

AGENDA

Committee on Equity, Diversity & Inclusion AGENDA FOR MAY 19, 2021 AT 6:00 PM



Access the meeting via: <https://us02web.zoom.us/j/88223124424> ; ID 882 2312 4424; Dial In (301) 715-8592 email
comments prior to the meeting at sherrie.boak@lansingmi.gov
All Councilmembers will participate virtually & may be contacted prior to the meeting at
city.council@lansingmi.gov 483-4177

Council Member Spitzley, Chairperson
Council Member Jackson, Vice Chairperson
Council Member Dunbar, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. May 5, 2021
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
 - B. ORDINANCE - Repeal Chapter 656, Section 656.05, a criminal misdemeanor prohibiting persons in closed parks (PEND-2299)
 - C. ORDINANCE - Repeal Chapter 664, Section 664.01(b), a criminal misdemeanor that no person shall disturb the public peace and quiet by loud or boisterous conduct (PEND-2308)
 - D. ORDINANCE - Amend Chapter 688, Section 688.05, a criminal misdemeanor that no person shall climb, peel, cut, deface, remove, injure or destroy any tree, in any street, highway, park or grassplot of the city (PEND-2324)
 - E. ORDINANCE - Amend Chapter 688, Section 688.07, a criminal misdemeanor that no person shall bring animals, vehicles or bicycles onto any park or onto any grassplot in any street or deface the grounds of vegetation therein (PEND-2326)
6. **Other**
7. **Adjourn**

To mitigate the spread of COVID-19 and to provide essential protections to vulnerable Michiganders and this State's health care system and other critical infrastructure, it is crucial that all Michiganders take steps to limit in-person contact, particularly in the context of large groups. Therefore, the above meetings will be conducted via audio/video conference.

The meetings are being held virtually in accordance with the Open Meetings Act, as amended in an effort to protect the health and safety of the public. Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website or phone number above, and meeting ID provided. To provide input or ask questions on any item that is listed on the agenda, members of the public may contact the email address

listed above under the meeting link.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.



Minutes
Committee on Equity, Diversity & Inclusion
Wednesday, May 5, 2021 @ 6:00 p.m.

<https://us02web.zoom.us/j/88223124424> ; ID: 882 2312 4424; Dial In: (301) 715-8592

Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER

Council Member Spitzley called the meeting to order at 6:04 p.m.

PRESENT via audio/video

Council Member Spitzley, Chair remotely from Pensacola, Florida
Council Member Jackson, Vice-Chair remotely from Lansing, Michigan
Council Member Dunbar, Member remotely from Lansing, Michigan

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, OCA

MINUTES

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE MINUTES FROM APRIL 14, 2021 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

DISCUSSION

ORDINANCE Repeal Chapter 622, Section 622.01, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate drug paraphernalia.

Mr. Smiertka spoke on a memo dated 5/5/2021 on this ordinance and the other agenda items. Ms. Hagen referenced the memo which had the ordinance language, and alternative statutes as it pertains. She noted there is nothing that speaks to the paraphernalia, but does speak to drugs. MCL 333.7453 does speak to the sale of drug paraphernalia, and that is addressed by Ingham County Courts.

Council Member Spitzley asked OCA if they are still concerned with the repeal of this, and Ms. Hagen stated that they have seen in District Court weekly, and after discussions with the LPD they have seen this used.

Council Member Jackson, after all discussions, will still ask to move all these out. During public hearings, it was noted the majority supported repeal. He recited potential dangerous possession of the drugs,

Council Member Spitzley concurred for moving it out for final vote at Council.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 622, SECTION 622.01. ROLL CALL VOTE, MOTION CARRIED 3-0.

ORDINANCE; Repeal Chapter 630, Section 630.12, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc

Ms. Hagen stated she has not seen loitering in a drug paraphernalia situation.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 630, SECTION 630.12.

Mr. Smiertka referenced the memo, where it states frequenting places where controlled substances, and Ms. Hagen that is still on the books. Mr. Smiertka stated the OCA had no issues with the repeal.

ROLL CALL VOTE, MOTION CARRIED 3-0.

ORDINANCE; Repeal Chapter 650, Section 650.05, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate parental responsibility.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 650, SECTION 650.05.

No discussion or comments from the Committee or the OCA.

ROLL CALL VOTE, MOTION CARRIED 3-0.

ORDINANCE; Repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 664, SECTION 664.02.

Mr. Smiertka referenced the memo. Ms. Hagen stated that 664.01 (a) could be used, or 664.01 (c) if loud and boisterous was repealed. Mr. Smiertka stated that as long as there is something to use to enforce.

ROLL CALL VOTE, MOTION CARRIED 3-0.

