



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

CALL TO ORDER

The meeting was called to order at 3:35 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
Mitch Whisler, Public Service
Council Member Spadafore
Nancy Mahlow
Bruce Krueger- left before the meeting started
Elaine Womboldt
Harold Leeman
Jim Smiertka, City Attorney
Charles Hickman, WMU Cooley Law School
Steve Shaw, Building Official
Greg Venker, Assistant City Attorney- arrived at 4:08 p.m.

Minutes

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

Council Member Wood referenced the minutes for Mr. Smiertka and provided him with a copy.

Public Comment

Ms. Mahlow voiced a concern on parking issue with Arcadia Ale which is a new business, and now has parking overflow on the streets and vacant lots. Confirmed she contacted the LPD, and noted all the issues occur from 7pm to 2 am. Ms. Mahlow stated her opinion that vehicles should be towed from other businesses when this businesses clients park there. Council Member Wood asked Mr. Whisler to research traffic orders for those streets, and she will speak to the LPD on parking enforcement.

Ms. Mahlow then commented on the later agenda item on 2am – 5 am parking enforcement, and asked for no “blanket” ordinance for the City, but wanted a specific ordinance for each section of the City.

Mr. Hickman, WMU Cooley Law School presented a hand out on a parking study the students at WMU Cooley Law School did. His comments were on the parking rate increase, and impact on the students. Their interest was into a student discount from the \$12.50 daily rate in a ramp to a lower rate. Mr. Hickman spoke to some students who stated that when the rates were increased in July they were not notified of the increase. Mr. Hickman then provided information on a recent physical assault in the ramp, and noticed there are no emergency alert systems or cameras, and asked for more police presence in the ramps. Council Member Wood asked Mr. Whisler to check on the student rate that was provided to LCC a few years ago. Mr. Whisler confirmed he could check, but noted they are not involved in the ramps. Council Member Wood noted that Mr. Gamble, Parking Manager, will be invited to a future meeting to speak on installing safety measures. Mr. Hickman noted that there are light bulbs that are burnt out in the Townsend Ramp.

Mr. Leeman spoke about clean up on bridges near Vine, and acknowledged it had been done but wanted it maintained.

DISCUSSION/ACTION:

ORDINANCE – Chapter 1284.20: Guidelines, Requirements and Exemptions for Lighting of Off-Street Parking

Council Member Wood noted that at the public hearing, there were comments on motion lights and asked Mr. Shaw about it. He was given time to review the ordinance and the Committee moved to the next item.

ORDINANCE & DISCUSSION - Amendments to Chapter 1060; Broaden & Clarify Enforcement of Trash and Recycling Bins

Mr. Smiertka noted there were questions on the language addressing the placement of the bin after it was removed from the right of way, and Law determined the language was overbroad, so they suggested it be taken out. Council Member Wood stated it would be on the October 22, 2018 Council agenda for adoption and immediate effect and asked for notices be sent with the trash bill, coordinate with Granger, and put in neighborhood information. She then noted that at Churchill Downs Waste Management was collecting and do not have license, so she asked Law to make sure that when they get their license this language is added. Council Member Garza stated Eric Refuse is also a contractor but has no license. Mr. Shaw was asked to follow up with Code Compliance since that is the City contractor for Code Compliance and they have firsthand contact with them. Mr. Smiertka asked for clarification on the City Attorney role in the Waste Management request, and was told that when they submit for their annual license, this ordinance needs to be noted in it documenting that their bins will be picked up and they have to come get them from Public Service, similar to what Granger has already agreed to.

Ms. Womboldt inquired into if Waste Management would be fined for picking up trash without a license.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE FOR AMENDMENTS TO CHAPTER 1060 FOR TRASH AND RECYCLING BINS. MOTION CARRIED 3-0.

ORDINANCE – Chapter 1284.20; Guidelines, Requirements and Exemptions for Lighting of Off-Street Parking- continued

Mr. Shaw that he is aware of sensors for lights but could not confirm for exterior parking lot light so would check and report back. Council Member Wood informed Mr. Smiertka that her request is that all developments are abiding by this new ordinance. At past meetings, she stated Mr. Venker told her that if there was a certain amount of percentage of repairs being done this ordinance could be applied. Mr. Smiertka suggested they could amend the ordinance to state that if there was 50% or more in repairs they would have to comply with this ordinance. Council Member Wood placed the item on pending until Mr. Venker could attend because she wanted the ordinance or rule that says if there is a percentage of work done they comply, tie-barred with this new ordinance.

Council Member Spadafore suggested with existing parking lots, they can install lighting that would come on with any foot traffic or traffic, instead of requiring that all parking lot lights come on at dark.

RESOLUTION – Traffic Control Order ~~18-014~~ 18-041 & 18-042 Parking Regulations on Allegan St. between Walnut & Townsend; Townsend Between Allegan St. & Washtenaw Street

Mr. Whisler informed the Committee that the City received a request from the Senate to prohibit parking adjacent to the building. Council Member Wood asked Mr. Whisler and Law how much the State still owed for their use of the Townsend Ramp. There was no number available at this time. Mr. Whisler informed the Committee that Allegan is not owned by the City but is a State trunk line, so they can do that section. The request for Townsend is a City street and the request would require the removal of five (5) parking spaces for loading. The temporary orders are in place and both streets have been acted on, and there have been no issues or complaints. Council Member Wood suggested separating out the two Traffic Control Orders and only addressing #18-041 for Allegan Street at this time.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR TRAFFIC CONTROL ORDER 18-041 FOR THE ALLEGAN STREET PORTION. MOTION CARRIED 3-0.

