

**PARK BOARD MINUTES**  
**Foster Community Center**  
**May 12, 2010**

**MEMBERS PRESENT:** Dusty Fancher, Ron Lott, Paul Carrier, Rick Kibbey (late arrival), Luke Canfora (late arrival)

**MEMBERS ABSENT:** Excused Patrick Murray and Cynthia Ward

**OTHERS PRESENT:** Murdock Jemerson, Director, Parks and Recreation; Bill Kiebler and Robert Tetzlaft, Friends of Bluebell Park; Todd Haywood; Harold Leeman; Betty Draher, Caesar-Donora Park; Council member Eric Hewitt; Nancy Mahlow; Jason Crocker, Parks and Recreation Golf Supervisor; Jason Meyer, Executive Director, Fenner Nature Center; John Greenslit, Executive Director, First Tee of Mid-Michigan

**CALLED TO ORDER:**

**ADDITIONS/DELETIONS TO THE AGENDA:**

Sex offenders and facility rental has been added under new business.

**STATEMENT OF CITIZENS**

Bill Kiebler, Friends of Bluebell Park, is requesting additional equipment, such as swings and picnic tables. The Friends would also like to request a barrier to block vehicles from driving through the park. Also, the basketball courts are drawing large groups of 25 to 50 people, causing fights and police are being called.

Murdock Jemerson stated he met with Bill and the Friends two weeks ago and discussed working toward providing the swings and other equipment they requested; if not this fiscal year it would be next fiscal year which starts July 1, 2010.

Betty Draher, representative for Caesar-Donora Park, stated they are looking for upgrades to their park. The equipment is 15 years old and there are a lot of kids who use the park. The neighbors take care of the park and they would like to see a climbing wall, new swings, teeter-totter, and park bench.

Murdock Jemerson stated he would have staff out to repair the bench. The parks department has a list of all the parks and when the last time work was done at the park. He will check to find out where Caesar-Donora playground equipment is on the list and will meet with the community to discuss what they would like to have in the park.

Council member Eric Hewitt stated he recalled seeing this park on the list for the summer of 2010 or 2011. He also asked if Board members have been to the playground area at Bancroft. He stated there used to be a tire swing and he noticed recently that it was missing.

**UPDATES**

**Staff Introductions**

Jason Crocker – Has worked for the city for 15 years and currently oversees operations for Groesbeck Golf Course. As of today's date rounds are up considerably, conditions are good, have a full staff on the course and Groesbeck is doing well.

Jason Meyer – Is the new Executive Director of Fenner Nature Center and works for the Friends of Fenner Nature Center who have taken over management of the facility. Stated he has officially been working for a

week after a 5-year hiatus from Fenner when he worked as a naturalist interpreter. Is excited about the opportunities at Fenner and is excited to see an increase in school children visiting the center.

John Greenslit – Executive Director of the First Tee of Mid-Michigan. He provided a report and literature to Park Board members and acknowledged Council member Hewitt who was instrumental in negotiating a very unique management contract for First Tee to partner with Lansing and utilize Sycamore Driving Range. Mr. Jemerson and Mr. Ambrose put together a very unique proposal that protected a resource, saved the city money and continues to serve the youth of the community. Part of the program is to go into the Lansing Schools through principal invitation and meet with the physical education classes. The program met at 14 schools, ran 16 clinics and served about 1,800 children in 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> grade, which is up about 400 from last year. The First Tee also expects to increase from 260 children in the summer certification program to 400.

\*\* Board President Rick Kibbey arrived and was provided status of agenda items. Vice President Fancher stated Statement of Citizens had been completed, moved Staff Introductions up on the agenda, added sex offenders under new business, there currently is not a quorum to act on Board Minutes and they are officially on New Business, item A which is also an action item, however there is not a quorum so the Board will continue with updates.

**Summer Kids Camp**

Murdock Jemerson stated Kids Camp registration is going along fine, fees are not a problem and we are registering individuals before camp starts and even before the budget has been finalized.

Paul Carrier inquired if the Kids Camp registration form has gone out to the schools. Fancher inquired if the web site has been updated to include the programs that were not included in the community guide.

**Spring/Summer Sports Registration**

Murdock Jemerson indicated registration is up tremendously.

**Scott House/Miller Road Center**

Murdock Jemerson stated in the budget there is a proposal to shut down Scott House. All the groups have been notified, once we know for sure on the budget we will work with the current groups to find new locations for meeting sites. In regard to Miller Road we have met with the seniors, as well as the leadership of the Miller Road group, and Miller is proposed to be closed but the program moved to the Southside Community Center. We have met with Brian Ralph from Lansing School District to locate another room within the Southside Community Center and we will continue to discuss this plan. We have also met with Tri-County Office on Aging to continue the lunch program at SSCC and they are ready to do so once we re-locate.

**New Friends Groups**

See statements of citizens.

