



AGENDA
Committee on Public Safety
Wednesday, July 5, 2017 @ 3:30 p.m.
Council Conference Room, 10th Floor

Councilmember Adam Hussain, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - June 21, 2017
4. **Public Comment on Agenda Items**
5. **Presentation:**
 - Combating the Heroin Epidemic
6. **Discussion/Action:**
 - A.) RESOLUTION- Amend Motion on Introduction and Set the Public Hearing for Amendments to Ordinance Chapter 1422 – Signs; Section 1442.15 Window Signs
 - B.) DISCUSSION – House Bill 4767
 - C.) DISCUSSION – Medical Marihuana Moratorium
 - D.) UPDATE – 3801 Walton
7. **Other**
8. **Adjourn**



MINUTES
Committee on Public Safety
Wednesday, June 21, 2017 @ 3:30 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 3:33 p.m.

ROLL CALL

Councilmember Adam Hussain, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member -excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Heather Sumner, Assistant City Attorney
Elaine Womboldt
Kathy Miles
Mary Ellen Purifecato

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JUNE 7, 2017 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Public comment will be taken at each agenda item.

DISCUSSION/ACTION:

RESOLUTION – Appointment of Wyatt Ludman; At Large Member to the Board of Fire Commissioners; Term to Expire June 30, 2019

Council Member Hussain acknowledged the Mr. Ludman was present at the last Committee meeting and shared information and professional information. It was note that at that meeting Council Member Wood wanted to speak to Mr. Hoisington who was the member being replaced. Council Member Wood confirmed she spoke to Mr. Hoisington who indicated the Mayor was not going to reappoint him, and stated his appreciated for his time on the Board to her.

Council Member Hussain asked if there was a freeze on the Mayor making appointments. Council Member Wood answered that she was not aware of anything. Council Member Hussain added that a legal opinion was asked for on the option and procedure and Jack

Roberts in Law informed the Committee Chairpersons that it would be a Charter violation if Council didn't take some effort to appoint.

Ms. Womboldt asked if Council can do anything if there is a conflict of interest violation with an appointed board member. Council Member Wood stated that if they fail to meet the requirements, they could reach out to them and ask them to resign and the City can investigate.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO APPOINT WYATT LUDMAN TO THE AT- LARGE POSITION ON THE BOARD OF FIRE COMMISSIONERS. MOTION CARRIED 2-0.

Council Member Wood asked Law to look into providing board members with the ethics training and create a training procedure on the ethics ordinance for those new appointments.

RESOLUTION– Introduction and Set the Public Hearing for Amendments to Ordinance Chapter 1422 – Signs; Section 1442.15 Window Signs

Council Member Hussain outlined the request to Law for them to review the ordinance to address issues on public safety with window signs and aesthetic. Council Member Hussain then read the "Exceptions" which stated buildings owned by government entities are exempt from dimensional requirements. The question was asked if a franchise business would also be eligible for a variance. Ms. Sumer confirmed she had drafted the language using the Downtown District as the template, which noted the "Department of Planning and Neighborhood Development shall have the sole authority to approve or deny signs for entities seeking a variance". This is consistent with the Downtown District.

Council Member Wood stated for the Committee that the Planning and Neighborhood Development Department has mentioned they want to review and propose amendments to the entire Sign Ordinance, but her preference would be to move on these amendments now because of the safety concerns. The proposed changes will have to go to the Planning Board because they deal with zoning, but the Committee could set the public hearing for August 14th with the anticipation of the Planning Board having their review done by that time. The Planning Board should be asked to review it as soon as possible. Council Member Hussain stated he would deliver the ordinance to the department, and then follow up with an email.

MOTION BY COUNCIL MEMBER WOOD TO SET THE PUBLIC HEARING FOR AUGUST 14TH, 2017 AND THIS WILL BE SET AT THE JULY 24, 2017 MEETING. MOTION CARRIED 2-0.

Ms. Womboldt provided a copy of HB4767 to the Committee regarding bill boards. Council Member Hussain accepted the document and asked Council Staff to place the topic on the next Committee agenda.

