



MINUTES
Committee on Public Safety
Wednesday, July 25, 2018 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting called to order at 3:31 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
Lisa Hagen, Assistant City Attorney
Scott Sanford, Code Compliance
Andi Crawford, Neighborhood Development
Greg Venker, Assistant City Attorney
Ryan Petersen, City Attorney Intern
Harold Leeman
Kathy Miles
Elaine Womboldt
Andy Kilpatrick, Director of Public Service
Rachel White
Julee Rodocker, LPD Police Commissioner
Council Member Spadafore – Arrived at 4:08 p.m, stepped away at 4:15 pm and returned at 4:24 p.m.

Minutes

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

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

DISCUSSION/ACTION:

ORDINANCE – Amendment to Chapter 664; Section 664.04

Council Member Wood confirmed the hearing on the ordinance was held on July 23rd and then asked Mr. Petersen if there were any changes from Law. Mr. Petersen stated based on his last discussion with the City Attorney Mr. Smiertka, everything was approved in their office. Council Member Hussain asked if the ordinance will run with the State or will be discretionary and conflict with the State. Mr. Petersen was not able to provide an answer and would report

back. Council Member Hussain included in his questioning for the City Attorney, if that language would need to be added.

Ms. Womboldt asked for immediate action, then referenced continued loitering at the shopping center at Logan, and Council Member Hussain admitted to witnessing the same thing. Council Member Wood stated that once the ordinance is adopted the LPD will be involved early on and be able to work with the State faster. Currently the State is handling all the complaints.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO AMEND CHAPTER 664; SECTION 664.04. MOTION CARRIED 3-0.

RESOLUTION – Introduction & Set Public Hearing; Exterior Lighting Ordinance

Mr. Venker stated that after reviewing the Committee request from March 2018, which was the last meeting it was discussed at, it appeared the Committee wanted to see if exterior lighting changes can be required on established properties and/or retro-active. The City Attorney office determined it cannot be done in a zoning ordinance and cannot be done retro-active. Mr. Venker added that the only way to exercise the right on private property is through a police power. His offices researched for any instances in the State and elsewhere where lighting on private parking lots are held open to the public and held with police power. Any lighting requirements were in their zoning ordinance similar to the current City ordinance. So their determination is that there is no example of current power to enforce under police power. It appears the requirement can only be applied to developments that come in after adoption of this amendment. Council Member Wood asked what happens if ownership changes or redevelop. Mr. Venker stated that if they redevelop and the work requires a permit, it would most likely trigger this and could cause for them to meet City requirements. If there is a change in tenants without major development, it would be hard to make them put in new lights. Council Member Wood asked Law to look under criminal justice- environmental planning to see if it speaks to the outside of the property and how it becomes a nuisance with the lack of lighting.

Council Member Garza asked about new streets lights at Mt. Hope and Aurelius that appear brighter then they should be. Council Member Wood stated she would follow up with BWL.

Ms. Crawford recommended Law look into the SEPTEP Principals for the environmental designs just mentioned.

Ms. Miles asked if the light poles at Logan Square can be required to be replaced. Mr. Venker reiterated it is not listed in the current zoning ordinance, but there might be an obligation in the building code. Council Member Hussain asked if they were installed if they have to be maintained and if not can they remove them. Mr. Venker again stated that would be a building safety, code and building maintenance issue. Council Member Wood stated that they had already heard from Ms. Stachowiak that there is nothing in the zoning code that would make them replace them and Mr. Venker agreed. Ms. White suggested Law google lighting codes for options to the ordinance. Ms. Womboldt asked if zoning could be retro-active, and Mr. Venker reiterated an earlier statement that zoning laws cannot be retro-active. Mr. Sanford added under the building codes, those are regulated by the State and the local municipality cannot make changes.

UPDATE – Trash & Recycling Bins Policy

Council Member Wood recapped that the public hearing was set for August 13, 2018, and during the Council meeting there was a statement made by the City Attorney that the City could not pick up private contractors trash curb carts. At the last Committee meeting, she stated, Mr. McGrain and Mr. Kilpatrick both stated their idea was to create a sticker, place the

