



MINUTES
Committee on Public Safety
Wednesday, January 24, 2018 @ 4:00 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 4:00 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Adam Hussain, Vice Chair
Council Member Jeremy Garza, Member- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney- left at 4:59 p.m.
Susan Stachowiak, PND
Harold Leeman, Jr.
Nancy Mahlow
Elaine Womboldt
Kathy Miles
Greg Scrimger, Code Compliance
Mary Ellen Purificato

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM DECEMBER 6, 2017 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

Ms. Mahlow asked that the Committee address on-street parking, noting her concerns have to do with parking close to an intersection and parking in front of the fire hydrants. She suggested increasing the fine so people would think twice. Council Member Wood added to the topic that in 2016 Council received communications from the Administration on potentially doing away with "No 2am-5am Parking", but at the time there was a concern with the complete removal of it. The Committee topics then switched to medical marihuana, and parking was put on the back burner. She would consider pursuing the topic again, and look into permit parking where they had to show a need and limited to an annual permit that would have to be renewed.

Ms. Miles spoke in support of parking enforcement.

Council Member Wood amended the agenda to address the Updates first.

UPDATES –

Information on a Sign Code Pamphlet from Zoning

Ms. Stachowiak provided a handout similar to what was distributed to the Committee in 2017. Council Member Wood reminded her that with the new ordinance that was passed in 2017, the Council is looking for a pamphlet on enforcement and implementation. Ms. Stachowiak stated she would have something by the next meeting, February 14, 2018. Council Member Hussain asked if there had been enforcement since the ordinance was passed. Ms. Stachowiak admitted she had been over whelmed with medical marihuana applications since that passage, but has sent out two letters on signage, and sign enforcement will pick up again shortly. If anyone has a complaint that complaint can come directly to Ms. Stachowiak.

Commercial Board Ups

Mr. Waddell confirmed Law was just recently made aware of a concern on whether building safety should or can board up commercial buildings. After a review of the Housing Law of Michigan and the International Property Maintenance Code, it was determined that the International Code does apply to commercial buildings and gives the decision making up to the code official. If the code official believes imminent danger, they shall do what they think to make safe, which includes ordering repairs of a border up. Mr. Waddell concluded by stating the decision would be up to Mr. McGrain and who he designates that has that power. Law can make a policy, or the International Property Maintenance Code does have an appendix the City has not adopted that includes that standard, they could adopt. Council Member Wood suggested adopted the 2012 International Property Maintenance Code since the last one was 2009.

The topic then moved specifically to 930 West Holmes and broken windows in that commercial site that need to be boarded up. In addition Council Member Hussain had issues with the lack of parking lot lighting at the site, along with the condition of the parking lot and trash. Ms. Stachowiak informed the Committee that the current zoning ordinance does not require parking lot lights, only at the entrance to a commercial building. Council Member Wood suggested updating the zoning ordinance to address this issue.

Ms. Miles state her opinion that she believed other things were going on at 930 W. Holmes. Council Member Hussain agreed, stated that he had heard at an outside meeting there were access issues at the building where there is a large opening in the side.

Mr. Scrimger asked Law for the interpretation on what they deemed “open and accessible” allowing them to board it up. Board up crews can be called, but he stated if it is small enough where a person cannot access inside the building they would post it, but not have it boarded up. That has been the office practice and field decision, since the City has not adopted the International Property Maintenance Code Appedix which speaks directly to it. Mr. Waddell stated he would check on those specifics, definition and direction.

Ms. Womboldt complained that the sidewalks were not maintained over the winter at the site either.

Ordinance on gambling establishments

Mr. Waddell confirmed he had done some research based on an earlier question, noting that after looking at everything under the State statue, everything except bingo with non-profits is covered. Chief Yankowski has asked Law to consider a local ordinance to enforce. The City Attorney Office has decided to look into an ordinance that mirror’s the State ordinance. He stated again that the State statue regulates everything and the only thing allowed with a permit is bingo.