RESOLUTION -Support for House Bill 4275 - Amend Michigan Elliott Larsen Civil Rights Act G. Council Member Spitzley briefly outlined the Bill, and noted it is to support State Representative Sarah Anthony's Crown Act. She added it is important to support these parts of legislation that support people in being who they are.

Council Member Spitzley passed the gavel to Council Member Jackson.

Council Member Spitzley then highlighted the resolution reciting the State Representative Sarah Anthony of Lansing introduce House Bill 4275 in February 2021 to amend Michigan's Elliott Larsen Civil Rights to include the definition of "race" as "inclusive of traits historically associated with race, including...hair texture and protective hairstyles...."

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION TO SUPPORT HOUSE BILL 4275.

Council Member Dunbar spoke in support of the resolution.

ROLL CALL VOTE, MOTION CARRIED 3-0.

Council Member Jackson passed the gavel back to Council Member Spitzley.

DISCUSSION – FY2021/2022 Budget Policies

Council Member Spitzley asked if the Committee if they had any suggestions to move out of this Committee.

Council Member Jackson spoke on a suggestion on the LPD budget, and plans to bring an amendment to use one of the vacant positions that is already funded, to switch it to the second social worker. It is not cost neutral, but a \$22,000 difference, and take that from the miscellaneous account. He offered to forward a memo from the Internal Auditor. He concluded it would address the LPD budget not increasing unnecessarily. Council Member Spitzley supported that option. Council Member Jackson then proposed the money would go to the fund for the \$135,000 organization. Ms. Boak reminded the Committee that budget adoption has to be May 17th, so any documentation that can be sent to all of Council ahead of time would be best. Council Member Jackson stated he would forward to staff to send to all of Council. Council Member Spitzley spoke on the amount of cold case files, and lack of staff to address. She proposed a cold case unit, bringing in a police officer, or retired investigator, someone from IT moved into the department. She admitted it is not defunding the police, but is filling a niche where something is needed, that effects the black and brown community as a majority. Council Member Jackson asked about if this is in addition to the help from Detroit that the City just accepted in the last couple months. Council Member Spitzley stated it is in addition to that because that assistance is temporary, and not on a regular basis, and the City needs people on the ground daily to address this and impact this large number of cold cases. Council Member Dunbar spoke about an option of taking someone off the road, and Council Member Spitzley concurred with having a dedicated staff. Council Member Jackson asked what the current staff is, and Council Member Spitzley stated there is one detective but does not work on it full time. The critic need would be for someone such as a part time retired prosecutor. It would not limit someone from being called out on the road, but the majority of their time would be the cold case. The amount suggested would include clerical, IT, an officer off the street and trained as a detective. Council Member Spitzley stated she will write the proposal out and send out for discussion on May 10th.

Public Comment/Listening Session- Limited to 3 minutes; sign up to speak will end 15 minutes after the first speaker starts

No public comment at this time.

Adjourn

Adjourned at 6:36 p.m.

Submitted by, Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL
CHAPTER 656, SECTION 656.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL
OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PROHIBITION OF
PERSONS IN CLOSED PARK.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656, Section 656.05, of the Code of Ordinances of the City of
Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no
effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
inconsistent with these provisions are hereby repealed in its entirety and shall be null and void
and of no effect.

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 repeal shall take effect on the 30th day after enactment unless
given immediate effect by City Council.

Approved as to form:

City Attorney

Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 664, SECTION 664.01, BY REPEALING SUBSECTION B, PROHIBITING LOUD AND BOISTEROUS CONDUCT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.01, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

664.01. - Disorderly; fighting; loud and boisterous conduct, breach of the peace.

No person shall:

(a) Create or engage in any disturbance or fight in a public place;

~~(b) — Disturb the public peace and quiet by loud or boisterous conduct; or~~

~~(e)~~(B) Utter profane, obscene or offensive language directed at or in the presence of another person, which language causes or would tend to cause an immediate breach of the peace.

Violation of this subsection ~~(e)~~(B) shall be a municipal civil infraction.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the 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 on the 30th day after enactment, unless given immediate effect by City Council.

Approved as to form:

City Attorney

Date: _____

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 688, SECTION 688.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL CLIMB, PEEL, CUT, DEFACE, REMOVE, INJURE OR DESTROY ANY TREE, IN ANY STREET, HIGHWAY, PARK OR GRASSPLOT OF THE CITY.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 688, Section 688.05, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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 repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

City Attorney

Date: _____

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 688, SECTION 688.07, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL BRING ANIMALS, VEHICLES OR BICYCLES ONTO ANY PARK OR ONTO ANY GRASSPLOT IN ANY STREET OR DEFACE THE GROUNDS OF VEGETATION THEREIN.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 688, Section 688.07, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

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.

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