



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
MAY 12, 2016**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 5:02 p.m. by President Brown Clarke

PRESENT: Council Members Brown Clarke, Dunbar, Hussain, Spitzley, Washington, Wood, Yorko

ABSENT: Council Members Houghton (arrived at 5:07 p.m.), Dunbar, Spitzley

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Brown Clarke.

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Council Member Washington shared details on an upcoming hiring event at the Capitol Area Michigan Works on May 17, 2016.

Council Member Houghton arrived at 5:07 p.m.

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON LEGISLATIVE MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Executive Assistant to Mayor Bernero, Randy Hannan, spoke about the Mobile Food Pantry, and a Adopt-A-River event. Mr. Hannan thanked City Council Members for the support of moratoriums for marijuana dispensaries.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of Moratorium on the Creation of New Medical Marijuana Establishments

Council Member Wood gave an overview of the public hearing.

Public Comment on Legislative Matters:

Sheila Smith spoke in support of the Moratorium on New Medical Marijuana Establishments.

Deb Parish spoke in support of the Moratorium on New Medical Marijuana Establishments.

Jon Miles spoke in support of the Moratorium on New Medical Marijuana Establishments.

Elaine Wolmboldt spoke in support of the Moratorium on New Medical Marijuana Establishments.

Mary Ann Prince spoke in support of the Moratorium on New Medical Marijuana Establishments.

Claude Beavers spoke about the Medical Marijuana Establishments Ordinance.

Brian Hamilton spoke about the Medical Marijuana Establishments Ordinance.

James Carter spoke in opposition to the Moratorium on New Medical Marijuana Establishments.

Ronald Kruger spoke in opposition to the Moratorium on New Medical Marijuana Establishments.

Brian Rotajczack spoke in opposition to the Moratorium on New Medical Marijuana Establishments.

Eileen Roraback spoke in support of the Moratorium on New Medical Marijuana Establishments.

Rhonda Fuller spoke about the Medical Marijuana Establishments.

Joan Nelson spoke in support of the Moratorium on New Medical Marijuana Establishments.

LEGISLATIVE MATTERS

ORDINANCES FOR PASSAGE

An Ordinance of the City of Lansing, Michigan, to add Chapter 878 to the Lansing Codified Ordinances by imposing a moratorium on the creation of new medical marijuana establishments was read a second time by its title.

By Council Member Wood to adopt a substitute for the Resolution.

Motion Carried

Motion Carried

The ordinance was adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Houghton, Hussain, Washington, Wood, Yorko

Nays: None

By Council Member Wood that the ordinance be given Immediate Effect

Motion Carried

ORDINANCE NO. 1202

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO
ADD CHAPTER 878 TO THE LANSING CODIFIED ORDINANCES BY

IMPOSING A MORATORIUM ON THE CREATION OF NEW MEDICAL MARIHUANA ESTABLISHMENTS.

THE CITY OF LANSING ORDAINS:

Section 1. That chapter 878 be added to the codified ordinances of the City of Lansing, Michigan, to read as follows:

CHAPTER 878. MEDICAL MARIHUANA ESTABLISHMENTS

878.01. LEGISLATIVE FINDINGS

THE CITY COUNCIL HAS DETERMINED THAT:

(a) THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 *ET SEQ.*, PRESCRIBES HOW MEDICAL MARIHUANA IS TO BE DISPENSED FROM A PRIMARY CAREGIVER TO A QUALIFIED PATIENT.

(b) THE CITY IS DILIGENTLY STUDYING ITS OPTIONS WITH RESPECT TO REGULATION OF OTHER ACTIVITY RELATING TO THE PROVISION OF MEDICAL MARIHUANA PURSUANT TO THE MICHIGAN MEDICAL MARIHUANA ACT, WHICH REQUIRES CAREFUL CONSIDERATION OF THE MICHIGAN MEDICAL MARIHUANA ACT AND ITS IMPLICATIONS TO THE CITY.

(c) A MORATORIUM ON NEW MEDICAL MARIHUANA ESTABLISHMENTS STARTING OPERATIONS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, UNTIL THE CITY HAS COMPLETED ITS STUDY OF THE MICHIGAN MEDICAL MARIHUANA ACT AND ITS IMPLICATIONS FOR THE CITY, IS IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE.

(d) NO VESTED RIGHTS

A PROPERTY OWNER SHALL NOT HAVE VESTED RIGHTS OR NON-CONFORMING USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH THIS ORDINANCE OR ANY AMENDMENT OF THIS ORDINANCE OR ANY SUPERSEDING ORDINANCE.

878.02. DEFINITIONS

(1) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 *ET SEQ.*, SHALL HAVE THE MEANING GIVEN IN THE MICHIGAN MEDICAL MARIHUANA ACT.

(2) "MEDICAL MARIHUANA ESTABLISHMENT" MEANS ANY NONRESIDENTIAL LAND USE INVOLVING THE GROWTH, DISTRIBUTION, STORAGE, OR USE OF MARIHUANA.

(3) "NEW" MEANS ANY MEDICAL MARIHUANA ESTABLISHMENT THAT BEGAN OPERATING AFTER THE EFFECTIVE DATE OF THIS ORDINANCE.

(4) "OPERATING/OPERATIONS" MEANS ENGAGING IN THE PROVISION OR DISPENSING OF MEDICAL MARIHUANA.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby 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.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Yorke that all items be considered as being read in full and that President Brown Clarke make the appropriate referrals

Motion Carried

• Communications and Petitions, and Other City Related Matters:

1. Claim Appeal Claim (#1229), Ulyana Maystrenko for trash removal fee at 222 Moores River Drive REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Council Member Houghton to excuse Council Members Dunbar and Spitzley from tonight's proceedings.

Motion Carried

REMARKS BY COUNCIL MEMBERS

Council Member Wood thanked everyone who has worked on the ordinance including the citizens who collected signatures and the support of the Mayor.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

Deb Parrish spoke about various city matters.

Claude Beavers spoke about various city matters.

Brant Johnson spoke about medical marijuana establishment ordinances.

Elaine Wolmboldt spoke about various city matters.

ADJOURNED TIME 5:59 P.M.

CHRIS SWOPE, CITY CLERK