stated his recommended amendment had been addressed.

1300.16; Penalties; Temporary Suspension of License
No amendments suggested.

1300.17; No Vested Rights
No amendments suggested.

1300.18; Zoning Board of Appeals

COUNCIL MEMBER HUSSAIN MADE A MOTION TO ADD BACK IN THE STRIKENED ITEM ON PAGE 43, LINES 13-15 "THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C).

Council Member Yorko asked for clarification on if the change is removing the opportunity for the owners to request a variance.

Mr. Smiertka stated this is an option for a variance on the distance of the buffering and to grant a variance they must prove practical difficulties and undue hardships. The standards on page 44 outline the 6 factors, and only apply to provisioning centers. The provisioning centers are to buffering, and an applicant can request a variance from those. An example was provided that if the requirement is 500 ft. and they are 400 ft. they must get a variance. Distance requirements are not subject to an appeal.

MOTION FAILED 3-5.

Council Member Wood stated her recommended amendments for 1300.18 to strike (3) and the criteria were now not being changed.

Council Member Wood asked for clarification on why "legally" was added to page 44, line 10. Mr. Smiertka stated the BZA is set up to examine a situation and application, and if they can find undue hardship. There is no provision in the BZA Board Section on buffered uses and setbacks. This would allow a process for the BZA to use, and he added it has been in the drafts since 2016. This will clarify and provide guidance to the BZA. Council Member Wood stated she did not believe it had been in since 2016, but June this year. Mr. Smiertka informed the Committee that if they removed the language it would be difficult to give due process to an applicant.

The Committee reviewed the criteria and held discussions on "legally" and if there was a need to go back to the operationalizing

Council President Spitzley passed the gavel and stepped away from the meeting at 8:21 pm.

Council Member Wood asked if it also reflects State law. Mr. Smiertka confirmed it is a broad term, and it could be someone violating the moratorium or operating commercially.

Council Member Spitzley returned to the meeting at 8:23 p.m.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO REMOVED THE WORK "LEGALLY" ON PAGE 44, LINE 10 AND ADD "IN COMPLIANCE WITH THIS CHAPTER".

Council Member Wood asked if MMA should also be added, and Council Member Brown Clarke noted that the ordinance always refers to MMA, MMFLA and MTA, so to add it again now would be redundant.

MOTION CARRIED 8-0.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO ACCEPT THE ORDINANCE WITH THE AMENDMENTS APPROVED, RELABELING IT TO DRAFT #3. MOTION CARRIED 5-3.

Adjourn
Adjourned at 8:26 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

MINUTES
Special Committee of the Whole
Monday, September 11, 2017 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER

Council President Spitzley called the meeting to order at 5:30 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Kathie Dunbar- excused
Councilmember Tina Houghton - arrived at 5:38 p.m.
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Randy Hannan, Mayors Executive- arrived at 5:32 p.m.
Jim Smiertka, City Attorney
Heather Sumner, Assistant City Attorney
Eric Brewer, Council Internal Auditor
Tonatizia M Alfaro Maiz
Dale Schrader
Paulo Gordillo
Lynn Ross
Apachu Maiz
Al Salas
Dalinda Martinez
Patricia Moreno
Maria Santana
Alba Riveria
Mary Reynolds
Mr. Valendez
Dennis Burnside

Minutes
Council Member Wood asked for the minutes to be moved to the next meeting for review and discussion.

Public Comment on Agenda Items
Mr. Schrader spoke on the subject of East and Grand River Avenue to Cesar Chavez Avenue, and provided a history on what he referred to as "Michigan's Main Street" since it runs from Detroit to Lowell. After time expired Mr. Schrader offered to provide additional comments.

Ms. Alfaro Maiz asked for verification that the process will follow the same process done with the renaming of City Hall, then spoke in support of the renaming and provided answers to the questions against it. Lastly, she requested that there not be a two year transition period, but wants it addressed immediately.

Council Member Wood confirmed that the City Hall renaming did follow the application process and also had a public hearing with a 30 day notice.

Mr. Gordillo spoke about the legacy of Lansing and the impacts. Mr. Gordillo spoke briefly on white supremacy and the misconception with the common mistake with racism effects affects every aspect of the community. Mr. Gordillo stated his belief that Old Town does not want Latinos there and refused to attend their meetings.

Ms. Riveria acknowledged the Committee for their service and asked them to keep in mind of the common good of the community and neighborhoods. She then continued her comments and personal experience with the north side of Lansing and her support of the renaming.

Mr. Burnside stated he was involved with the Council when they renamed Holmes to Malcom X and the renaming of MLK. He pointed out that the objections then were the same objections he is hearing on this renaming, and therefore asked them not to take those concerns into account, but focus on what Cesar E Chavez.

