

**PARK BOARD MINUTES  
Foster Community Center  
June 9, 2010**

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

**MEMBERS ABSENT:** Excused Patrick Murray

**OTHERS PRESENT:** Murdock Jemerson, Director, Parks and Recreation; Phil and Julie Mannino, Friends of Lansing Historic Cemeteries (FOLHC); James Houthoofd, Neogen; Karl Dorschimer, EDC; Sue Eareckson

**CALLED TO ORDER:** 7:10 p.m.

**ADDITIONS/DELETIONS TO THE AGENDA:**

None

**STATEMENT OF CITIZENS**

Phil Mannino introduced himself as the new president of FOLHC and as the new president he has a different idea for the group. They want to work closely with the city and provide more educational projects to involve youth and teach them the history of Lansing and the cemeteries. The FOLHC is planning their annual fall tour along with working with the Michigan Historical Society to do a tour of North Cemetery in August.

**BOARD MINUTES**

Motion to accept the May minutes as submitted by Ron Lott, seconded by Dusty Fancher. 5 yeas; 0 nays

**Motion carried**

**NEW BUSINESS**

**Park Board Meeting Schedule – July 2010 through June 2011**

Two proposals were presented; proposal one was to rotate between the community centers on a quarterly basis, the other proposal was to hold monthly meetings at Foster Community Center.

Ron Lott moved to support proposal one to rotate the meetings on a quarterly basis, seconded by Cynthia Ward. 5 yeas; 0 nays.

**Motion carried**

**Building Use Policy**

Dusty Fancher stated as the board continues to debate whether or not a policy regarding facility use by a sex offender is in the best interest of the city the board should be well versed in this subject. Fancher provided factually based packets on the Offender Tracking Information System (OTIS), Michigan Public Sex Offender Registry (MPSOR) and Sex Offenders Registration Act. OTIS is through the Department of Corrections and is the system council member Hewitt suggested he would like to see used to find out if someone is eligible or not to rent a park facility. The OTIS system only tracks within the last three years and if more than three years has elapsed since a person has been within the Department of Corrections they would not be on this list. There is a secondary list the Michigan State Police regulates which is the MPSOR, however this list changes often and it would be the parks responsibility to verify any records accessed through this registry pertain to the correct

person. The Michigan Sex Offender Law is a very complicated law and the Michigan State Police have a frequently asked question section, which also provides a list of offenses one would have to commit and be guilty of to be on the list. Last is the Sex Offenders Registration Act of Michigan. Currently under Michigan law registered sex offenders are only prohibited from being on school property, there is no prohibition for them to be in public facilities, in public parks, libraries, day care centers or elderly homes.

Dusty Fancher stated the National Institute of Justice has looked at sex offender laws; there are 27 states and hundreds of municipalities that have passed sex offender laws. Many of these laws make it difficult, if not impossible, for people to find housing which causes them to become homeless and they go underground making it difficult for local police to track them. Chicago does have a law; their law encompasses public parks and golf courses. South Carolina has a state law on parks sitting in the legislature right now, California banned sex offenders, Broward County in Florida has a ban on the county level and covers parks, schools, school bus stops, day cares, but allows a local opt out for municipalities.

In nearly every case of a municipality passing an ordinance, the ACLU has found some person they can fight for and put forth a lawsuit.

Murdock Jemerson stated at the meeting city council held at Foster, Council member Wood asked him to step outside to advise him of what she expected to happen at this public hearing; she also advised him the sex offender was at the meeting. Jemerson asked Council member Wood to have the offender come out to speak with him. Jemerson spoke with the person and asked if he knew if the conditions of his parole included items about being in a public building. Jemerson advised him there were TV stations at the meeting and if he did not know the conditions of his parole that it may not be in his best interest to be there. Jemerson told the gentlemen he would contact LPD regarding the conditions of his parole and if the chief could not find the answer that it may be in his best interest to leave. Lansing Police could not find anything and the person chose to leave and not risk violating his parole. Captain Hall called back later to verify the person he could have stayed in the building.

Murdock Jemerson stated there was an article in the City Pulse about the incident and the report stated it was a violation of the Public Meeting Act. The city attorney disagreed, as it was a mutual agreement for the person to leave.

Rick Kibbey stated the task that remains before the board is what, if anything, the board wants to do with the building use policy to deal with situations like this. Does it rise to the level of changing a policy and if it does what would that policy be. The department's current policy is to screen anyone working with kids and do we want to screen everyone walking through the door and is it possible to do so.

Dusty Fancher has concerns on the wording of the draft, how long it would take LPD to run reports, what they consider a risk and would it cost the department.

