



MINUTES
Committee on Public Safety
Wednesday, September 6, 2017 @ 3:30 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 3:30 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney
Amanda O'Boyle, Assistant City Attorney
Daniel Barclay
Craig Calkins
Kathy Miles
Elaine Womboldt
Mary Ann Prince

Council Member Hussain informed the Committee that at the September 20, 2017 meeting the agenda will include an update on Code Enforcement from the August meeting. The pending two items were regarding enforcement of garbage bins in the right of way, and home occupation rental fees and the clarification of such.

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM AUGUST 16, 2017 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

Public comment will be taken at each agenda item.

DISCUSSION/ACTION

RESOLUTION – Appointment of D. Barclay; Electrical Contractor Representative; Electrical Board; Term Expire June 30, 2021

Council Member Hussain invited Mr. Barclay to the table to provide his experience, history of work and what he would have to offer to the Electrical Board. Mr. Barclay presented a resume that was lacking from the application in the packet, and outlined his experience. This included being a resident since 1995, work experience for five (5) union contractors, his electrical

apprenticeship, and work with for a commercial electrician at Sparrow, MSU and the Hall of Justice. Council Member Wood pointed out on the application that Mr. Barclay wanted the Board of Appeals and asked if appointment this Board would be an issue. Mr. Barclay admitted that it would not be and he was recommended to it by Bryan Carter, a City employee.

MOTION BY COUNCIL MEMBER WOOD TO AMEND AND APPROVE THE RESOLUTION FOR APPOINTMENT OF MR. BARCLAY TO THE ELECTRICAL BOARD WITH THE AMENDMENT TO CLARIFY THE APPLICANT WAS VETTED BY THE MAYOR'S OFFICE. MOTION CARRIED 3-0.

Council Staff confirmed that the position would be filling a vacancy.

RESOLUTION – Appointment of C. Calkins; Electrical Journeyman Representative; Electrical Board; Term Expire June 30, 2019

Mr. Calkins was invited to the table and summarized his 24 years of experience, noting he has been a resident since 1973, and currently works for State Wide Electric, formally Lansing Electric. Mr. Calkins also admitted he was referred to the opening by Bryan Carter, City employee. Council Member Wood confirmed the application noted his preference for the Electrical Board.

Council Staff confirmed that the position would be filling a vacancy.

MOTION BY COUNCIL MEMBER WOOD TO AMEND AND APPROVE THE RESOLUTION FOR APPOINTMENT OF MR. CALKINS TO THE ELECTRICAL BOARD WITH THE AMENDMENT TO CLARIFY THE APPLICANT WAS VETTED BY THE MAYOR'S OFFICE. MOTION CARRIED 3-0.

DISCUSSION – Medical Marihuana Moratorium

Council Member Hussain asked Ms. O'Boyle what the updates were on the spreadsheet she provided to the Committee shortly before the meeting, in comparison to the spreadsheet submitted August 28th. Ms. O'Boyle pointed out that (16) 918 Southland had provided documentation and was now compliant with the moratorium. Mr. Smiertka acknowledged Ms. O'Boyle for her work on the project, and informed the Committee that some dispensary owners have obtain legal counsel, and his office will be meeting with those attorneys and lobbyists over the next weeks.

Council Member Hussain referred the City Attorney office to (4) which on the August 28th version stated "closed" but on the newest spreadsheet it was noted "compliant with moratorium". Ms. O'Boyle confirmed it was compliant, and the previous attorney handling the project was using the word "closed" not in the term of the business was closed, but that the complaint was closed because it complied. Council Member Hussain asked that the Committee be provided with copies of the documents from the dispensary owner that deemed them in compliance, and Mr. Smiertka directed Ms. O'Boyle to provide those to them. Council Member Wood asked Mr. Smiertka what types of documentation they were getting and accepting. Mr. Smiertka confirmed one was an affidavit by their attorney which was signed with the understanding if it was not accurate it was perjury. Council Member Wood asked Ms. O'Boyle what was provided for 3001 S. Washington. Ms. O'Boyle did not have the specifics but recalled three (3) documents sufficient with Law determining they were within compliance. Council Member Hussain asked for and Mr. Smiertka agreed to provide copies of the documents.

