



MINUTES
Committee of the Whole
Monday, February 18, 2013 – 6:30 p.m.
Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 6:30 p.m.

ROLL CALL

Councilmember Carol Wood, Chair
Councilmember A'Lynne Boles Robinson, Vice Chair – excused absence
Councilmember Derrick Quinney
Councilmember Jessica Yorko
Councilmember Kathie Dunbar
Councilmember Brian Jeffries
Councilmember Jody Washington
Councilmember Tina Houghton

OTHERS PRESENT

Diana Bitely, Council Staff
Randy Hannan, Executive Assistant
Don Kulhanek, Interim City Attorney
Angela Bennett, Finance Director
Stephen Bland, Rehman Robson
David Hollister, Mayor's Financial Health Team
Bob Emerson, Mayor's Financial Health Team
Cassie Alley, Citizen
Stan Shuck, Citizen
Kathi Raffone, Citizen
Mike Mercer, Citizen
Angela Wittrock, MLive
Andy Balaskowitz, City Pulse
Daniel Jenks, Citizen
Brian Rogers, Citizen
Sam Brewster, Citizen

Spencer Brewster, Citizen
Wendy Stanley, Citizen
Hazel Bethea, Citizen
Shirley Murray, Citizen
Nayrice McMullen, Citizen
Kenneth McMullen, Citizen
Catherine Mooney

APPROVAL OF MINUTES

COUNCILMEMBER QUINNEY MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 4, 2013. MOTION CARRIED, 6-0.

PUBLIC COMMENT ON AGENDA ITEMS

Mr. Morofsky commented on Code Compliance issues within the city. The code officer in the Colonial Village area does not seem to be very motivated and would prefer to have their former Code Compliance officer. 2605 S. MLK is a non-registered rental and the neighborhood would like to see either the property registered or the property vacated.

Councilmember Yorko responded that our Code Officers are rotated around to allow them to gain experience in different types of neighborhoods, not only to groom them for promotion, but also to ensure that they receive well-rounded experience to help residents. There is not currently a set schedule for this rotation, but Bob Johnson, the Planning Director would consider creating one. She suggested that the Code Compliance Office hire some temporary employees to assist with some of the routine

Mr. Beavers commented on the Code Compliance concerns and the last millage elections, there was a lot of talk about how it pays for itself. He believes that it is more important that the service is there and the money comes out of the General Fund, than that it be self-funding. He spoke on CATA and the overtime work given to bus drivers is there by contract negotiated between labor and management. He would like to see the city create a town hall where there is more intimate discussion between Councilmembers and residents.

Ms. Stanley, Colonial Village, commented that the sidewalks have not been cleared in her area and there is a property that is not being kept up in summer or winter. She is concerned about cars that are parking in their yards on Jackson Street. She is also concerned about the number of rentals and foreclosures in her area.

Mr. Jenks stated his frustration that the city would consider privatizing the Lansing Board of Water & Light.

Councilmember Dunbar clarified that the Financial Health Team did suggest this as a possible solution, but both the Mayor and the City Council have fervently and publicly stated that they are not willing to consider privatizing the BWL.

Ms. Murray, Moore's Park Neighborhood, commented that she does not know if the issue with Code Compliance in her area or as a whole department. She stated that she purposely did not report a property that had two mattresses and a refrigerator on the curb that sat through the whole summer and up to December until she finally called her Councilmember. It was then a month before she checked again, to discover there had been no record of the report. The refrigerator is now gone, but at 126 W. Barnes there is now a refrigerator on the curb which has been sitting for three weeks. She requested that someone from the Code Compliance Office attend neighborhood meetings quarterly to talk to the residents to ensure that some long-term issues get addressed.

Ms. Bethea, Genesee Neighborhood Association reported several houses in her area that need attention. She questioned how long houses will remain on the Make Safe or Demolish list before they are actually demolished.

Mr. McMullen commented on his mother, Ernestine McMullen, and stated his appreciation for the Council's recognition of her.

Ms. McMullen expressed her gratitude to the City Council for their recognition of her mother, Ernestine McMullen.

Mr. X spoke on John Pollard, Ernestine McMullen, and other residents who have left their legacy in the city of Lansing.

Ms. Mooney, Northtown Neighborhood Association, stated that her neighborhood has been experiencing set up a system to gather up the code complaints and provide them to Code Compliance and with Council to allow for direct response from the City regarding their concerns in a timely manner. Her neighborhood would appreciate a 30-day turnaround response from Code Compliance which directly addresses the issues that the neighborhood provides.