Murdock Jemerson stated he met with the Friends of Cavanaugh and they have a list of items they would like in the park and the Friends have spent several days cleaning the park. The Friends of Dunnebach are most interested in having their tennis courts done.

**BOARD MEETING MINUTES**

**April 14, 2010 Regular Park Board Minutes**

Dusty Fancher moved to approve the April 14, 2010 minutes as submitted. Seconded by Luke Canfora. 5 yeas; 0 nays

**Motion carried**

**NEW BUSINESS**

**Park Millage Language**

Rick Kibbey inquired if board members had reviewed the language and it was his understanding the language is exactly the same except with date changes, which is what the Board requested.

Murdock Jemerson stated we are under a tight time line to get the language approved to be on the ballot.

Rick Kibbey stated one issue that has come up as a result of other activities on the budget is how to make sure the park millage money is used for park purposes and not public service. Kibbey had asked this question of Mr. Ambrose who stated the budget tracking system and bookkeeping will continue to provide the capacity to track the millage money.

Ron Lott moved the Park Board support the submission of the language for the Park Millage; seconded by Paul Carrier. 5 yeas; 0 nays

**Motion carried**

Ron Lott stated because we are on a tight time line the Board needs to be thinking about getting interested people together and how we are able to proceed from here in an efficient manner.

Rick Kibbey stated he has a folder full of information and a list of the board members and he will be contacting members in the next week.

**Sex Offenders**

Murdock Jemerson stated he attended the Public Safety Committee and on the agenda was an item regarding sex offenders and the Parks and Recreation Department facility use. Council member Eric Hewitt is a member of the committee, Council member Wood is the Chair of the committee and Jessica Yoroko is a member.

Jemerson stated this issue is a result of an incident that occurred a few months ago when a gentleman was passing out flyers that he wanted to do an event in the park at Letts Community Center. A community member who knew this individual had a sexual offense and was listed on the Michigan Public Sex Offender Registry (MPSOR) notified staff at Letts Community Center who then notified the Parks Director. Jemerson stated he referred the issue to the police department and the police department indicated this person was not to have the rental and the person had a warrant out for his arrest.

The Public Safety Committee thought it would be necessary for the Parks Department to change the building use policy and made a request to the city attorney to do so. There is language proposed for the public building use policy which states "The Parks and Recreation Department reserves the right to perform background checks, including criminal background checks, on the applicant and any person associated with the request and to deny or cancel reservations based on the result on such background check."

Jemerson stated he was asked if he was going to instruct staff to conduct background searches on people who are interested in renting a facility and he said no. What we are looking at is public policy and implementing a public policy does not start and end in the Public Safety Committee. We always bring issues to the Park Board, because the Park Board exists to make recommendations to the Mayor and the Mayor will state the policy. Jemerson stated this is the beginning of the discussion and he stated in the committee meeting that this is a bigger picture and it needs to be looked at from a bigger perspective, including the Park Board and the public since this is a public policy. Council member Wood recommended a public meeting, which will be held June 3, at Foster Community Center at 6:30 p.m. Until the policy has gone through and the decision has been made by the city to make a change, the Parks Department will not perform background checks.

Rick Kibbey stated if he understands correctly this is not the first time we have thought about sex offenders in our facilities and the department's current policy is to perform background checks on anyone who is being hired.

Jemerson confirmed that we do background checks on any perspective employee, volunteer coach, volunteers and any one involved with children.

Dusty Fancher asked if there was discussion in the Public Safety Committee about what state law currently has to say about where offenders may be. There are certain rules that state they cannot live within a certain area of schools, day care centers and she encourages as we move along in this discussion that these laws are reviewed and the city is compliant.

Jemerson stated there was not discussion on state law.

Council member Hewitt stated he is the Vice-Chair of the Public Safety Committee and this issue has been reviewed for 7 to 8 weeks. This came to their attention when a non-registered sex offender who had slipped through the cracks wanted to host and advertise a program in a city facility and a community member brought it to the department's attention. The city went through the process of identifying the fact this individual was someone of concern and the facility was not rented to the individual. Since that time there have been a number of discussions with the city attorney's office asking the best way to address this issue. We want to take very seriously the sex offender law, which places a lot responsibility on elected officials, Park Board and appointed officials to protect the safety of families and children who utilize city facilities. After talking with the City Attorney he indicated he was crafting language to be placed into a policy, which is where it needs to be. The committee was later told the policy was in place and it had been enacted. The committee wanted to speak with Murdock about how it was being implemented to ensure the committee was not creating any unforeseen concerns for the Parks Department because it may be adding extra time for the review process. However, the committee found out it had not been implemented, but only discussed. At this point in time the committee has reviewed proposed language that stipulates individuals who are looking to rent facilities would allow the Parks Department to review the OTIS system to see if they have a sex offender's notification next to their name.

