



MINUTES
Committee on Public Safety
Wednesday, July 26, 2017 @ 3:30 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 3:30 p.m.

ROLL CALL

Councilmember Adam Hussain, Chair

Councilmember Carol Wood, Vice Chair

Councilmember Tina Houghton, Member- arrived at 3:31 p.m. and left at 4:47 p.m.

OTHERS PRESENT

Sherrie Boak, Council Staff

LPD Chief Yankowski

Jim Smiertka, City Attorney

Brandon Waddell, Assistant City Attorney

Scott Sanford, Code Compliance

Mitch Whisler, Public Service

Kathy Miles

Bruce Augenstern

Marcia Mettert

Mary Ellen Purificato

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 5, 2017 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Public comment will be taken at each agenda item.

Other

Discussion on Carbon Monoxide with police vehicles

Council Member Wood stated her reason for asking the Chief to attend the meeting, which was to speak to what has occurred recently nationally with police vehicles and carbon monoxide poisoning. Chief Yankowski confirmed the recent issues in Austin, Texas, and confirmed that the City of Lansing was proactive and began placing detectors in all their vehicles back in April. As of July 24th, all 36 City of Lansing LPD Ford Explorers have detectors. The LPD has also purchased a surplus of detectors for the future. A photo was distributed by Chief Yankowski of the detector in the vehicles. As of this date there have been no incidents.

Presentation

Moore's River Drive Traffic

Council Member Hussain referenced a letter sent to Public Service from the Moore's River Drive Association on speed limits and signage. It was also noted the Association installed a fence after the City completed the pathway project. The Association claims that since that construction the fence has been hit 3 times in addition to light poles have been hit also, which they believe has to do with the reduction in lanes and speed limit changes.

Ms. Mettert, as Association Secretary, stating they believe the incidents were due to traffic speeds.

Mr. Augenstein, as Association President, voiced concerns on the traffic through the double marked street, a speed limit sign that is blocked by a tree, and stated his belief that the issue also stems with the design and layout of the street. Lastly he asked for the speed limit to be lowered to 30 mph.

Council Member Hussain clarified with Ms. Mettert and Mr. Augenstein that they are looking for a lower speed limit to 30 mph and a sign on the steep curve.

Mr. Whisler confirmed that based on the letter, the department did look into the traffic count. In 2002 there were traffic counts and the volume was 8,000 a week, noting that 85% of the people traveled at or below the 46 mph. In the Fall of 2015 and 2016 a study was done after the reduction in lanes and the 85% dropped to 41 mph and 6,000 vehicles in a week. The project changed the curve and acceleration steep, widened the road 1' on one side for 11' travel lanes. Mr. Whisler then distributed a copy of the Michigan Vehicle Code Act 300 of 1949 which states restrictions that must be met for speed limitations so that the City can receive the State funding for the road. Based on the number of driveways in a certain distance; if the area is platted; if it is business district, and after review it appears there are 8 driveways in the area, therefore it could exceed 45 mph, 85% would be 40 mph. Mr. Whisler stated that if a study would be done their recommendation would be 40 mph.

Council Member Wood asked if they considered the number of people that use the 8 driveways. Mr. Whisler again confirmed they follow State requirement to in order to receive State transportation dollars. The department would be willing to review the curve in the road and install a sign, and also look into installing a speed limit sign heading East. Council Member Hussain also asked them to trim the branches at the West bound speed limit sign. Mr. Whisler confirmed those tasks, however reiterated they could not do anything that would violate Act 300.

Council Member Houghton asked the Association if there was an increase in incidents between 2000-2015, and Ms. Mettert was not able to provide any information. Mr. Whisler offered to research it but also noted that many accidents are not reported.

Council Member Wood asked if they could install a break-away wall. Mr. Whisler noted a guard rail would cost money, but would not recommend anything different until they can do more research. Currently right now there is a grass buffer and slight berm where the trees are.

Council Member Houghton suggested revisiting the question of a new speed limit in a year since they will be installing new a speed limit sign going East, trimming the trees at the sign going west and also signing the curve.

Council Member Wood referred to Act 300 and asked if the area could be considered a park, however Mr. Whisler confirmed it is a river trail not a park so it would not qualify for the 25 MPH speed limit.

Council Member Wood stated she would reach out to traffic patrol to watch for more enforcement in the area of the double line.