DISCUSSION/ACTION

Update from Code Compliance

Seasonal Employees, Code Officer's Responsibilities, Make Safe & Demolish

Mr. Sanford reported that the seasonal positions have been posted and we have scheduled interviews for Wednesday and Thursday this week. The assignments would be the same as for premise inspectors, writing up trash, weeds, and grass. They would be scheduled at least until June 30, 2013 when the new fiscal year begins. There were two seasonal employees approved and that is what they intend to hire.

Councilmember Quinney questioned the number of full-time Code officers.

Mr. Sanford stated that there are 7 Code Officers and 1 Premise Inspector. We have been running on 8-9 for the last 10-12 years.

Councilmember Quinney questioned why we do not have more funding for Code Officers when the Department is self-funded.

Mr. Gamble stated that the Code compliance budget is funded wholly within itself. There are some General Fund contributions, but he does not know exactly how much. 3,800 housing code violations last year and this year over 6,000 this year. There is a lot of work being generated and are optimistic about the next fiscal years' budget for Code Compliance.

Councilmember Dunbar questioned if the tickets and fines cover the entire cost of the Department.

Mr. Gamble indicated that he would work on providing that information to Council.

Councilmember Houghton questioned if the Code Compliance map would include the seasonal employees.

Mr. Sanford stated that the map would remain the same. The Premise Inspectors do multiple areas and are not assigned to any one area.

Councilmember Jeffries commented on the assignments; how is that determined?

Mr. Sanford stated that they look at seniority and respond to requests by their officers as well as look at the experience of the officer requesting a change. They do try to rotate every three years, and will be doing that very soon. We do not consider neighborhood requests when making assignments.

Councilmember Jeffries questioned the fees that are assessed, are you looking at increasing those fees.

Mr. Gamble stated that they will be considering all fees during this budget season, as with every budget season to ensure that they are commensurate with the services being offered.

Councilmember Jeffries questioned the optimal number of Code Compliance Officers and Premise Inspectors.

Mr. Sanford stated that any increase in Officers and Premise Inspectors would be helpful. Our numbers are significantly up. Trash notices were up 25% and grass up 40% this year. We are writing more notices, but people are being more pro-active and cleaning up once they are given a notice.

Councilmember Quinney questioned front-yard parking and how it is monitored, particularly after-hours.

Mr. Sanford stated that LPD can enforce any parking issues, including front-yard parking. All the parking issues that Code Compliance addresses are done in conjunction with LPD and have been granted special permission to write notices. The vehicle must actually still be parked in the front-yard when city employees come out to

the house before they can cite it. They cannot cite someone based upon tracks or pictures. We receive emails from LPD notifying of issues with certain properties. Also, 911 has access to Code Compliance's databases to allow the police department to identify problem properties. When we write the violation, if the property owner corrects it, the citation is lifted.

Councilmember Wood commented that the concern is with repeat offenders and it is taking a toll on the neighbors who are seeing that nothing can be done to correct the situation.

Councilmember Quinney questioned the properties on the make safe or demolish list that are not on the Land Bank.

Mr. Sanford stated that at the March Demolition Board, the Board will be discussing a number of properties. In conjunction with the Land Bank and with NSP funds, the City has been able to demolish over 300 properties in the past year. Ms. Boone confirmed that there is additional grant monies through the Planning Department that will allow for the demolition of 30-40 additional houses. He also understands the County will receive upwards of \$3 million dollars in funding, some of which would go toward demolitions.

Councilmember Jeffries questioned how neighborhood groups could help Code compliance in addressing issues that recur in their neighborhoods. Are the resources available to allow for Code Compliance officers to attend these meetings on a quarterly basis.

Mr. Sanford stated that he does attend neighborhood meetings and he has some code officers who do attend their neighborhood meetings monthly. It would be helpful for residents to fill out the online complaint form, which goes directly to his email and he distributes the assignments to his assignments. He understands there is some frustrations, it does take time, sometimes up to 22 days before someone can get out to abate the issues. Some issues are not properties that the City controls; they belong to Ingham County or are Land Bank properties and we do not have the jurisdiction to handle these issues. We can report it to the Land Bank, but it is up to the County to abate the outstanding issues. It is more due to the great amount of properties that the County now owns. The City simply does not have jurisdiction over the properties.

Councilmember Jeffries questioned how big a problem is it for the city.

Mr. Sanford responded that it is worse in some neighborhoods than others, depending on how many properties are owned by the County.

Councilmember Jeffries questioned the idea of submitting a list of issues and receive a report within a month's time, is that a feasible effort.

