



MINUTES
Committee on Public Safety
Wednesday, March 1, 2017 @ 3:30 p.m.
City Hall, Council Chambers

CALL TO ORDER

The meeting called to order at 3:32 p.m.

ROLL CALL

Councilmember Adam Hussain, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member -excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Heather Sumner, City Attorney Office
Council Member Washington
Chief Yankowski
Kathy Miles
Mary M Langarth
Scott Fata
Karen Daily
Michael Brueggeman
Don Johnson
Richard Williams
Sylvia Chon
David Dodson
Rich Hall
Trent Varva
Elaine Womboldt
Spencer Sova
James Pollack
Judy Hunt
Keith, CRAP Representative
Andrew Whitney

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM FEBRUARY 15, 2017 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Council Member Hussain stated the public comment will be taken at each agenda item.

PRESENTATION

Baker/Donora Neighborhood

Council Member Hussain summarized the recent incident on February 23, 2017 and neighborhood concerns. He then informed the public that there have been ongoing efforts in solving the incident.

Ms. Daily thanked the LPD for their continued efforts and support in the Baker/Donora Neighborhood, acknowledging the positive change.

Council Member Washington began first by assuring the Chief she was not going to criticize the LPD, however there is a strong neighborhood watch, a good neighborhood, but crime is increasing. Council Member Washington then asked the Committee to address other issues other than medical marihuana, and she then asked everyone to work together to address the issues in the neighborhood.

Council Member Hussain asked the Chief to update the Committee on what is being done now to address current issues and what authority the City would have to close the store where the homicide took place. Chief Yankowski started by noting the historical experience with the neighborhood and perspective over the last 15+ years. Since 2000 there has been a 49% reduction in crime. Currently the homes are 30% rentals. With the Community Policing it requires the entire community to maintain. In 1990 the LPD implemented a CPO program, and as of recently that officer is Lance Leiter. In 2016, the City B3 Program, block by block, began and the Baker/Donora was the first neighborhood. They are looking at getting resources in the neighborhood, there is an intention to put a camera at Baker/Lyons within 45 days or less, and on March 2nd they will roll out the focus engagement teams.

Council Member Hussain asked if cameras in general are an effective deterrent and if crime in those areas drops. Chief Yankowski stated that the focus of cameras a force multiplier, with a deterrent and to help with prosecution, also to provide with assistance in viewing for extra resources. Chief Yankowski also added that crime has gone down with cameras in use.

Council Member Wood asked the Chief and Mr. Smiertka if there was enough data on the property, 800 Baker, to close it as a nuisance. Mr. Smiertka stated the property is not unique, but a chronic nuisance. He continued by stating neighborhoods have houses, bars or mini marts. Some may take the form of targeted enforcements. City Council could take the approach of an enforcement team and if cooperation from the owner, they could strike a good neighbor agreement. Mr. Smiertka stated if the owner is willing, Law could write the standards. To determine the level of nuisance, they will need to log the number of incidents that occur and at some point in time, the City can determine if it is a chronic nuisance. At some point the City could also ask the State to revoke the liquor license.

Council Member Washington asked to bring all groups and parties together for enforcement in the area. Chief Yankowski stated there is a group with the B3 program that is doing just that, where every aspect is at the table to discuss what is going on. There has been a community survey, and a neighborhood community event. In those discussions, they are talking about opening Sycamore Park. The B3 meets on Thursdays and is currently working with Andy Crawford with the Links program. The Chief added that in this situation they have done undercover operations and police watch programs over the last 2 years and there have been no violations. Anytime the owners have been asked to work and comply with the LPD, they have.

Council Member Washington requested that the LPD update the Council Ward Member on what is going on, and provide an invite to the B3 meetings so they can report the concerns of the residents and report back. Council Member Hussain concurred with the request on the meeting dates so he too can attend. Chief Yankowski stated he would forward the request And will bring to the administration's attention.

Council Member Wood asked the Chief if the LPD and the City Attorney office can meet with the store owner to discussion the plans to address the neighborhood and work together on the plan to implement then. Lastly, she too concurred with the earlier statement that the Council members need to be involved in the B3 meetings so they can update residents they talk to daily.