Ms. Rivera spoke in support of the name change.

Ms. Reynolds spoke in support of the rename change, but requested the Committee consider not Grand River but Cedar Street since it runs through all of Lansing.

Council President Spitzley passed the gavel and stepped away from the room at 5:52 p.m.

Ms. Reynolds continued with her appeal and suggestions for the street name changes.

Council President Spitzley returned to the meeting at 5:53 p.m.

Ms. Ross, as a business owner in Old Town, referred to quotes for the expenses sent to Committee earlier. Ms. Ross also noted that there is an interest in working with the group in other options including completing the arch at the parking lot from earlier, changing the section of Washington Avenue, and any other options to honor Cesar E Chavez. Ms. Ross also pointed out that there have been statements made in the public from business owners that have been turned around and she wanted that noted to the Committee.

Ms. Santana spoke in support of the renaming and believed that this renaming is bigger than any business in Old Town.

Ms. Martinez spoke in support of the renaming.

Mr. Valendez spoke in support of the renaming.

Mr. Salas spoke in support of the renaming and provided a history of the Old Town Area and the marches of Cesar E. Chavez.

Ms. Moreno spoke about what she heard in opposition to the changes from Old Town, and believes that the concerns about address changes, costs of changes, and value of the businesses. Ms. Moreno then concluded by speaking in support of the change.

Ms. Salas spoke in support of the renaming option and the low cost of changing the addresses.

Council President recognized for the record emails and letters the Council Office received from Jennifer Estill, Ruben Martinez, Tonatzin Alfaro Maiz, Tom and Lupe Izzo, AFLCIO, Tony Benavides, 3 pages of signatures in support, and Jamie Schriner.

DISCUSSION/ACTION

RESOLUTION- Set the Public Hearing for Memorial Application; Renaming of East Grand River Avenue and West Grand River Avenue from Oakland Avenue to Pine Street to Cesar E. Chavez Avenue

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR OCTOBER 23, 2017 FOR THE RENAMING OF EAST GRAND RIVER AVENUE.

Council Member Wood informed the public that it does meet the 30 day notice requirement and the required mailing will be done by the Planning and Neighborhood Development Department and published by the Clerk.

MOTION CARRIED 6-0.

RESOLUTION – Reappointments to six individuals to various Boards and Commissions

Council Member Wood stated the names and boards of the reappointments. Those included Yvonne McConnell-Young to the Board of Fire Commissioners, Anne Wilson and Robert Swanson to the Capital Area Transportation Authority, Cynthia Bowen and Charles Janssen to the Lansing Entertainment & Public Facilities Authority, and Maria Starr VanCore to the Memorial Review Board.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE 6 REAPPOINTMENTS.

Council President Spitzley reiterated to the Committee that these were not new appointments but reappointments.

MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER WOOD TO GO INTO CLOSED SESSION FOR CITY ATTORNEY WRITTEN COMMUNICATIONS ON THE CITY OF EAST LANSING VS. CITY OF LANSING AND GAMUT GROUP LLC, VS. CITY OF LANSING. ROLL CALL VOTE, MOTION CARRIED.

Mr. Smiertka pointed out that it would be for litigation and settlement strategy.

CLOSED SESSION AT 6:20 P.M.
RECONVENED AT 6:59 P.M.

Adjourn
Adjourned at 7:00 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

As Adopted in 2016, under Resolution 2016-206 9/26/2016

1st Draft Working Copy for the FY2018/2019 Budget
Must be adopted by 10/1/2017 (Council Meeting 9/25/2017)

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year ~~2017-2018~~ 2018-2019 Budget; and

WHEREAS, the City Council, with joint efforts from the Administration and the Financial Health Team, established the following Mission/Vision and goals; and

The City of Lansing's mission is to ensure quality of life by:

I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
   a. The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life.
   b. The City is governed in a transparent, efficient, accountable and responsive manner on behalf of all citizens.
   c. The City's neighborhoods have various resources that allow them to be on a long term viable and appealing basis.
   d. Support economic development initiatives that promote and retain new industries and markets.

II. Securing short and long term financial stability through prudent management of city resources.
   a. Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
   b. Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
   c. Support initiatives that build the City's property and income tax base.

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
   a. The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
   a. Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
   b. Create vibrant places, support events and activities that showcase our waterfront and green spaces.
   c. Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities.
   a. The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
   b. Seek a balanced distribution of affordable housing in the tri-county region.

