



MINUTES
Committee on Public Safety
Wednesday, February 14, 2018 @ 4:00 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 4:03 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney
Susan Stachowiak, PND
Elaine Womboldt
Kathy Miles
Scott Sanford, Code Compliance
Brian McGrain, Economic Development and Planning
Mark Mello

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JANUARY 24, 2018 WITH THE AMENDMENT TO THE DATE OF 2018. MOTION CARRIED 3-0.

PUBLIC COMMENT

No public comments.

DISCUSSION/ACTION:

DISCUSSION – Review of New Sign Ordinance Pamphlet

Ms. Stachowiak presented a sample pamphlet and apologized for the late delivery. She asked for any suggestions or changes from the Committee and agreed the resolution of the photo examples could be clearer. The pamphlet speaks to window signs, temporary signs, and prohibited signs. She confirmed that once the Committee agreed to it, it will be ready to print and distributed to the public. Council Member Hussain had no comments and appreciated the photos of examples. Council Member Wood suggested that on the back cover the enforcement time process be added. Ms. Stachowiak referred the Committee to the middle of the pamphlet under “Temporary Signs” in the last paragraph which outlined removal of nonconforming signs. Council Member Wood still suggested adding to the back of the pamphlet that a letter would be sent to the owners. Council Member Wood then moved the

discussion to the potential of logging violations in the BSA program under notes so it can be seen by and the letters can be tracked. Mr. Sanford noted that in BSA zoning is not included and they have asked BSA to add it, but it has been denied. He did confirm that the letters could be put in as an attachment, but www.accessmygov is a public version and does not show everything. After a brief discussion on options for tracking of the violations, Mr. McGrain stated his department will look into options such as suggested ideas of a spreadsheet on the website.

Council Member Garza asked what the penalty was for sign violations, and he was informed \$150, \$250 then \$500, with 7-14 days to remove depending on the feasibility to remove and allowing the notice to be mailed. Council Member Garza asked Ms. Stachowiak to check into the violations at the business on the south east side of Pennsylvania and Jolly.

Council Member Hussain asked if enforcement goes back to check to make sure the violation has been addressed. Ms Stachowiak confirmed they have a contractor they use, Higgins Electric.

Mr. McGrain asked if any City employee can remove signs in the right- of-way, and Ms. Stachowiak acknowledge they can. Mr. Sanford added that they also have the Premise Inspectors out once a month on signs.

Ms. Miles asked if garage sales signs are enforced, and Ms. Stachowiak made her aware any signs would be removed in the right-of-way.

Council Member Wood asked Mr. McGrain speak to LEPFA, since it is under his Department now, and ask them to address the continuous violation of event temporary signs in the right-of-way well after the events at the Lansing Center are over.

DISCUSSION – Zoning Ordinance Amendment to require parking lot lighting

Ms. Stachowiak referenced a handout on the definition of “footcandle”. The current ordinance states property lights cannot glare beyond property lines. Council Member Wood asked about enforcement on approved site plans, when the lighting is part of the approval, can zoning look at their lighting. Ms. Stachowiak says they can look at what the ordinance speaks to, which says it has to be shielded, not glaring and intensity, and confined to the site. If a site plan comes in and is not proposing lighting, zoning cannot enforce. The proposed ordinance amendments now will ask for lighting. Council Member Wood asked the ordinance to also include if there is a current site, the lighting has to be maintained. Logan Square as given as an example of a site where they need their lights maintained, however Ms. Stachowiak stated when that was developed there was not an ordinance that required it. The amendments proposed did take into account the sites that are currently vacant, and just because no one in the building, they want lights on those more than ever. Mr. Waddell suggested that it could also be written to include that a property is not grandfathered. Mr. Sanford noted to the Committee that the current building code says existing businesses have to be maintained, but that code does not say they have to put it in.

Council Member Wood asked for Law to write the ordinance into format. Regarding the existing properties, she asked that if the building code say has to be maintained then building needs to ticket the violators. Ms. Stachowiak confirmed a ticket can be issued, and a court order if they do not change it, and Mr. Sanford added it will be written as a court order compliance so a judge would order it be done.

Council Member Wood asked that the ordinance be drafted and formatted and brought back to the Committee on March 15th. After the Committee reviews it, it will go to the Planning Board

before it comes back to the Committee for action. Council Member Hussain asked Ms. Stachowiak to keep the Committee informed when it goes to the Planning Board.

Ms. Stachowiak was also asked to have Mr. Bennett in the Building Department write a court order ticket to the owners of Logan Square and the former EDS site for lack of lighting. Mr. Sanford noted he heard through a communication from a closing company that the owner of EDS site sold.

DISCUSSION – Economic Development & Planning plans for Code Enforcement

Mr. McGrain provided a handout that outlined the violation date for 2017, currently in 2018, the process for premise violations and a Code Compliance Area map for 2018. The first sheet reflected the 15,534 tickets that were issued by the 2 premise officers. Council Member Hussain asked for the staff count, and was informed there are 14 positions, with currently nine (9) code enforcement officers, and two (2) premise officers. As the new director of the EDP Department and as of 2/12/2018 obtaining the Code Enforcement Department, they will be looking at staffing levels and the upcoming budget to enhance the staffing. They will be analyzing the data to evaluate and educate the public on what code can address and what they cannot such as code vs. someone's "taste".

Council Member Garza asked if Lansing Connect provides feedback to the person who filed the complaint. Mr. McGrain confirmed there are opportunities that are not being fully utilized. They are currently working on the communication piece and working with IT on requiring a mandatory address be added when a complaint is filed instead of relying on the GPD tracking recognizing the address. They are also aware they need to work on the response piece to the complainant.

