



MINUTES
Committee on Public Safety
Wednesday, August 16, 2017 @ 3:30 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 3:35 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Mathew Jenkins, Code Compliance
Amanda O'Boyle, Assistant City Attorney
Eric Weber, IAFF 421
Mary Ann Prince
Elaine Womboldt
Mary Ellen Purificato
Amillio Patino

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 26, 2017 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Public comment will be taken at each agenda item.

DISCUSSION/ACTION

RESOLUTION – Make Safe or Demolish; 1025 Orchard Street

Council Member Hussain recapped the information on the process thus far on the property, including the red tag date in April, 2016, the Demolition Board determination in April 2016 and a new owner in May 2017. The show cause hearing was done on August 14, 2017 where it was stated the SEV on the property was \$26,700 and the cost to repair was \$236,684. It was noted there was an issue with the new owner installing a fence and pool on site, and Code Compliance has asked them vacate. The owner was not present at this time, but Council Member Hussain stated that during the hearing the owner stated he had spoken to neighbors, but he also spoke to the neighbors who stated they had not met the new owner. Lastly Council Member Hussain reiterated what the owner was told at the hearing which was he need to come to this meeting with verification he had pulled permits that he had sufficient finances to address the repairs and provide a timeline agreed upon by Code and Building

Safety for the repairs. Mr. Jenkins confirmed that as of the time of this meeting, Code Compliance had no communication with the owner on any of the requirements.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR MAKE SAFE OR DEMOLISH FOR 1025 ORCHARD STREET WITHIN 60 DAYS OF RESOLUTION PASSAGE. MOTION CARRIED 2-0.

Ms. Womboldt asked if it would be demolished by October 28th, and Council Member Wood outlined the process which could take months after the 60 day deadline.

Mr. Jenkins confirmed the owner was told the week before to remove the pool, and pull permits for work thus far. Council Member Wood asked Ms. O'Boyle to research if legally the City can require the pool be emptied as a nuisance.

Mr. Patino arrived and was asked if he brought the information he was told to bring at the public hearing. Mr. Patino confirmed he had paid a contractor for the work so far, but did not have that documentation, or anything that shows his finances to complete the work, or a timeline as to when he will be complete and verified by Code Compliance. Mr. Patino confirmed he was made aware on Monday at the hearing of the items he needed to bring to the meeting.

Council Member Wood informed Mr. Patino action had been taken and will be before the Council on August 28th for final action, and if he wants to meet with Code Compliance prior to that to meet the requirements, Code can contact City Council. Mr. Patino was also encouraged to drain the pool, and reminded that if Code Compliance does not notify Council by August 28th they will move forward with the motion to Make Safe or Demolish.

RESOLUTION – Make Safe or Demolish; 214 Lathrop Street

Council Member Hussain recapped the time line on the project which was the red tag on July 9, 2013; Demolition Board determination on April 20, 2017, and the determined value to repair at \$152,940 with an SEV at \$26,100. The public hearing was held on August 14, 2017, where the owner was in attendance and told to provide evidence of finances to complete the work, permits and timeline at this meeting.

Ms. Finnerty objected to a red tag at her property stating put the tag there unlawfully, and her opinion was that the tag did not state it was unsafe and dangerous. Ms. Finnerty also believed the repair cost was exaggerated. Ms. Finnerty claimed she was not made aware of the three requirements she needed for this meeting, those being the timeline, the permits and the documentation she had the finances to make the repairs. Council Member Hussain reiterated what occurred and was stated at the public hearing on August 14th where Ms. Finnerty was in attendance. Ms. Finnerty was encouraged to go to Code Compliance to start the steps she needed to take. The Committee then went through the photos with the claimant. Ms. Finnerty continued to state that code and the contractor were there unlawfully, and defended her case.

Council Member Wood encouraged Ms. Finnerty again to go to Code Compliance and work with them before August 28th, at which point Council will take action on Make Safe and Demolish. If it is not resolved to compliance with Code Compliance, it will need to be done 60 days after the action of the resolution on August 28th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR MAKE SAFE OR DEMOLISH FOR 214 LATHROP WITHIN 60 DAYS OF RESOLUTION PASSAGE.

Ms. Finnerty confirmed she receives mail at her address of 214 Lathrop, and Council staff was asked to send Ms. Finnerty a recap of the meeting today, list of items needed to comply and deadlines.

MOTION CARRIED 2-0.

Ms. Finnerty continued her appeal to the process, violations and action taken. She was reminded of the role of the Committee and any action they can take, which was to set the hearing, hold the hearing, and take action based on the requirements of the ordinance. She was informed that the Committee does not have the jurisdiction over Code Compliance on what they have to do.

Ms. Finnerty concluded her appeal by voicing her concern that people are trespassing on her property, coming into her house without her, and informed the Committee that if the City comes to her home and demolishes it she will fight the City.

