



MINUTES
Committee on Public Safety
Tuesday, April 17, 2018 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting called to order at 3:30 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
Jim Smiertka, City Attorney
Samantha Harkins, Mayor's Office
Council Member Washington – arrived at 3:54 p.m.
Deshon Leek
Mark Mello
Jim Harker
Julee Rodocker
Kathy Miles
Elaine Womboldt
MaryEllen Purificato
Bobby Ina, Representative from Ohio Sheet Metal Workers

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MARCH 26, 2018 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MARCH 27, 2018 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM APRIL 11, 2018 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION:

Council Member Wood amended the agenda to accommodate the Mayor's office and moved agenda item E. "ORDINANCE – Amend Chapter 1426 by addition Section 1426.07; Fire and Smoke Damper Inspection Program" first.

ORDINANCE – Amend Chapter 1426 by addition Section 1426.07; Fire and Smoke Damper Inspection Program

Ms. Harkins distributed a red lined version of the Mayor's changes to the Ordinance dated 4/12/2018 and marked Draft 1.5. Council Member Wood outlined the process that had occurred up to this point. Ms. Harkins acknowledged that the Mayor had spoken to Union and the City Staff about some concerns with the first draft, and therefore the handout was the red line version of their suggestions and what was agreed upon in those conversations to make it workable. Ms. Harkins went on to summarize the changes which eliminated the timeline and deadlines because there needs to be research preformed into the City buildings to determine where the dampers would be and how old. Their suggested changes would require inspections to be done by certified inspectors, but not lock the City into a program that the Administration believes they cannot afford or sustain. Council Member Wood asked if the Administration is proposing not even doing the program. Ms. Harkins clarified that if the Committee and Council concur with the changes; the inspection will occur and will be done by qualified inspections, but not every four (4) years. Currently right now there are only two (2) certified inspectors. Mr. Ina added that there are four (4) contractors in the process of getting their certification. Council Member Wood acknowledged she understood the Administration concern that once it is inspected they might find that there is not the funding to make it come into compliance, however suggested specifying in the ordinance that one (1) building get done per year. The Council would understand that there is a potential and it can be built into the budget to address. She then suggested a survey of all the buildings to make a determination. Ms. Harkins pointed out that it would be a challenge because they believe City Hall alone would take 100 hours. Chief Talifarro spoke noting that for his department, without knowing where the dampers actually are, it is hard to determine the commitment absent any idea of any of the costs. There is an uncertainty of the equipment for the test and how to identify. Council Member Wood suggested starting with the two newest Fire Halls. Council Member Garza supported the program for safety, and Council Member Hussain stated he was surprised with the suggestion to cancel the program, asking for some effort on a systematically annual year to go through the buildings, and was opposed to moving the changes. Mr. Bennett added that the concern is not with the construction but the life cycle of the duct work. That is when the inspection becomes more difficult, time consuming to get to them, the maintenance and the timing on the fire alarms. Council Member Wood suggested moving forward with the recently submitted ordinance with the Council working with the Administration to develop a plan to phase in a program. They can put in the budget priorities for the FY2019/2020 budget in September, 2018. The draft was changed to be labeled "Draft 2" not "Draft 1.5". Council Member Wood concluded by encouraging the Administration to review every lease from this point forward to make sure the dampers have been inspected prior to the City signing the lease, which would eliminate the City having to take on the cost of inspecting those.

Council Member Hussain asked if there needed to be a new public hearing set based on the recent changes. Mr. Smiertka answered the question, stating the changes were not significant and it was the same topic, so there would not need to be another hearing.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE ORDINANCE DRAFT 2 DATED APRIL 12, 2018 TO AMEND CHAPTER 1426 AND ADD SECTION 1426.07. MOTION CARRIED 3-0.

RESOLUTION – Appointment of Julee Rodocker, Board of Police Commissioners; 2nd Ward Member; Term to Expire 6/30/2022

Ms. Rodocker outlined her experience on advisory boards, participation in the Citizen's Police Academy, and building trust between the community and the Police Department. She noted

she had already inquired and she would not have to step down from any of her advisory board roles.

Council Member Hussain asked how she planned to reach the communities. Ms. Rodocker assured the Committee she had not problems stepping out of Ward 2 and build trust and relationships, and her hope is that once that is done they will build community trust. Council Member Hussain encouraged her to pursue having Commission meetings in the Wards.

Council Member Wood encouraged Ms. Rodocker to approach the Commissioners and review their rules and procedures to require that all Commissioners attend the Citizen's Police Academy. She then was asked what her opinion was on moving the jail out of City Hall, and encouraged her to speak to LPD officers and the impact it will have on them. Ms. Rodocker confirmed she has never been approached with that but has been approached on touring all County jails due to the recent Ingham County proposal.

Council Member Garza asked Ms. Rodocker to consider using the crime mapping to review where the problem areas are in the 2nd Ward.

MOTION BY COUNCIL MEMBER GARZA ATO APPROVES THE RESOLUTION TO APPOINT JULEE RODOCKER AS THE 2ND WARD MEMBER OF THE BOARD OF POLICE COMMISSIONERS. MOTION CARRIED 3-0.