sticker on all curb carts in violation, and if they did not correct the violation they would pick them up. The City Attorney's office, she added, now is saying they cannot be picked up because the City does not own them the private hauler does. Ms. Hagen stated with an example do debris at the curb when code enforcement picks it up, that owner is notified of the nuisance. For the City to pick up the curb cart the City would need to notify the resident and the private hauler that owns the cart. She verified that the policy that Law, Economic Development and Public Service has been working on does not currently state that way. Council Member Wood verified that is what her intention was when the conversation was held. Ms. Hagen stated the conversations they have had as a recent enforcement action is increased penalties similar to East Lansing where it goes from \$25 to \$50 to \$250. Council Member Wood repeated she wanted the notices to be sent to resident and hauling contractor and that is what is currently done for other issues. Council Member Hussain recalled that at the last meeting on this topic when the discussion of penalties and tickets were discussed it was the departments that stated they did not want to write tickets because it was too much work, and they were the ones that suggested the stickers and removing the dumpster. Ms. Hagen admitted that with her conversation with Mr. McGrain he stated his first choice would not be tickets, but it that was the only option they would have to do it. Mr. Sanford distributed his draft brochure and suggested changed the language on page 2 to state that "if the container was owned by an entity outside of the City the property warning would be sent to the resident and the outside entity". Council Member Wood asked him to clear up the photo on page 2 also. Ms. Hagen admitted that would be a start but it would also need to be added to the policy itself. Council Member Wood also reminded everyone about ongoing discussions in the past on if a recycling bin can be taken since the residents pay for that in their taxes. Ms. Hagen did not recall that inquiry, apologized and stated she would research that for the next meeting. Council Member Wood also asked that Law make sure all haulers in the City are licensed in the Clerk's office, and Mr. Kilpatrick acknowledged his office had already asked, but had not received any information at the time of this meeting.

Council Member Wood clarified for the public and a Channel 6 reporter that was present that the interview and news bit that was done Monday was incorrect in stating this ordinance was done for the "donation bins". She stated these violations were already addressed a couple years ago and if there are violations they need to notify the Clerk's office where they are supposed to be licensed.

Ms. Womboldt informed the Committee that she spoke to the owner of Bake N Cakes who purchased property near 6040 MLK, and he voiced his frustration with her on the neighboring properties dumpster. Council Member Wood stated that if it is not being paid for because the business is vacant, the hauler should remove it. She then asked Law to send a letter to the owner, and Mr. Venker took note of her request. Council Member Wood ended by noting the ordinance up for a public hearing is for the residential trash curb carts, not commercial properties.

Mr. Kilpatrick confirmed that once there is an ordinance and policy in place they will move forward with their role. They have a draft sticker ready, created a database, but at this time they do want to implement something and in 30 days something change. Council Member Wood stated her goal is to have the ordinance in place and policy active by the end of August.

UPDATES – Fire Inspections at Logan Square and Pleasant Grove/Holmes

Council Member Wood distributed and read an email from Fire Marshall Marshaun Blake who was not able to attend:

7/24/2018

The FM office has completed inspection of the Plaza situated at the SW corner of Pleasant Grove and W. Holmes Rd.(3434 Pleasant Grove) including 1910 Market and BW's Barber shop as well as Logan Square Shopping Plaza. Both shopping plazas had empty suites we were unable to gain accesses to and we have reached out to the property owners to coordinate inspection of the empty suites of both malls. We are in the process of completing the reports for each Life & Safety inspection and entering them into the system. The individual business owners will be notified of their fire code violations and given 30 days to make the corrections listed for them in the letter that will be sent. A re-inspection will be scheduled to ensure the corrections have been made correctly per the fire code.

The majority of the violations in the suites of the Shopping mall that open had were "lesser" violations i.e.

- emergency Exit signs not illuminated
- Fire extinguishers with expired inspection dates
- Location needed key boxes for Fire Department access
- Extension cords improperly used
- Ceiling tiles missing
- Improper storage around utilities

The shopping malls themselves are another issue in that there is no one there to open the unoccupied suites and rooms within individual suites of the malls to allow us to inspect. I will require the owners of both Pleasant Grove and Logan Square malls to give our office access to the vacant suites, storage rooms, and all other areas of the malls to complete inspection of the properties. 3434 Pleasant Grove plaza. Pleasant grove Plaza (Vons Market) had 7 suites in total 4 of which were open for business, 1 was closed by the County Health Department (Sharonda's Chicken and Pizza), the other ** were just closed and did not seem to be in use. I am still trying to contact Mr. Singh? Who is the owner of the owner of the Pleasant Grove property. When I call the telephone number I was given at the store the day of inspection a young man answered and told me that Amarjit Singh is the owner and that he is out of the country and there was no one else that could give me access to the rest of the mall and that I could mail the letter to the store itself.

Of the 24 suites in the Logan Square shopping center at 3222 S. Martin Luther King Blvd. 7 of them are currently in use by a business of some sort and 17 were empty suites. Logan Square also has another building situated on the S.E. corner of the property that is addressed 1122 W Holmes Rd. There are 22 suites in total 14 of which are empty 8 are occupied with a business of some sort. I have reached out to Meram Properties the owner of both 1122 W. Holmes Rd. and 3222 S. Martin Luther King both of which make up Logan Square and I will be mailing a letter. I spoke with John Meran(Owner) and informed him that I required access to the rest of the mall and needed himself or a representative to provide access to the rest of the mall for inspection and he said that he was not an email person and did not have an address to mail a letter from the Fire Marshal Office to him. He stated that he would call me back and I gave him my contact information.