DISCUSSION – Medical Marihuana Moratorium

Ms. Sumner confirmed that 14 letters had been sent, and read from the letter. It stated that if the Law department receives a complaint they are send the letter and given 30 days to provide documents that prove they were in operation before May 21, 2016. If they do not provide the documents or prove the fact, then they are charged with a misdemeanor. Council Member Hussain asked Ms. Sumner what documents they were to provide. Ms. Sumner admitted they are not providing examples. She also admitted they are using the Weed App also. Council Member Wood spoke in opposition to that practice. Ms. Sumner admitted she has not personally been the person that has reviewed or proven the documentation. Council Member Hussain provided information on research that was done by Mr. Dotson before he left, where

they accepted only one item which was a lease, and so the Committee is now asking if Law can ask the applicants to assert and sign an oath.

Council Member Hussain asked for an update on the original 9 letters that Ms. Sumner stated were sent out before the June 7th meeting. Ms. Sumner was not aware of any responses.

Council Member Wood asked Ms. Sumner to investigate the large 3 story building at 738 E. Kalamazoo. Ms. Sumner confirmed it is currently under investigation higher than the LPD. Council Member Wood asked Ms. Sumner to reach out to LPD anyways.

Council Member Hussain asked Ms. Sumner to provide the dates on all 14 letters at the next meeting. Council Member Wood also spoke in opposition to the Weed App for verification.

Ms. Womboldt spoke on her frustration with the odor from marihuana.

Council Member Hussain asked if there were any complaints or investigations with home occupation violations. Ms. Sumner acknowledged that the Task Force recently scheduled two informational meetings. One on June 30th at Foster at 10 a.m., and one on July 18th at Foster at 4 p.m. These will be held by the Task Force to provide an overview of the expectations of the home occupation ordinance, instruct them to register at the event. Flyers on the event were distributed to the businesses that sell the products for growing, and also posted on social media and websites. Currently the Task Force is also focusing on high usage sites, in which code enforcement has been issuing tickets. They have spoken to the Courts and they support the enforcement of the tickets on the violations, and will properly prosecute.

Ms. Purifecato spoke on her frustration with a neighbor, and would forward the address to Council Member Wood who would forward that to Mr. Sanford in Code Compliance.

Ms. Womboldt spoke on her confusion on the scope of the informational meetings, and asked for a copy of their goals and scope. Ms. Sumner stated all the public was welcome.

OTHER

Council Member Hussain presented photos taken at 3810 Walton when he went on site regarding complaints. Officer Arnold was also present in this visit. The issues represented trash, broken windows, roaches, bed bugs, etc. Notices had been placed on site, but there are removed. It was also noted that from June 27, 2016 through May 19, 2017 there had been 130 calls for service. In checking on the rental certification it was confirmed an inspection was performed on June 22, 2016 and a certificate issued.

The Committee requested the City Attorney office contact the landlord and establishes a meeting with him and Officer Arnold. Included in that meeting, will also be Council Member Wood. An update on the meeting should be provided by Law at the Committee meeting on July 5th.

Council Member Wood submitted a letter to Council Member Hussain on the resident concerns with traffic on Moores River Drive and asked for Council Staff to be directed to contact Public Service to speak at the next meeting to those residents. Council Member Hussain received the letter and asked Council staff to reach out to Mr. Kilpatrick in Public Service to attend.

Council Member Hussain informed the Committee that he had invited Ms. Linda Vail to the next meeting to speak on Combating Heroin Issues, and would also invite the LPD, the LFD and Amy Moore with Ingham County.

Ms. Womboldt handed out information she got from Ingham County on Substance Awareness and Prevention Coalition.

ADJOURN

The meeting was adjourned 4:36 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: _____

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AMENDED with new hearing Date

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan amend Chapter 1442-Signs, Section 1442.15- Window Signs; Permitted Zoning Districts.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

RESOLVED by the City Council, City of Lansing, that a public hearing be set for ~~August 14th, 2017~~ July 24, 2017 at 7:00 p.m. in the City Council chambers, 10th floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an ordinance of the City of Lansing, Michigan to amend Chapter 1442-Signs, Section 1442.15- Window Signs; Permitted Zoning Districts.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1442. – SIGNS, SECTION 1442.15. – WINDOW SIGNS; PERMITTED ZONING DISTRICTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1442 – Signs, Section 1442.15 – Window Signs; permitted Zoning Districts, of the Code of Ordinances of the City of Lansing, Michigan by and is hereby amended to read as follows:

Window signs are permitted in office, commercial, wholesale and industrial zoning districts.