Council Member Hussain asked law for the details on (8) 1300 N. Larch, Lansterdam and asked for more specifics other than the "Weedmaps" that was noted. In addition to this site he

again asked for information on (4) 3001 S Washington. Lastly, Council Member Hussain asked Law to add (9) 1202 S Washington- Capital Dank to the list of sites the Committee wanted copies of the documentation for. Mr. Smiertka confirmed that the attorney for 1202 S Washington has a scheduled meeting with Law.

Council Member Houghton asked if (2) 3409 S. Cedar was still closed. Ms. O'Boyle stated she had visited the site, and the door was locked and no lights on, and her observation was that it was closed.

Mr. Smiertka informed the Committee that there are two issues with "Got Meds" and they will also be coming into the City to meet with Law.

Council Member Hussain asked what the City Attorney office is doing after the cease and desist letters, and if they have forced any closures. Mr. Smiertka stated they had not forced any closures, but have been in talks with the Courts on the procedures.

Ms. Womboldt asked if 3001 S. Washington was legally open. Council Member Hussain noted that it what is being said because they provided documentation to Law that Law determined was sufficient to be open after the moratorium. Ms. Womboldt then filed a verbal complaint on the odor in the area, specifically at 12:38 p.m. on this date. She also verbally filed a complaint for odor at Green Crush at 12:50 p.m. located on S. Pennsylvania, she also noted that it was improperly zoned and a cease and desist letter was sent, but requested an update. Council Member Hussain noted that the correct address for that property was 5025 S. Pennsylvania, and the City Council had denied a rezoning request for it and at that time were informed from Law that a cease and desist letter was sent. Mr. Smiertka informed the Committee that the City Attorney office just received legal documents stating the owner of the denied rezoning is suing the City for the denial. If the current zoning does not allow it they should be closed, the pending litigation does not allow the noncompliant use to remain in business. The owner could go to the courts and asked for an injunction to stay open.

Ms. Womboldt provided the address of 3320 S. Cedar as an open dispensary, since August 28th.

Ms. Prince stated a dispensary at REO and Pleasant Grove is open in a former automotive shop location. Council Member Wood stated she had been speaking to Susan Stachowiak with Planning and Neighborhood Development who informed her that the City Attorney office had instructed them not to do anything when there were zoning violations with the dispensaries. Mr. Smiertka asked Council Member Wood to forward him the email exchange she had with Ms. Stachowiak on this property and he can research it and see if anything can be done.

DISCUSSION – FY2018/2019 Budget Priorities

Council Member Hussain informed the Committee they will be reviewing and taking any action on the budget priorities at the September 20th meeting, and asked they submit any comments to Council staff by September 14, 2017.

Other

Council Member Wood informed the Committee she had received a call from a collection bin vendor who wanted to place two bins at one location, the Sears north parking lot in Frandor to address constant overflow issues. The Committee briefly discussed the request and the current ordinance, and decided that there are other locations in the area the vendor could apply for and place another bin. The Committee consensus was that they had no interest in considering the request.

Ms. Prince complained about a granger trash dumpster at an inactive car wash that continually is full, but also gets dumped. The Committee was familiar with the location, and knew it had been written up multiple times for code issues. Council Member Wood offered to reach out Granger and find out who is paying for it, and if the property is vacant why it is still there and getting dumped.

Ms. Womboldt acknowledged the Committee for their decision to not allow a second bin at the Sears locations.

Council Member Wood updated the Committee on traffic concerns at Express Court which is the location of the New Heritage Academy. The LPD will continue to monitor and work with the school to address drop off and pick up traffic issues. Council Member Hussain stated he reached out to the Public Service Department, and they informed him they would monitor the situation over the next couple weeks.

ADJOURN

The meeting was adjourned at 4:15 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: September 20, 2017