3801 Walton

Mr. Waddell referred to an email he had received on January 16th from the inspector that stated he had done a walk thru at the first of the month and everything he had asked the owner to do was done except for the two windows that were in question earlier. The department did issue a rental certificate, and the inspector is going back the week of January 22, 2018 to check on those windows and will also check a fence that there have been complaints on. Council Member Wood asked about the status of the eviction of the tenants. Mr. Waddell confirmed they have not stepped in on eviction and are not aware if it has been done. Officer Arnold has informed law that the owner informs him he is going to evict, but has not. Law was asked to follow up on that item. Council Member Hussain noted he too had spoken to Officer Arnold about the evictions and was informed there is a concern with a number of tenants. He then asked Mr. Scrimger if the Fire Marshall had visited the second entrance to the site, as requested at the last meeting in December, 2017. Council Member Wood added that they also needed to follow up to see if cameras were installed, if they are doing back ground checks on the tenants, and if the owner has provided a cleaning plan. She recalled in the past Law has worked with the Council and a nuisance property and done a letter similar to a contractual agreement with terms, items and timelines and if those items were not addressed, law could proceed with action under a nuisance and circuit court.

Council Member Hussain noted that he recently spoke to the new owner at 804 LeGrand who is doing a premise inventory and working on making the property safer.

Mr. Waddell informed the Committee that regarding the fence between the properties, Law has sent a message to Code to ask them to visit the site and if the fence is in disrepair to ticket everyone that is adjacent to the fence, and if the fence is not that property owners the court can decide. As of January 29, 2018 the inspector had not done that yet.

DISCUSSION/ACTION:

RESOLUTION – Make Safe and Demolish Order: 123 N. Hayford

Mr. Scrimger informed the Committee that no one has contact his office, pulled permits or taken any action on the property.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR DEMOLITION OF THE FIRE DAMAGED PROPERTY WITHIN 30 DAYS.

Ms. Mahlow supported the demolition.

MOTION CARRIED 2-0.

Council Member Wood asked Mr. Scrimger to create a new procedure for Make Safe and Demolish to monitor and regulate the time from the search warrant, putting out to bid, award of bid and demolition. Mr. Scrimger stated he would inform Mr. Sanford.

Council Member Wood asked Law to research before the next meeting and provide an update on medical marihuana licenses, including the ones still open and no application. The topic for discussion will also include the ongoing odor issue, and a discussion on resolution for enforcement.

Council Member Hussain asked Mr. Waddell about the procedures and practices of pictures of violations being sent to Code, and being informed that Code will not accept them because they are not immiscible in court. Mr. Waddell stated they can be used in court, but they would prefer not having a Council Member as a witness. The discussion then briefly discussed the lack of enforcement after 5 pm. It was noted that maybe the LPD would consider having a

designated officer available for the after 5 violations on given days. Council Member Wood asked to invite Mr. McGrain to attend the next meeting to address his plans for code enforcement in his department.

Ms. Mahlow brought to their attention there was a new medical marihuana shop at Pennsylvania and Kalamazoo. Council Member Wood informed her there was no longer a moratorium, so if they applied for a license they can be open.

Ms. Miles asked for after hours enforcement on odor.

Ms. Purificato updated the Committee on the situation she has mentioned at past meetings with her neighbor in her condo development, and that it was now under control and they have had additional enforcement present.

OTHER

Ms. Womboldt stated her displeasure with 930 W. Holmes and Logan Center.

Mr. Leeman, Jr. asked if the Clerk had a status on the 25 licenses/applications the new medical marihuana ordinance allowed. Council Member Wood admitted she also was inquiring into the information and has inquired why some information cannot be released because they are stating HIPA. There have been 80 pending licenses, but Council is not been given the list of rejected ones. Council is waiting on law to make their recommendation to the Clerk to release the information.

Mr. Leeman, Jr. asked if Mayor Schor had been in discussion with the owners of 930 W Holmes. Council Member Wood stated the rezoning was done under the Bernero administration. Currently Council is aware that the owner has not sold as he stated he was, and has not paid the taxes as he stated he would, so Council is looking into what can be done since there was not fulfillment of the vote, and if Council can reverse the rezoning.

ADJOURN

The meeting was adjourned at 5:03 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: February 14, 2018