(a) **SIZE.** WINDOW SIGNS SHALL NOT EXCEED 20 PERCENT OF THE WINDOW AREA FROM WHICH THE SIGN CAN BE SEEN FROM THE EXTERIOR OF THE BUILDING. ALL MOUNTING HARDWARE AND EQUIPMENT SHALL BE CONCEALED FROM THE EXTERIOR VIEW OF THE BUILDING.

(b) **EXCEPTIONS.** BUILDINGS THAT ARE USED FOR A PUBLIC PURPOSE AND ARE OWNED OR ENTIRELY OCCUPIED BY THE UNITED STATES FEDERAL GOVERNMENT, STATE OF MICHIGAN OR THE CITY OF LANSING AND ANY OF ITS AGENCIES, DEPARTMENTS OR INSTRUMENTALITIES ARE EXEMPT FROM THE DIMENSIONAL REQUIREMENTS OF THIS CHAPTER. THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT SHALL HAVE SOLE AUTHORITY TO APPROVE OR DENY SIGNS FOR ENTITIES SEEKING A VARIANCE AFTER REVIEWING THE PROPOSED SIGNS' COMPATABILITY WITH THE SURROUNDING AREA AND THE GOALS EXPRESSED IN THIS CHAPTER.

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

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

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

Approved as to Form:

City Attorney

Dated: _____

HOUSE BILL No. 4767

June 15, 2017, Introduced by Rep. Schor and referred to the Committee on Law and Justice.

A bill to amend 1972 PA 106, entitled
"Highway advertising act of 1972,"
by amending section 18a (MCL 252.318a), as amended by 2010 PA 343.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18a. (1) Notwithstanding any other provision of this act,
2 ~~beginning January 1, 2000,~~ all billboards within this state are
3 subject to this act and shall not ~~advertise~~ **DO 1 OR MORE OF THE**
4 **FOLLOWING:**

5 **(A) ADVERTISE** the purchase or consumption of tobacco products.

6 **(B) ADVERTISE THE PURCHASE OR CONSUMPTION OF, OR FACILITATE**
7 **ACCESS TO, MARIHUANA, AS DEFINED IN SECTION 7106 OF THE PUBLIC**
8 **HEALTH CODE, 1978 PA 368, MCL 333.7106.**

9 **(C) ADVERTISE THE PURCHASE OR CONSUMPTION OF, OR FACILITATE**
10 **ACCESS TO, MARIHUANA-INFUSED PRODUCTS, AS DEFINED IN SECTION 3 OF**

1 **THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26423.**

2 (2) Beginning January 1, 2011, any billboard within this state
3 that advertises a sexually oriented business shall display only
4 words or numbers and may display the business's trademark if the
5 trademark has been registered under the Lanham act, 15 USC 1051 to
6 1141n, or under 1969 PA 242, MCL 429.31 to 429.46. The words on a
7 billboard shall not describe or relate to a specified sexual
8 activity or specified anatomical area. As used in this subsection:

9 (a) "Sexually oriented business" includes, but is not limited
10 to, an adult bookstore, adult video store, adult cabaret, adult
11 motion picture theater, sexual device shop, sexual encounter
12 center, or an establishment that regularly features live
13 performances characterized by the exposure of a specific anatomical
14 area or by a specific sexual activity or in which persons appear in
15 a state of nudity or seminudity in the performance of their duties.
16 However, sexually oriented business does not include a business
17 solely because it shows, sells, or rents materials that may depict
18 sex.

19 (b) "Specified anatomical area" means less than completely and
20 opaquely covered human genitals, pubic region, buttocks, or female
21 breasts below a point immediately above the top of the areola; or
22 human male genitals in a discernibly turgid state, even if covered.

23 (c) "Specified sexual activity" means the fondling or other
24 erotic touching of covered or uncovered human genitals, pubic
25 region, buttocks, or female breast.

26 (d) "Seminudity" means a state of dress in which opaque
27 clothing fails to cover the genitals, anus, anal cleft or cleavage,

1 pubic area, vulva, or nipple and areola of the female breast.

2 (3) Notwithstanding any other provision of this act, a person
3 who violates this section is responsible for a civil fine of not
4 less than \$5,000.00 or more than \$10,000.00 for each day of
5 violation. A civil fine collected under this section shall be
6 distributed to public libraries as provided under 1964 PA 59, MCL
7 397.31 to 397.40.

AGENDA ITEM

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