Police Department Enforcement in 2017- Chief Yankowski

Council Member Hussain asked the Chief to update the Committee and public on why the statistical increase in crime, highlights of Community Policing, and the Violent Crime Initiative Team. The Chief was also asked to speak on the increase in crime nationally and what the LPD is doing to counter it. Lastly, Council Member Hussain asked the Chief to comment on if the LPD has enough officers. Chief Yankowski noted they need to look at crime over the last 25 years with the data from 1990-2016. Violent crime is down 26%, property damages are down 57%, and there is never one variable for the increase or decrease. In 2011, the City laid-off 36 officers, and there has also been a concern on trying to change the mindset to get to the root of the problem. In 2016 there were 8 homicides, but they went the first months with none, and with each situation they should look at the cause. The LPD has had success in addressing drug related, gang related, criminal enterprise related where there has been a reduction. There is a National clearance rate of 61%, and over the last 3 years the LPD has had the ability to control violate crime. In 2017 there have 5 homicides with all 5 arrested, making a 100% clearance rate, in 2016 there were 8 homicides with 7 solved, making it 86% clearance, and in 2015 there are still 2 homicides outstanding, so that year is at 77, all in comparison to the national clearance rate of 61%. In regards to breaking & entering, the Chief stated the criminal system needs to be held accountable, providing the recent example that one person recently was arrested 3 times for 50+ breaking and entering's but keeps getting released.

The Chief then moved his presentation into Community Policing and the focus on enhancement teams, with a supervisor and officer, and expanded community service unit with community policing. In May, 2017 they will launch the 10th Community Officer in the area of Reo and Risdale. The LPD is also in the process of wiring and relocating or installing public safety cameras. There is also a plan in place that in the next 45 days the LPD will see additional resources from the Federal and State government to assist Lansing daily. It was noted that in 2013 LPD took over the entire Violent Crime Impact Team. With the surge in enforcement they will continue with the community policing continuing, with the visible presence based on the data.

Council Member Wood asked how many officers the LPD was still in need of. The Chief confirmed they are currently at plus 1, and in the process of front loading. In 2016 they hired 30 officers, 24 of those are in training, 4 are in the academy, and others are in the field training program which takes 3-6 months before they are on their own. With the 2017 retirements, they are already starting interviews to fill those and hire by June 1st. The LPD goal is to have all of them hired by the time the retirements take effect. The Chief noted that recently he was asked to sit on a State Committee for hiring because of the best practices the City has acquired and will now share.

Chief Yankowski briefly referred all the public to information he had provided at the back of the room on survey, and other information.

Council Member Wood asked for an update on the LPD vehicles. Chief Yankowski confirmed they did replace 19 in FY2016/2017, and have 4 more ordered with the hopes to get them on the road in less than 60 days. Council Member Hussain informed the Chief of concerns he has heard of the decrease of marked patrols in the neighborhood and encouraged him to look at that practice to increase presence.

Council Member Hussain asked Council staff to invite the Ingham County Prosecutor to a meeting in April to address the earlier comments on the criminal system and release.

DISCUSSION/ACTION:

ORDINANCE- Amendments to Chapter 1460.49; Concerning payment of back taxes in connection with rental certificate

Council Member Hussain clarified that shortly before the meeting he was presented with Draft #2 which clarifies earlier questions. Council Member Hussain then read the introduction to the Ordinance as An Ordinance of the City of Lansing, Michigan, to amend Section 1460.69 of the Lansing Codified Ordinances by adding the requirement that delinquent real property taxes be paid prior to issuance of a certificate of compliance for rental properties. The required public hearing was held on February 27, 2017, where the Council also heard letters in support and opposition. Mr. Smiertka then detailed that the change in Draft #2 addressed a question raised on property sales that went delinquent to the County. In Draft 1 the language stated "Appropriate Fees have been paid and verification that real property taxes are not delinquent." Draft 2 now states "Appropriate fees have been paid and there are no delinquent real property taxes owed up the premise." Council Member Wood asked if by taking out the word "verification" who will be expected to verify. Mr. Smiertka stated the inspector would do the verification.