Council Member Wood mentioned that there is a portion of Lansing Connect where the computer will reflect the violation is "in progress" but the violation is resolved, or the program shows it is resolved, but the violation has not been addressed. Mr. McGrain admitted he too was aware of the issue and the importance of accurate data tracking. Mr. Sanford explained that the process is supposed to be automated where Lansing Connects "speaks" to BSA which is the Code Complaint data based. City Connect is a City Source program that uses GPS, and BSA uses the exact address. Mr. McGrain admitted that they have found information is lacking and compatibility issues. Council was encouraged to call in and confirm on the status of the complaints and they should not have to drive by the site to confirm.

Council Member Wood referred Mr. McGrain to a past meeting where building stated they could not board up commercial buildings, but then law verified they could under the building code. The department and staff need to understand what tools they have and who is doing what. Mr. McGrain agreed and stated he was working the expectations and how things work behind the scenes. Council Member Hussain stated Council needs to know what tools exist, and Code needs to ensure they identify any deficiencies, then create something to address the issues.

Council Member Wood asked Mr. McGrain to evaluate the staff and her opinion that the department needs to consider someone specific for commercial enforcement. Mr. McGrain he will be exploring new positions and maybe even consider looking into a position to work after hours. They will also be working with the new Neighborhood Department on communications to the public.

Council Member Wood asked the map in the hand out also include emails and phone numbers for the premise officers.

Council Member Wood asked the department to start mailing any notices to the neighborhood associations also, and report their input in their staff reports. Mr. McGrain acknowledged an earlier meeting where the Mayor requested the same mailing to neighborhoods be performed. The bare minimum is not the best he stated, and they will be looking at differing things to incorporate the neighboring owners and neighborhood associations.

Council Member Hussain informed Mr. McGrain that during the budget season he would be interested in considering more staff, and would need to know the cost and upfront costs for equipment and trainings. He would support a focus on the corridors of Lansing.

UPDATES –

Commercial Board-Up's

Mr. McGrain could not confirm the property was boarded up, but would check and report back.

3801 Walton Property Inspections and Next Steps

Council Member Wood asked Mr. Waddell if a letter of agreement was sent to the owner of this property. Mr. Waddell confirmed it was not done, and the department is still discussing it because their determination so far is that because a contract would only have consideration to the owner and the City would have nothing to give the owner, a contract would not be wise. The City cannot use the issuance of a rental registration/certificate as a consideration in a contract, that is an illusory contract, but more like an extraction, which municipalities cannot enter into. Council Member Wood stated contracts have been done before and she would provide those to Law. Mr. Waddell stated each case is different and require different analysis. If the property was for sale, or a conditional rezoning was an option, it could be agreed upon by both parties. Council Member Wood asked Mr. Waddell what could be done by the City, and Mr. Waddell it would have to be in compliance with the ordinance that is in place. Mr. Sanford stated he was informed by his inspector that a new window is being installed on February 15, 2018, and the suggested closure of a door cannot be done because it is a rated corridor and cannot be closed. Council Member Wood stated the Committee was not asking for the door to be closed but a driveway egress.

Council Member Hussain asked for the status on the fence between the properties. Mr. Waddell reiterated his comment from the last meeting that he directed code to issue tickets to all adjacent property owners and then the courts can determine the ownership and responsibility. The inspector has not updated the City Attorney office on if and when the tickets will be issued. Council Member Wood asked Mr. McGrain to pass along to his inspectors to issue the tickets.

Ms. Womboldt voiced her concern with the well-being in the neighborhood.

Council Member Wood reminded Mr. Waddell that the Committee asked the owner to install cameras, and he was told that if they were not installed he could be taken to court for nuisance. Mr. Waddell confirmed the City Council has the authority to deem the property as a nuisance and address it that way. Council Member Wood asked Mr. Waddell to bring back to the meeting on March 27th, 2018 the criteria on how Council can determine a public nuisance.

Holmes Street School Property Inspections and Next Steps

Mr. Waddell confirmed tickets were issued, and court date set, however the owner did not show up so the bond was forfeited and a bench warrant was issued. A bench warrant is not where LPD serves and arrests, but if they are caught under any other violation they will be arrested. Options Council could consider if they do not like the outcome is to foreclose on the property, or allow the warrant to do the work which is a waiting game.

Mr. McGrain assured the Committee that EDP is also concerned with the property and is interested in pursuing other avenues with the property. He was asked to report back on their plan.

Council Member Wood also inquired if posting problematic landlords could be listed on CityTV; there was no confirmation that could be done.

“No Parking 2 a.m. – 5a.m.”

Council Member Wood informed the public that the Council Members will be holding public meetings in the Wards to address “2 a.m. – 5 a.m. Parking” to look at what the potential is in each area. After talking to the Mayor, she stated he supports the idea of a permit process after showing a need, and also for permits for visitors. The first meeting will be held on March 27th during a Rejuvenating South Lansing meeting.

Due to scheduling conflicts, Council Member Wood canceled the February 26, 2018 Committee meeting.

Council Member Hussain asked Mr. Waddell for a status update on the ordinance on gambling. Mr. Waddell confirmed it was being drafted, then will be vetted.

Council Member Wood asked Mr. Mello to state why he was present. Mr. Mello asked for inspections under his proposed Fire Life Safety Program. Council Member Wood stated discussions are still being held with law on the option.

Other

Ms. Womboldt asked the Committee to look into address the odor situation with marihuana and its bi-products.

Ms. Miles voiced her concern that the recently vacant Hazen Lumber will turn into a marihuana site.

ADJOURN

The meeting was adjourned at 5:30 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: March 14, 2018