(See communication at the end of the minutes by Mr. Whisler clarifying comments on the traffic counts)

Discussion/Action

ORDINANCE - Amendments to Ordinance Chapter 1422 – Signs; Section 1442.15 Window Signs

Council Member Hussain recapped the support from the public at the hearing on July 24th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE ORDINANCE TO AMEND CHAPTER 1422- SIGNS, SECTION 1442.15 WINDOW SIGNS.

Council Member Wood asked Law for an implementation and enforcement plan before it takes effect, which would be 30 days after adoption on July 31, 2017.

MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 1310 Jerome Street

Mr. Sanford informed the Committee that the property has since sold since the start of the process, and currently Foster Swift is representing the purchaser and they have contracted with E. T. McKenzie and moving towards repairs. Mr. Sanford asked the Committee to hold off any action for 60 days. This would allow the new owner and contractor the time to remove the structure themselves.

Council Member Hussain tabled the request until the September 20, 2017 Committee meeting.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 1025 Orchard Street

Mr. Sanford cited the SEV for the property was at \$26,700; Building Value at \$45,564 and estimated cost of repairs at \$236,684. The demo board made their determination on April 20, 2017, and since that time there has been a new owner, but they have made no attempts to make the repairs.

MOTION BY COUNCIL MEMBER HOUGHTON TO SET THE SHOW CAUSE HEARING FOR AUGUST 14, 2017 FOR THE PROPERTY LOCATED AT 1025 ORCHARD STREET. MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 214 Lathrop Street

Mr. Sanford went through the statistics on the property including the SEV at \$26,100 and estimated cost of repairs at \$152,940. The Demolition Board made their recommendation on April 20, 2017 and there has been no permits or work performed on the property.

MOTION BY COUNCIL MEMBER HOUGHTON TO SET THE SHOW CAUSE HEARING FOR AUGUST 14, 2017 FOR THE PROPERTY LOCATED AT 214 LATHROP STREET. MOTION CARRIED 3-0.

DISCUSSION – Medical Marihuana Moratorium

Mr. Smiertka distributed a spreadsheet dated July 25th regarding the status of letters that were sent on potential dispensary violators and their status since that letter was sent. Mr. Smiertka encouraged the Committee to forward any complaints to Ms. Emily Jenks in his office.

Council Member Hussain asked if there is no response and Law did not get the letter back why the log did not reflect a Cease and Desist yet on some. Mr. Smiertka noted there are reviewed and addressed on a case by case basis, and in some cases, the deadline has passed but they did communicate with the owner. Council Member Hussain then asked what happens after the Cease and Desist. Mr. Smiertka stated they will send a second letter to confirm, and then they have two options. One is a Circuit Court Junction, and another is a compliance ticket for each business individually.

There was a brief discussion on 3208 S. MLK and potential new dispensary. A letter was sent and their deadline was July 29, 2017.

UPDATE – 3801 Walton

Council Member Hussain confirmed a meeting on July 13, 2017 he had with the owner, Council Member Wood and Ms. Sumner with the City Attorney office. At that time Ms. Sumner had a plan for compliance and Mr. Kruger had until July 17th to comply. It was confirmed work was occurring however not everything in the plan was being addressed or the way it was advised. Mr. Waddell confirmed that Ms. Sumner noted to him before this meeting she has not had any further communication with the owner. The Committee discussed that the next actions should be the evictions the owner stated he would be performing, however he does not have a lease with the tenants but a month to month agreement. The Committee then briefly discussed the issues at the neighboring property of 804 LeGrande and their fence which has now created a blight issue. Information was provided to Law on the course of action.

Council Staff read a recent email from Mr. Whisler regarding earlier statements regarding Moores River Drive.

Hello Sherrie,

I would like to clarify an error in the meeting today. The volumes in 2016 varied from 6000 to 7000 vehicles per day (actually is per day), Average ADT was 6700 and was taken in October.

Public Comment

Ms. Purificato spoke on her frustration with her neighbors in the Fairfield Condo Association, specifically those at 6347 Beechfield and 6359 Beechfield. Ms. Purificato asked for assistance in obtaining police assistance when she contacts the LPD. Law was asked to take the addresses and see if there are ongoing complaints on an odor complaint at the addresses and also if there are any cases, if the Association can do a statement for the judge.

Ms. Miles voiced her frustration with what she believed was a marihuana odor on July 24th she experienced while driving home in the area of Barnes and Woodbine. Council Member Wood suggested in the future Ms. Miles should attempt to determine the exact block(s) so that enforcement can be sent out to the specific area.

ADJOURN

The meeting was adjourned at 4:49 p.m.

Submitted by, Sherrie Boak, Council Office Manager, Lansing City Council

Approved: August 16, 2017