Public Comment

Ms. Miles referenced an ordinance used in Muskegon, and spoke in support of the proposed Ordinance amendments.

Mr. Williams spoke in opposition to the amendments, and wanted more information on what the Committee was trying to accomplish.

Mr. Brueggman spoke in opposition of ordinance amendments, but would support it if the goal was to capture the unregistered properties.

Mr. Pollack spoke in opposition and gave his opinion that the ordinance does not speak to the items it needs to.

Ms. Langarth asked what the purpose was for the ordinance, why it was in the Committee on Public Safety and spoke in opposition to it.

Council Member Hussain highlighted comments made at the February 27, 2017 public hearing, those including "it forces the landlords to choose if they pay taxes or repair the structure", "it will add fees to the tenants", "there already is a process to take the taxes and make the City whole", "it needs to be addressed in Code Enforcement", "the reason people fall behind is because of unforeseen fixes", and there was a concern on the fees doubling. He then asked Council Member Wood to outline why she had brought the suggested objectives to the Committee and to address the public concerns.

Council Member Wood started by clarifying that it was at the Committee on Public Safety because it is addressed under the Housing Code which is under the purview of public safety. All other licensing agencies have to be debt free to the City, and so this is being asked to make sure all licensing is efficient across the board on payment of taxes. Property taxes are the largest revenue for the City, and from the City's perspective, they provide services even when the taxes are not paid, such as plowing, police, street repair, etc. The tenant will benefit from these services that are being paid for by others. The unpaid property taxes, upon the due date with the City, are turned over to the County. All fees and fines are then paid to the County, not the City. Now the City is made whole when they are turned over, however if there is a tax sale on the property, the City has to pay those funds back to the County. Therefore there is no way for the City to re-coup the unpaid taxes. Lastly, she pointed out that this entire topic came to light, when the Committee on Public Safety was talking about the home occupation ordinance amendments to address medical marihuana, and it was brought to the Committee attention that they were applying restrictions to certain businesses and should be applying them to all. Therefore, based on the fact that all other licensing needs payment of taxes verification, the Committee wanted to make sure those requirements were applied to all licensing, which will now include rental registration licensing. Council Member Wood assured the public that the verification would only happen with the original application and then again with the re-inspection 3 years later. This is not an annual verification.

Council Member Hussain asked Mr. Williams if he had any other comments or questions. Mr. Williams had no further questions, and acknowledged this was the first time he had heard why it was being proposed and what the goal was. Council Member Hussain apologized for not engaging in the discussions earlier.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION DRAFT 2 WHICH CLARIFIES THE LANGUAGE FOR COUNCIL CONSIDERATION. MOTION CARRIED 2-0.

ORDINANCE DRAFT #7 Medical Marihuana Licensing

Council Member Hussain acknowledged the public for attending and waiting through the meeting.

Public Comment

Ms. Miles spoke in opposition and stated her opinion that Draft 7 reflects something similar that was presented to the Planning Board from an outside attorney, Dykema.

Ms. Womboldt acknowledged the Committee for their work on the ordinance and spoke in opposition to Draft 7, and her frustration with the process thus far.

Mr. Varva referenced Section E in the ordinance which spoke to temporary suspension, and asked if that would affect growers because their product would die if they temporarily stopped. Mr. Varva then asked for clarification to Section 21, page 12 on the tangible capital, and if it would be in reserve or with an investor's commitment. There was an additional question on if the testing would be required because it would be redundant of the State. Mr. Varva did speak in support of the boundaries in Draft 7.

Keith with CRAP, Criminalized Racketeering Against Patients, stated his opinion that the City is racketeering against patients, attacking growers and continued his comments in opposition to how the process was being handled.

There was a disruption in the meeting and the council staff stepped away to make contact with security.

Mr. Whitney spoke in opposition.

Council Member Hussain acknowledged the public for attending, and stated the Committee will continue its review of the ordinance at the March 15th meeting due to the length of this meeting and time.

Council Member Hussain noted that he is still working on a Committee meeting with the Lansing Housing Commission for 3200 S. Washington.

Other

To topics.

ADJOURN

The meeting was adjourned at 5:25 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: March 15, 2017