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**MINUTES**

**Committee on Intergovernmental Relations  
Wednesday, November 21, 2018 @ 8:30 a.m.  
Council Conference Room, City Hall**

**CALL TO ORDER**

The meeting was called to order at 8:31 a.m.

**ROLL CALL**

Council Member Kathie Dunbar, Chairperson  
Council Member Brian T Jackson, Vice Chairperson  
Councilmember Peter Spadafore- excused

**OTHERS PRESENT**

Sherrie Boak, Council Staff  
Jim Smiertka, City Attorney  
Bryan Crenshaw, Ingham County Commissioner- NW Lansing  
Derrell Slaughter, Ingham County Commissioner- District 3  
Todd Tennis, Ingham County Commissioner – South Lansing  
Joan Austin, West side resident  
Mary Derby, West side resident  
Kristie Dickinson, West side resident  
Jodi LeBomhard, Ingham County Animal Control Director  
Caitlin Stewart, Officer with Ingham County Animal Control  
Jim Smiertka, City Attorney  
Lisa Hagen, Assistant City Attorney

**PUBLIC COMMENT ON AGENDA ITEMS**

No Public Comment

Introductions

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MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM SEPTEMBER 5, 2018 AS PRESENTED. MOTION CARRIED 2-0.

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## **DISCUSSION**

Residents explained their concern and complaints with the Ingham County Animal Control. This included a statement on a certain property (2005 N. Genesee) that they were requesting the City of Lansing to adopt an ordinance to allow the LPD to work with Ingham County Animal Control on taking an animal that is in distress. Ms. Dickenson informed the Committee that she was told by Ingham County Animal Control that the City did not have an ordinance that allows animals in distress to be taken. She continued with her five (5) suggestions for the ordinance:

- 1<sup>st</sup> violation– with the complaint send a warning to the landlord and tenant
- 2<sup>nd</sup> violation– subsequent visit; fine to the pet owner and landlord.
- 3<sup>rd</sup> violation if not yet removed, remove and fine

If the animal is taken away they should not be able to get another pet.  
Lastly she requested that that animals not be allowed to be chained and unattended.

Council Member Dunbar asked Ms. LeBomhard what the County policies were. Ms. LeBomhard acknowledged that prior to this meeting she was aware the discussion would be on the specific property, so was not able to answer specifics. However, she was able to outline that they presently respond to cruelty and neglect complaints during business hours and the LPD addresses evening and night. She was not able to explain why the LPD cannot remove animals, but understood cruelty can be addressed. She was hopeful that the LPD would get involved and if no action could be taken by them, they would follow up with animal control in morning. Regarding being “chained up” there is a tethering law, 3 times length of the dog, from nose to tail, and if they have adequate shelter and adequate bedding for warmth they cannot take them. If Animal Control gets dispatched to the complaint, and owners were receptive to it, they would educate them on what they need, and could provide them shelter with a dog house and straw. Once they become educated, the action is documented and if there are further complaints, they would take further action. Ms. LeBomhard agreed on the suggestion of fining the landlord as well.

Mr. Slaughter asked if Animal Control has a repeat offender fee. Ms. LeBomhard stated it would be on a case by case basis; if they are removed from the home, because it is a voluntary surrender, there would be no evidence to prosecute. To prohibit no further animals in the future, would require a court order. In the case mentioned earlier, Ms. LeBomhard stated it could have been a situation where the owner admitted she did wrong and that is why they did not remove the animals. Mr. Tennis added to the discussion that the County does not have the power to create an ordinance other than what the State law allows them to do. He offered to speak to the State elected officials to make changes. The residents continued outlining the details on the specific case mentioned earlier. Ms. LeBomhard encouraged repeat calls to Animal Control because it gives them reason to go to the residence to collect evidence and document additional concerns. Council Member Jackson asked the County how capable they were on investigating complaints. Ms. LeBomhard confirmed they address complaints within the day, and it is high priority for neglect cases. Mr. Smiertka added to the discussion that the City currently only addresses dogs under the noise ordinance for barking dog and a leash law, and if the County follows State statute, the City is not pre-empted from enacting an ordinance.

Council Member Dunbar recapped the discussion; there is a State law that exists and LPD can enforce but the City can create a stricter law, then asked the County representatives if other municipalities have something different and if so how do they go about educating. Ms. LeBomhard reminded the Committee that the County cannot enforce City ordinances. Council Member Jackson suggested the option that the City ordinance make the LPD an investigative agent where they will then report to the County for removal, and combined

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evidence to prosecute. Ms. LeBomhard offered to provide training with LPD on what they look for and what facts need to be documented.

The Committee determined that a discussion needs to be held with the City Attorney, LPD and the Administration and if they set fines, they would be in addition to the State fines.

The group discussed the evidence need to prosecute, and if a video or recording can be brought into evidence when the resident files the complaint. Ms. Hagen stated she would have to research that, but they would still need a person to testify. Depending on the penalty, the case could go to District Court, but if the amount exceeds the limits it would a County court.

Council Member Dunbar stated that a future meeting they would continue the discussion and bring in Court Judges that address County cases, the County Prosecutor, future State Representative Sara Anthony, Mr. Boyce with the City IT Department to discuss the options on the City Connect complaint website, and representative from the Mayor's office and code enforcement.

Council Member Dunbar went through the August 15, 2018 minutes; the last time the group met. Regarding the health clinic update, Mr. Tennis stated they decided to hold off on new site on the north site because of timing. They are looking at moving Willow Teen Clinic with the potential of partnering with Lansing Community College.

Mr. Crenshaw stated they are still holding conversations on court consolidations, which include discussions with MSU, but admitted they are on a time frame and need to break ground in 2020 to build the jail in Mason or near MSU. Council Member Jackson asked where the conversations were being held. Mr. Crenshaw stated they initially started in the courts but have now begun group settings organized by Mr. Singh, and meeting are including all 55, 54A and 54B courts, administrators, Mayors, and County representatives. Council Member Jackson asked that Council Member representation be invited to a future meeting. Mr. Crenshaw stated he would let Mr. Singh aware Council is interested.

Mr. Tennis stated there were no new updates on the VOA facility take over by Holy Cross.

Adjourned at 9:42 a.m.

Submitted by,

Sherrie Boak, Recording Secretary,

Lansing City Council

Placed on File