Mr. Sanford indicated that they could do that. The City website allows them to track the enforcement actions taken on a property also, but the Code compliance office could certainly produce a report based upon a list that a neighborhood submits.

Mr. Gamble stated that they are trying to direct people to the website to receive this information and doing this type of reporting on a monthly basis would overwhelm the Department and take officers away from being out in the field. He suggested that there could be periodic updates to the neighborhoods, but to create reports on a monthly basis for individual neighborhood associations could be quickly overwhelming.

Councilmember Jeffries clarified that the issue, from what he is hearing, is in the follow-through and response from the city on the complaints that are filed. People are making the complaints, but are not being assured that something is being done.

Councilmember Wood reiterated that the issue is with the follow-through and when she has made reports, there is a discrepancy between the information being available on line or a response received by the reporting person. What is the step for response?

Mr. Sanford stated that as soon as an enforcement number is assigned for a complaint, it should then be available on line. There are some complaints that he has no way of responding to, because the complainant does not provide any contact information. There are occasions when it is a complaint that the city simply does not have the authority to enforce.

Mr. Gamble stated that there are over 15,000 code violations reported and they work extremely hard to address the complaints that do come in. We will continue to improve the online access and provide more efficient ways.

Councilmember Dunbar commented that the website is very clear and easy to use, showing the actions taken. She questioned if the neighborhoods are simply not aware of how to utilize the website. If there are repeat offenders, is there a point where the nuisance would trigger some additional action.

Councilmember Wood commented that the city's nuisance law only covers prostitution or drug issues. The Ingham County Prosecutor's office would handle nuisance properties outside of these two areas, or the State.

Mr. Sanford stated that they issued 642 grass notices and written _____ letters of compliance.

Information Regarding Number of Inspections & Percentage of Rentals

Mr. Sanford reported 5,195 rental inspections, up slightly from the year before due to a few large apartment complexes that came up for inspections that year, which counts for only one inspection. We average about 37 new rental registrations each month. This does not include transfers or renewals. He believes the ratio of rental to home occupied at around 40% still, due to the vacancy rate of Lansing properties.

Councilmember Wood questioned when someone is sent a re-inspection notice.

Mr. Sanford indicated that staff will issue a second notice at 60 days. If we do not get a response, we would send out a failure to comply letter and require the property to be vacated.

Councilmember Dunbar questioned how many more violations they have written this year.

Rental certificates up about 65%, which has mainly to do with the larger complexes. Rental certificates 35%, failure to comply are about the same, safety corrections up 30%, and board up letters are up about 52%. We did 238 in 2011, and 402 in 2012. This is on a calendar year, not a fiscal year. Grass notices were 3,080 in 2011, 4,562 in 2012 for grass notices, about 48% increase. Our abatement stayed about the same at 1,079 in 2011 and 1,082 in 2012 due to compliance by the homeowner.

Councilmember Dunbar commented that there is no charge if the homeowner complies, but the income does not go up due to a simple citation.

Councilmember Quinney requested information on the other statistics for other revenue generators.

2,107 in 2011 and 2,616 in 2012 for _____? Trash abatement citations issued. 480 in 2011, and 257 in 2012. In 2012 – 287 disabled vehicle citations.

Councilmember Dunbar questioned if neighbors should assume that if they have logged a complaint online and cannot find it, does that mean it was something that the Code Compliance Department cannot enforce it.

Mr. Sanford stated that it is helpful to include contact information so that CC can follow up with the complainant directly.

Councilmember Dunbar suggested that the website request an email address where the CC office can respond.

Councilmember Jeffries questioned then if a neighborhood could submit online a request for a response to recurring issues in their neighborhood.

Mr. Sanford stated that he may not be able to fulfill such a request, but he could direct the request to the area's code compliance officer.

Councilmember Yorko suggested using "SeeClickFix" as a tool for Code Compliance, Council, and neighborhoods to communicate.

Councilmembers Wood, Houghton, and Dunbar stated that they frequently use this service.

Councilmember Dunbar commented that the Information Technology Department can link the Code Compliance complaint system to allow for an email to the Councilmember in the ward of concern.

- Follow up on make safe or demolish to be taken care of by the city
- City Attorney to assist with disabled vehicles
- Follow up with Moore's Park Neighborhood and issues that
- Revenues generated from inspections

Councilmember Dunbar questioned how private alleys are handled.

Councilmember Houghton questioned if there is a full-sized semi commercial vehicle, what is the course of action.

Councilmember Wood responded that the Police Department would handle that kind of issue; Code Compliance cannot enforce.

Councilmember Yorko commented that the issues in the alley in the Moore's Park neighborhood were on private property, but the days that allow for code compliance patrolling are over; is that correct?