WHEREAS, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery; and

WHEREAS, in considering these Fiscal Year ~~2017-2018~~ 2018-2019Budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through either the reduction of spending in existing program areas or the exploration of new funding sources that would assure the sustainability of the program; and

WHEREAS, the Administration is encouraged to supplement, not supplant any existing resources for police, fire and local roads with the General Fund revenues collected under this millage; and

WHEREAS, the Administration was requested to include in its Fiscal Year ~~2016-2017~~ 2018-2019 Budget, the necessary funding to accomplish all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities are prohibitively costly; and

WHEREAS, the Lansing City Charter states that the budget proposal due on the fourth Monday in March of each year shall contain "the necessary information for understanding the budget" and how the proposal addresses the priorities proposed by the City Council.

NOW BE IT RESOLVED, that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and future liabilities, encourages the Administration to prudently develop next year's budget with the following conditions:

- Protection of public and emergency services.

BE IT FURTHER RESOLVED, that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming; and

BE IT FURTHER RESOLVED, that the Administration is requested to the extent practicable to include non-appropriations clauses and other similar out provisions in existing and future leases, and vendor contracts upon review of City Council; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Administration provide all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities were prohibitively costly, by the fourth Monday in March ~~2017~~ 2018.

I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors.

a) The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life

(1) Economic Development The Administration should require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the City Council.

b) The City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens.

(1) Administration is to present to City Council a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY ~~2017/2018~~ 2018/2019 proposed Budget, which are planned to be implemented at a future time, and which have been determined not to be implemented at any time. A timetable for future implementation is requested.

(2) Administration is to present to Council a Supplemental Accounting Level Detail. Administration is to develop a plan and timeline for the implementation of performance based budgeting.

(3) Develop and analyze a cost recovery schedule for City services.

(4) Develop a return on investment analysis for all proposed changes in City services.

(5) Identify and provide a complete and ongoing analysis of the City's structural deficits and the Administration's plan to eliminate the same.

(6) Incorporate into the proposed Budget a 5-Year projection of revenues and expenditures.

c) The City's neighborhoods have various resources that allow them to be long term viable and appealing.

(1) Administration research and issue a report on surrounding community models for neighborhood organization technical support structure within the City.

(2) Working with the City Attorney and Fire Department Code Compliance Division to expedite improvements or closure of abandoned, neglected, and burned out houses and commercial building by using the International Property Maintenance Code (IPMC).

(3) Grocery Stores: The Administration and the City of Lansing Economic Development Corporation should pursue grocery stores in the urban core using all State and Federal incentives, such as Public Act 231 of 2008 (Tax Incentive for the establishment of retail groceries promoting healthy foods), the Federal Community and Economic Development Healthy Food Financing Initiative and the

issuance of a national request for proposals, to be shared with the Lansing City Council, to encourage the location of urban grocery stores.

(4) Code Compliance: The Administration shall ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods. The Administration is to conduct a study of the Code Compliance needs for the City and report back to the City Council on the findings of the study.

d) Support economic development initiatives that promote and retain new industries and markets.

II. Securing short and long term financial stability through prudent management of City resources.

a) Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.

(1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statue and adhere to them based on these priorities.

(a) Comprehensive Annual Financial Audit (CAFR)- annually, no later than December 31st of each year, in accordance with the State Statue.

(b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter- Article 7-110)

(c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies and Priorities that need to be adopted by October 1, ~~2016~~ 2017. (Charter- Article 7-102)

(d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter- Article 4 -102.4)

(e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter – Article 7-101)

(f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.

b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.

(1) Administration pursue partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services.

(2) Facilities Plan: The Administration is requested to submit to the City Council a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses. City Council is also requesting that the Administration continue to work on any delayed maintenance issues with regard to all City Facilities.

c) Support initiatives that build City's property and income tax base

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.

a) The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

(1) Establish funding for an additional Code Compliance Officer dedicated to Commercial buildings based under the authority of the International Property Maintenance Code (IPMC). As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals.

(2) City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training,

continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The Administration shall assist residents in times of unforeseen disasters.

(3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City Council an update of the status of the study by the 4^{th} Monday of March. Along with a funding recommendation for short and long term improvement to these structures.

(4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.

(5) Police-Community Relations: Designate funding to help the Police Department to ensure the improvement of police-community relations. Reaffirming the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.

(6) Crime Prevention: Designate funding to invest in programs for long-term crime prevention strategies.

(7) Allocate Overtime for Problem Solving Area: Designate sufficient funding for overtime for police officers to address problem solving to help certain crime and address quality of life issues.

(8) Community Policing: Continue and increase funding along with searching for grant funds for COPs in neighborhoods with goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.

(9) Leadership vacancies: Develop and implement a plan and timeline to fill all funded vacancies and provide a report to City Council.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.

b) Create vibrant places, support events and activities that showcase our waterfront and green spaces.

(1) Trail/Greenways The Administration should encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail.

c) Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities

a) The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.

(1) Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.

b) Seek a balanced distribution of affordable housing in the tri-county region.