RESOLUTION – Appointment of Deshon Leek; Plumbing Board Journeyman Plumber; Term to Expire 6/30/2022

Council Member Wood pointed out to Mr. Leek that this position required certification and asked if he had that. Mr. Leek assured the Committee he was certified, and had been an active member since 2000, and over the last several years have held a leadership role in his job. Council Member Hussain asked if this position required it to be from a Ward and was assured it did not. Council Member Garza spoke in support of Mr. Leek in this role. Council Member Wood asked Mr. Leek if he was approached by the Administration or someone from the City to make a decision a certain way, would he pursue what they wanted. Mr. Leek felt he could uphold the code as written.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO APPOINT DESHON LEEK TO THE PLUMBING BOARD AS THE JOURNEYMAN POSITION. MOTION CARRIED 3-0.

RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 816 Hickory Street

Mr. Stanford provide details on the property, including the red tag date of February 2, 2016, the date of the fire, the estimated cost of repairs at \$135,365.00, the building value at \$5,871.00 and SEV of \$6,800. The demolition board held their show cause hearing on February 22, 2018 with the order to demolish on March 22, 2018. As of April 5, 2018 none of the required permits had been pulled. There was a new owner in 2017, however they did not know it was already in the demolition process or that the fire funds in the amount \$12,000, would be returned to the original owner. This also meant they could not let it transfer to the County Land Bank. The \$12,000 will be transferred to cover the cost of the demolition.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE SHOW CAUSE HEARING FOR APRIL 30, 2018 FOR THE MAKE SAFE OR DEMOLISH AT 816 HICKORY STREET. MOTION CARRIED 3-0.

RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 902 E. Kalamazoo Street

Mr. Sanford began by outlining the details on the property, which included a red tag date of August 24, 2016, the estimated cost of repairs at \$193,636, with a building value at \$41,860. Currently there are expired permits, and building office met with an architect on April 11, 2018 however as of the date of this meeting there were not permits pulled. The fire funds on this property were at \$12,200.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE SHOW CAUSE HEARING FOR APRIL 30, 2018 FOR THE MAKE SAFE OR DEMOLISH AT 902 E. KALAMAZOO. MOTION CARRIED 3-0.

DISCUSSION – Ordinance to Add Chapter 662; Section 622.01; RE: Gambling

Mr. Smiertka informed the Committee that his office was writing a stand-alone ordinance for the City to adopt which would not reference the State Statue. The Home Rule Act allows a City to adopt building safety code, and the vehicle code by referenced, but when the City ordinance is more than \$1,000 or more than 93 days in jail the City cannot adopt the State Statue by reference. A draft will be ready for the Committee to review at the May 9, 2018 meeting. Council Member Garza asked how many establishments were in the City. Mr. Smiertka confirmed at least 2-3, and asked the Committee if there were specifics they wanted addressed in the ordinance. Council Member Hussain had a concern with the timing of enforcement because he was told currently then LPD uses the State and that process takes time, so he was also interested in a City ordinance. Mr. Smiertka assured the Committee he would continue the work on the ordinance to address the issues and simplify it, preparing to present to the Committee on May 9, 2018.

Ms. Womboldt spoke in support of the ordinance.

DISCUSSION – Law Overview on Senate Bill 107 “Tenant Permission Law”

Mr. Sanford informed the Committee that the State decided to add this to the Housing Code, and it applies to multi-family units, and has not affected anything the City is doing or stopped any inspections.

UPDATE from Law – Newspaper Delivery Licensure

Mr. Smiertka remarked that there is already a littering an unlawful deposits ordinance in the Code of Ordinances, and it is standard as a misdemeanor so tickets can be written now to the person who is actually depositing the papers. Mr. Smiertka continued by adding that there is second topic of discussion which is how to address the company or organization distributing them throughout the City. He suggested regulations, reasonably related and tailored to specify where the newspapers have to be distributed on the property. Mr. Smiertka suggested drafting an ordinance to make it a civil infraction and public nuisance, and tailored for where it would be allowed to be distribute; a box, porch, door mat, etc. Council Member Wood asked the draft be presented for the May 9, 2018 meeting.

OTHER

Council Member Garza asked Mr. Sanford to inspect the used car dealership at the corner of Jolly and Pennsylvania to make sure it is legal. Mr. Sanford stated that is building and zoning and Mr. Bennett would need to be asked to check that. He did add that the EDP department I working on a new reporting system so that every City enforcement and permitting department can see activity.

Council Member Hussain asked if tickets had been issued per the last meetings, to the adjacent property owners of EDS for the dilapidated fencing. Mr. Sanford did not have an update, so Council Staff was asked to contact Mr. McGrain and Mr. Bennett for the status.

Council Member Hussain asked for an update on the commercial lighting ordinance, and was told it was currently still with the Planning Board. Council Member Hussain then inquired into any updates on the progress at Logan Square. Council Member Wood stated there were no updates, and asked Law to follow up with the LPD if they did six (6) month enforcement letters.

Ms. Womboldt spoke on her frustration with the condition at Logan Square and also stated she had asked for the ownership information for 930 W. Holmes but did not have it yet. Council Member Wood assured her she was working on it from when it was requested in General Services.

Mr. Harkin voiced his concern with the services the LPD has currently been performing in his neighborhood, which he believed was not sufficient. He cited multiple incidents where he contact LPD regarding activity at his neighbors. Council Member Wood asked if he had spoken to the Chief of Police and Mr. Harkins stated yes and no. Council Member Wood then stated if Mr. Harkins was interested, she would initiate a meeting with the Chief and him to address the issues one at a time, at which Mr. Harkin asked if the Chief could provide police reports and 911 dispatch information.

Ms. Miles spoke on a situation in her neighborhood.

ADJOURN

The meeting was adjourned at 5:08 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: May 9, 2018