Council member Hewitt stated the committee thought this issue was resolved, has found out it is not and is asking the Park Board to support the implementation of this language or something slightly stronger instead of at the discretion of the Director and the background check be done each time. If not tonight, the committee will go through with the public review process and the Park Board will find out the majority of the community is very concerned about how sex offenders are interacting with children in the park system. There are provisions within the state law that state an offender cannot live within a certain distance of a bus stop, school or a park. Hewitt stated one of his concerns is if an offender rents a facility, permission is being provided to be on park property and legitimizes someone who is not suppose to be near a park to actually be in a park.

Ron Lott inquired if the event the person was handing out the flyers for was aimed for adults or children. Hewitt indicated he did not know.

Luke Canfora inquired exactly what a "sex offender" is. Hewitt stated it is someone who has been convicted of what is known as a criminal sexual conduct felony which can be anything from what is referred to as a Romeo and Juliet issue all the way up to a full blown murder rapist. The Romeo and Juliet scenario is a situation where an 18 year old is dating a 15 or 16 year old and pushes the issue and now the 18 year old is a sex offender because the charge is statutory rape. It is not a perfect system and if this is implemented there may be consequences but as an elected body, Council has committed to work with state legislatures to have this tweaked.

Dusty Fancher stated her concern is the Romeo and Juliet considerations where you have a 17 year old dating a 16 year old, the parents find and it does go as statutory rape and those boys and girls are on the list for the rest of their lives. She does not want anything the Board does to pull away from the support a community center or community park can provide for these individuals. There are hardened criminals who we do not want

around children, but she would have to inquire how to draw the line and the use of OTIS to find out if it is a Romeo/Juliet or a public urination act and how to differentiate.

Council member Hewitt responded he would rather error on the side of caution. There will be a few unfortunate individuals that may get caught up, but it is the responsibility as policy makers and elected officials to find a way to evaluate the impact and find a way to not create a problem. The question is do you not check for hardened criminals because there are Romeo and Juliet issues, which opens it up for a predator to prey on someone. These individuals did commit a felony, but do we allow our policy to be softened for those who unfortunately got caught in a situation because of their actions, in lieu of protecting the safety of the public.

Council member Hewitt stated it is not the responsibility of the worker who is reviewing the MPSOR or OTIS System to determine the degree of someone's offense, but if they show up on the list or are identified unfortunately until the policy makers find a way to off set it we need to go with what is out there.

Rick Kibbey stated the Board is interested in doing the right thing, but what is the right thing.

Paul Carrier stated within the last couple of years when the school district had to start having anyone who interacted with school kids fill out a form he thought it was a nuisance, however we are now in a time when it is a standard practice.

Council member Hewitt stated his preference is the Board to support the language in the facility use policy that the Parks Department will view OTIS and decline a request if the person is listed. The longer end is to go through public hearings for public input and determine where we need to go. The final alternative to this is Council also has the possibility of finding a way to make this a across the board public safety issue through the City Ordinance or Charter.

Dusty Fancher stated she would encourage anyone to check the site. She thinks it is good for public practice; however she is concerned with the "then what". Is there discussion about whom we would absolutely say no to and those that may require leniency? Hewitt stated there may not be a "then what", this may be the one and only isolated instance in 17 years and if people know they are going to be checked they may not try to use the facilities.

Murdock Jemerson clarified the referenced 17 years is the number of years he has been employed by the City and in his tenure he has not seen an instance like this.

Luke Canfora stated he agrees with Fancher and would move more toward the dialogue piece of this because we are passing a public safety issue. He would be more comfortable if this could be worked on together with someone from the county prosecutor's office and Lansing Police, because a city employee is going to look this up and be put in a horrible situation to contact someone and tell them they can not use a facility because they are a sex offender.

Paul Carrier stated the school district has a form for background checks that has been approved by the Board of Education and MSU has a background check form for the interns that have been approved by the Board of Trustees and maybe we need to look at other practices within the community.

Ron Lott stated this is something that needs to proceed with caution and he assumes from the letter that the hearing on June 3 is set and going to take place, but he hopes a couple of Board members would be able to attend and provide a report at the June Park Board meeting.

Dusty Fancher stated this is an important subject; it is unfortunate this situation came forward and this is how the city and the board have had to begin to look at it. Fancher stated she would attend the June 3 meeting.

Rick Kibbey indicated he would attend the June 3 meeting and he would like to hear from someone who does this for a living like the city attorney or the police department to help direct and handle an open discussion process.

Murdock Jemerson stated he would have representatives from those two departments to provide background information on this. He will also provide information from other parks departments on how they deal with this type of situation. East Lansing does not have a check system in place for the Hannah Center.

Council member Hewitt stated it was his understanding the city attorney worked with Mr. Jemerson and a representative from the police department to make sure what was being proposed as the policy change was legitimate and was able to be done by parks personnel.

Meeting adjourned.

Respectfully Submitted: Kellie Brown, Interim Park Board Secretary  
Approved June 9, 2010