Cynthia Ward stated whatever procedures are proposed really need to address the issue and she is not sure of what the issue is; is it to protect the safety and welfare of children in our facilities or is the issue to know if someone who is seeking to rent our facility a registered offender. If the issue is the former than this procedure does not address it, because anyone can come into our facility without an application to rent the facility and still place children at risk. She does not think this proposal or what she heard at the public safety meeting address the issue.

Ron Lott stated this is bigger than the board and involves things the board cannot address. The board needs to be involved, but does not need to take the leadership due to the number of unanswered questions and issues that are not addressed.

Dusty Fancher stated she had asked Jemerson if the department did go forward with something like this would the city have a liability.

Cynthia Ward asked if there is a body that is asking for the board to act. Fancher stated at the last board meeting Council member Hewitt asked the board to pass a resolution that would state the parks department would run a background check on everyone who wanted to rent a facility.

Rick Kibbey stated there is time to work on this and there will be many questions. The board needs to identify their questions and concerns and put together a working group to assemble a list of questions.

Cynthia Ward inquired if the board is considering the paragraph in the building use policy that states we “reserve the right” to search the MPSOR or only the seven-bullet point draft.

Murdock Jemerson stated the seven-bullet point draft is from Carol Wood and the language in the building use policy is proposed language from the city attorney. Jemerson stated at the public safety meeting, Carol Wood thought the language in the policy would require the department to make calls, but when he pointed out the language “reserves the right” she came up with her seven-bullet point to force calls now.

Dusty Fancher inquired what action would be required next on the proposed language from the city attorney to make it an actual policy instead of a draft policy.

Murdock Jemerson stated the process would be for the board to make a recommendation on the proposed language from the city attorney and make a recommendation on the proposed procedure Carol Wood put together.

Luke Canfora moved to form a committee to review this issue, seconded by Fancher. 5 yeas; 0 nays

**Motion carried**

Rick Kibbey asked Luke Canfora, Cynthia Ward, Dusty Fancher and Ron Lott to be on the committee. Kibbey wants to hear from the committee at the next board meeting and he would also like to hear from LPD and the city attorney.

**OLD BUSINESS**

**Oak Park**

Packets were provided with the proposed purchase of Oak Park by NEOGEN Corporation, which included maps and the 285 report. This property is not dedicated parkland.

Murdock Jemerson stated the next section of this would be an additional building, the Vector Building, which does sit on dedicated parkland. The forestry division will be combined with public service and they will work out of the operations and maintenance building, which would leave the Oak Park field office vacant. FTCH has been putting together a plan for the parks staff to move into the O&M office.

James Houthoofd, NEOGEN Corporate Controller, stated this building has been reviewed and it would need maintenance. NEOGEN would expand their current building to include this area as warehouse space and parking.

Luke Canfora inquired if this expansion would create jobs; Houthoofd stated yes.

Karl Dorschimer, Economic Development Corporation, stated this is a good deal for the city; this property would become surplus, but there is a good buyer ready to purchase the property at a fair price. EDC also works with Brownfield and this will help clean up the contamination at no cost to the city and the property will go back onto the tax roll.

Rick Kibbey turned the gavel over to Vice-President Fancher in order to vote on this matter.

Luke Canfora moved to approve the sale of Oak Park; seconded by Lott. 5 yeas; 0 nays

**Motion carried.**

**Park Millage Resolution**

Rick Kibbey stated he has started the 2010 Park Millage campaign notebook. The Committee of the Whole has approved the language and the primary is August 3.

**UPDATES**

**Mt. Hope**

Project is moving along. Jemerson received notification from the Fratcher Foundation that \$50,000 has been granted and will be put with the existing balance to install the pathways. The fountain and columbarium are complete.

**Memorial Day Parade**

Wonderful parade with 25 units.

**Mayor's Walk**

Almost 500 participants, this year the walk went south to Hawk Island. The hope for next year is to go south to Maguire Park.

**Bluebell Park**

After the incident that occurred at the park a neighborhood picnic was held with about 50 people in attendance.

**Lifetime Sports Programs**

The adult and youth programs have all had an increase over the last year.

**Kids Camp**

Kids camp enrollment is doing well, several weeks are filling up at various sites. Feedback is positive about the structured program and there has not been an issue with the price. The department is providing scholarships in accordance with the department's guidelines.

**Rivertrail Map**

Drafts of the new rivertrail map were provided for board members to review.

Meeting adjourned at 8:35 p.m.

Respectfully Submitted: Kellie Brown, Interim Park Board Secretary

Approved July 14, 2010