Marshaun Blake

Fire Marshal

Fire Department-Fire Marshal Office

Council staff was asked to forward contact information from Mr. Singh from the June 27th meeting to Law so they can finalize the agreement letter and hand deliver for signatures. The City Attorney office was asked to provide the contact information for Mr. John Meran to the Fire Marshall for 1122 W Holmes and 3222 S Martin Luther King. Law was asked to work with Mr. Meran on the agreement letter for his project as well.

Council Member Wood scheduled a special Committee meeting for Wednesday, August 1st at 3:30 p.m. to address the letters and agreements for both properties of Mr. Meran and the Singh property. Ms. Hagen asked for clarification on who should be signing the agreement; the current owner or the new owners – Singhs. Council Member Wood replied that her intention was to have the agreement signed by the three members of the new owners or represented themselves as Mandeep Singh, Money Singh, Ben Singh and Mandup Singh. She requested the letter and agreement be done and hand delivered by the special meeting on August 1st. Ms. Crawford asked if the "90 day for a closing on the property" timeline verbally agreed to by the Singh's and the Committee at the June 27th meeting, began June

27th or begins when they sign the letter. Council Member Wood stated in her opinion they will hold them to 90 days from June 27th.

Ms. Womboldt made a complaint about an ongoing bbq fundraiser at the barber shop in the shopping center. Council Member Wood stated she would follow up to see if the Health Department has inspected and if they received approval from the Clerk's office. It was questioned if he needed a peddler's permit and Mr. Venker stated that they did not as long as it was no his property. Ms. White asked if the owners needed a solicitation license and was told by Council Member Wood that he would for his donations.

DISCUSSION- Procedures on the Appointment of the new Fire Chief

Council Member Wood stated that Ms. Draher was invited from the Fire Commission and was not able to attend but emailed her and stated the Human Resource department is beginning the search and will be working with the Commissions and the Mayor will appoint the Chief from the candidates recommended by the Commission. Council Member Wood then referenced a letter from the Mayor's office to the Committee that reiterated the same information.

Place on File – Rules of Procedures for the Board of Police Commissioners

Council Member Wood referred to the documents in the packet. Council Member Hussain asked if there was any knowledge as to why they changed the terms of their leadership from 1 year terms to 2 year terms. Ms. Rodocker was not able to provide any information on that.

MOTION BY COUNCIL MEMBER GARZA TO PLACE THE RULES OF PROCEDURES ON FILE. MOTION CARRIED 3-0

DISCUSSION – Gun Safety Task Force

Council Member Wood asked the Committee to provide dates they can meet separate from this regular Committee meetings. Once the dates are determined they will work on the charge that was given in the resolution for the Task Force. She also asked them to make any recommendations for a list of people for the Task Force and forward them to her so a letter can be sent and they can be invited. They do not have to be City residents, but should be aware of the impact of gun safety in the community, with the youth, etc. Council Member Spadafore suggested Theresa Szymanski with the Lansing Schools. Ms. Miles suggested a member of the LPD GREAT program.

Other

Ms. Womboldt asked for an update on an email she was included in to Council on issues with EDS on S. Washington and also trash at the former Kent Deluxe Cleaners at Washington and Dunlap. Mr. Sanford stated his staff was at the EDS site the last two days. Ms. Womboldt then inquired about an email she was part of regarding the maintenance at Washington Park. Council Member Wood spoke to Corey Campbell who was going to forward the issues and concerns to Trevor Arnold for additional patrol.

Council Member Garza asked for an update on the Niko's at Pennsylvania and Jolly. He did acknowledge and email from Ms. Stachowiak regarding the permits for car sale, but asked if there was enforcement on signage. Mr. Sanford stated Code does not enforce signage so he was not sure what the status was. Council Member Wood asked Mr. Sanford to follow up with the zoning enforcement and let Council Staff know. Council Member Hussain asked what happens after a letter is sent on sign violations. Mr. Sanford stated it would all depend on where the signs were. His office spent two days picking up signs in the right of way, and if they are on private property they get scheduled for a re-check after the letter was sent to

enforce. Council Member Wood stated on a future agenda she will have Brian McGrain present to talk about tracking violations. Mr. Sanford stated the department is currently in the process of hiring via Human Resources a commercial premise sign and zoning inspector to specifically assist the zoning administrator in enforcement. They are also working on incorporating zoning into the BSA enforcement program.

Ms. Miles stated her opinion that she believed someone was shop lifting and selling new clothes at Washington Park. Council Member Wood asked her to provide dates and times when she witnesses this so the LPD can enforce.

Ms. Rodocker stated her frustration with the lack of enforcement and the City waiting for citizens to report violations before they do anything. Mr. Sanford provided Ms. Rodocker with a history of his department's staff and work load.

Mr. Leeman asked for some enforcement on the homeless living under the I-27 Bridge and Vine, panhandlers on W. Washington in front of the businesses in the downtown area, and loitering in the park across from the Radisson. Council Member Wood stated she would touch base with the community policing officer in those areas.

ADJOURN

The meeting was adjourned at 5:13 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: August 1, 2018