DISCUSSION – CODE COMPLIANT TIMELINES AND ENFORCEMENT

Council Member Hussain went through a list of questions he sent to Mr. Sanford with Code Compliance prior to the meeting.

1.) How are we enforcing garbage and recycling bins in the right-of-way? What are the unique challenges and is there something we can do from a legislative process to help code?

Mr. Jenkins acknowledged they are limited on what they enforce since tax payers pay for the bins so they cannot take them if they are left at the street, and currently under the ordinances they do not have the authority to ticket the owners. It was clarified that recycle bins are paid for but the garbage bin is a service. Ms. O'Boyle was asked to check to see if they can start issuing tickets, and if it currently isn't allowed, draft an ordinance to allow.

Ms. Womboldt' asked if Code Compliance can address overflowing commercial dumpsters. Mr. Jenkins confirmed they can, and complaints can be filed in their office.

2.) Regarding rental inspections, how far are we behind? In other words, if someone were to pay for an inspection today, when could they reasonably expect to have their inspection?

Mr. Jenkins informed the Committee they are scheduling out to January 2018. They are trying to stream line the process and looking into the data analytics on the "hot spots" and spreading out the services with code enforcement. Council Member Hussain asked how many rentals were on the books, and Mr. Jenkins did not have the exact number, but could verify that they are increasing their staff with a position being filled on August 21st with a one new code and one new premise officer. The Committee and Mr. Jenkins spoke briefly on the time delay on inspections, and the Council's frustration with the process, verifying that the budget approved for a total of 8 and 3 ½ positions. Currently the Fire Marshall office does most of the commercial inspections, and Council Member Hussain reiterated that the Council during the Budget process asked for one enforcement office just for commercial but there were not enough votes.

3.) How has code been involved in the inspection process for electric service as it pertains to the Home Occupation Ordinance enacted earlier this year?

Mr. Jenkins confirmed they are working with the OCA on the process along with working with the Task Force. The Task Force held public informational meetings to make sure owners had the information they needed to make sure their homes were safe if they ran a home occupation. Council Member Wood asked if there is a cost to an inspection if they called to an inspection. Mr. Jenkins confirmed there was. Council Member Wood pointed out to Mr. Jenkins and Ms. O'Boyle that Council has not established fees and it was not presented to Council during the budget in the fee structure, so Ms. O'Boyle was asked to research the stated fee and its enforcement since it was not enacted by Council. Mr. Jenkins admitted that currently they are collecting registrations, but have not issued any invoices or collected any fees.

Ms. Purificato asked if the condos in her development are rentals and not registered if they are fined, and Council Member Wood stated they should be.

Ms. Womboldt how a resident is notified they are in violation. Mr. Jenkins confirmed that the Task Force has already identified the homes where they have exceeded 3500 KWH and sent those letters with a timeline to comply.

4.) How have we implemented/enforced the new ordinance on making sure taxes are paid before issuing rental certifications, especially when there people living in the homes affected by the ordinance?

Mr. Jenkins confirmed that Code Compliance has access to the County tax rolls to search, and if letters need to be sent they are sending them out. Currently they have sent out 50 letters.

DISCUSSION – Medical Marihuana Moratorium

Ms. O'Boyle stated she would provide an updated log to the Council staff.

Council Member Hussain asked about a business on MLK south of a Fish Fry restaurant that closed. Ms. O'Boyle stated they continue to monitor it and the business is still closed. Council Member Wood asked for an update on others. Ms. O'Boyle could verify that the business at 928 Jolly was mailed a Cease and Desist letter. When asked what occurs if they do not cease and desist or provide verification, Ms. O'Boyle stated that currently Law is not getting strong support from the LPD, but Law will send a second letter certified to verify they did get notification, then at that point Law is looking at each situation case by case, but currently there are discussions in the Law office on what steps to take next.

Ms. Womboldt acknowledged Council Member Hussain for pursuing the closing of the facility on MLK.

OTHER

Law was asked for an update from the last meeting on the situation Ms. Purificato brought to the Committee's attention on 6347 and 6359 Beechfield. There was no update from Law, but Ms. O'Boyle was asked to research again if the property is a registered rental and if there has been any inspections under the recent Home Occupation Ordinance. There was also an inquiry into whether LPD was arresting off site.

Mr. Weber was present to briefly go over recently information and statistics on opioids. Mr. Weber distributed handouts on the IOAP Initiative Strategic Plan and spoke about statistics in Lansing and Ingham County. The report included a list of members and their mission

statement, the number of deaths in the City of Lansing to date (24), and the group goal to work with the Lansing School District on training. Council Member Wood noted that she was recently made aware that the CAPL has all been trained and also carry Nar can.

ADJOURN

The meeting was adjourned at 5:07 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: September 7, 2017