Mr. Sanford responded that the code officer's do still patrol their assigned areas, but it is very helpful to their office to have issues reported.

Councilmember Wood questioned if the map has been updated recently.

Mr. Sanford indicated that he is working on updating the map currently.

Update from Public Services

Road Millage Dollars, Construction Projects

Mr. Gamble stated that the millage provided approximately \$1.9 million dollars to go toward local streets. 700,000 to street sweeping, 800,000 to preventative maintenance (skin patching, for instance), 400,000 set aside for large resurfacing city streets. We spent \$122,000 to date. Lowcroft, BelAir to Cavanaugh; Karen from Wainwright. \$255,000 left to program this year. We are awaiting the spring break-up to see where repairs are most needed. The major street projects include Holmes Rd., from MLK to Pleasant Grove; Waverly Road regional non-motorized connector; parts of the south Lansing pathway; Jolly Road from Pennsylvania to Aurelius. These are FY13 projects.

Chad is to provide a list of these numbers.

Councilmember Houghton questioned the south Lansing pathway and if that is east to west. Aurelius is the eastern section, Aurelius to Pennsylvania is the middle section. We are hoping to get the middle, east and west state funded, but do not know just yet.

Councilmember Dunbar questioned if this runs through the consumers Energy power line, and connects with the 7-11. Does this get into MSU territory at this point?

Mr. Gamble stated that he would have to look to confirm.

Councilmember Wood questioned Mt. Hope bike lanes. Mt. Hope Bridge reconstruction scheduled to start in June Aurelius to Lindbergh, not sufficient room for bike lanes on the section nearest Lindbergh.

Mr. Gamble stated that he would provide a detailed list of all the projects listed. This information would include the locations.

Councilmember Jeffries requested a breakdown of the costs for each of these projects and how much is funded by millage funds and how much will come from another fund (i.e. General Fund or Act 51). He further requested that they are broken down by ward.

Mr. Gamble stated that he would provide this information.

Councilmember Jeffries questioned if there are any other sidewalk issues being addressed. He further questioned the distance on the south Lansing pathway.

Mr. Gamble responded that he does not have the distance available now, but will provide that to Council.

Councilmember Jeffries questioned if there would be some non-motorized pathway near Moore's River.

Councilmember Dunbar believes it to be approximately 3.7 miles along the pathway, if her memory serves. She questioned if there would be a connector to Jolly Road.

Mr. Gamble indicated that it would.

Reports Concerning Boards & Commissions

Downtown Lansing, Inc. – Councilmember Jessica Yorko

OTHER

Report from the Public Service Board

Councilmember Wood commented that there is a report submitted by the Public Service Board in everyone's packet that will be referred to the Public Service Committee through the City Council agenda for discussion.

Application for Naming Memorials in Lansing's Municipal Parks

COUNCILMEMBER JEFFRIES MADE A MOTION TO SEND THE REQUEST TO THE PARKS BOARD TO CONSIDER RENAMING THE COMMUNITY ROOM AT THE ALFREDA SCHMIDT SOUTHSIDE COMMUNITY CENTER THE SANDY ALLEN COMMUNITY ROOM. MOTION CARRIED, 6-0.

PENDING

- Continuation of Executive Session to Discuss Attorney-Client Privileged Communication Regarding Pending Litigation and Computer Usage Policy

ADJOURN

The meeting was adjourned at 8:56 p.m.

Respectfully Submitted by,
Diana Bitely, Council Staff

Approved by the Committee on 02/25/2013.

Appropriate documents attached to original set of minutes.



AGENDA
Committee of the Whole
Monday, February 18, 2013 – 6:30 p.m.
10th Floor Conference Room, City Hall

Councilmember Carol Wood, Chair
Councilmember A'Lynne Robinson, Vice Chair

1. Call to Order

2. Roll Call

3. Approval of Minutes

- February 20, 2013

4. Public Comment on Agenda Items

5. Discussion/Action:

A. Update from Code Compliance

- Seasonal employees
- Code officers responsibilities
- Information regarding number of inspections & percentage of rentals
- Make safe & Demolish

B. Update from Public Service

- Road Millage Dollars
- Construction projects

C. Reports concerning Boards & Commissions

- Downtown Lansing, Inc.—Councilmember Jessica Yorko

6. Other

7. Adjourn

8. Pending

- Submission of Actuarial Data
- Update Stagnant Account Balances – Property Taxes
- Update on Ambulance Fee Collection
- Brownfield and TIFA Funds Report
- Report on Healthcare