Council Member Wood acknowledged that she would draft a letter as the Committee Chairperson to the State that said “once they pay their bill, the City would consider their request.” She then reminded Mr. Whisler that since the temporary order has expired, the stripping should be removed.

Traffic Control Order 18-042 was placed on pending.

RESOLUTION – Traffic Control Order 18-029; Parking Regulations on the 200 Block of South Walnut Street

Mr. Whisler confirmed this item has been in place since 2015, and it was reviewed for a site obstruction and based on the review they are recommending to remove one meter at the SW Corner of Walnut and Allegan to improve sight distance. Currently the meter has been taken out of commission.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION FOR TRAFFIC CONTROL ORDER 18-029. MOTION CARRIED 3-0.

RESOLUTION – Traffic Control Order 18-031; Parking Regulations along the 400 Block of Townsend Street

Mr. Whisler informed the Committee that this was a request from the Veterans Memorial Court House to remove a parking space north of the driveway because it obstructed the view of egress.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR TRAFFIC CONTROL ORDER 18-031. MOTION CARRIED 3-0.

ORDINANCE – Chapter 1284.20; Guidelines, Requirements and Exemptions for Lighting of Off-Street Parking- continued

Council Member Wood asked Mr. Venker since he was now present at the meeting, and refreshed the conversation that if a parking lot was worked on, could it be tied to this ordinance. Mr. Venker stated it can be tied to, and falls under the Zoning Code. With changes under the classifications in non-conform, if there is a change whatever the non-conformity is to a certain percentage as defined in the ordinance and so they are required to bring into conformity.

Mr. Shaw noted for the Committee that since the start of the meeting he was able to confirm that the N. Capital Ramp has light sensors in it so there could be options for placing that requirement in this ordinance. Council Member Wood asked if there was a certain time factor the motion activated lights were on, and asked Law to check the ordinance for adding this item. She informed Mr. Smiertka she would speak to him on Friday on this. Mr. Shaw stated he would speak to the National Electrician on their code to see what code speaks to on these types of lights. Law also was asked to confirm the percentage that is required to now comply if you are currently non-conforming.

DISCUSSION – 2am – 5am Parking Enforcement

Council Member Wood recapped what she took from the neighborhood discussions on no parking 2 a.m. – 5 a.m., and noted the majority wanted enforcement, and different neighborhoods had different needs but she believed the City needs to make sure things work in the City as a whole, not to say do one type or enforcement on one street and something different on another. She noted she also heard that snow plowing would be impacted if they went with every other side parking based on even/odd, and in some areas parking on both sides of the streets would be difficult, such as in Colonial Village. Lastly she mentioned a permit system, one where it would require the resident has a need for it, can be done annually, examined for life changes and special permits for overnight guests. An email from the Internal Auditor was referenced in the packet and it was noted when there was parking enforcement during this time they could write 1,000 in a 3 months span and generate \$240,000. She was encouraged by the enforcement but would need the commitment from the Administration they would hire an office again to do it, not require the LPD officers to do it. Council Member Garza concurred with all the statements made thus far, and suggested color coded permits for each area of the City. Council Member Hussain also concurred on the statements made, but added they there should be a mechanism so they have to park in front of their homes and Council should also consider a seasonal parking permit as well. Council Member Wood suggested the first meeting should be with the Administration present to agree to having enforcement, and also consider equipment for a drive-by scanning mechanisms which would generate a ticket. Lastly, they should invite the Economic Development office for zoning and the applications to see who in that office would look at the “need” basis. Council Member Garza Jeremy – when apply for application, take into consideration discounts for seniors, assisted living and students. Council Staff was to invite the Administration to the next meeting and Mr. Shaw was to invite zoning.

Other

Mr. Smiertka confirmed his office has sent demand letters to the State for their parking at Townsend Ramp and currently he believes they owe between \$500,000-\$750,000.

Mr. Venker spoke back to the lighting ordinance requirement, stating it is a relevant to a percentage; 35% work done to the store, if nonconforming, and exceeds 35% then they must bring into conformity. The code he cites was 1294.07 Class B Non-conformities, which is the less permissive in non-conformity, and it specifically references that not in compliance with Chapter 1284 with parking.

Mr. Smiertka noted for the Committee that the owner for 3801 Walton, who was present at the start of the meeting, was not invited by law. A letter was sent to the owner to meet with the City Attorney, LPD and Code. Prior to the meeting they spoke to the owner who confirmed once he got the letter he would contact Law to make the appointment. Council Member Wood pointed out to Mr. Smiertka that her desire was to have a letter generated within 5 working days from the meeting that the owner will sign. Council Member Garza stated he too spoke to the owner who stated all the items from the 2017 meeting were done, but Council Member Garza went on site and found broken windows. Council Member Wood asked Mr. Smiertka to invite building safety and Officer Arnold to the meeting as well. Council Member Hussain suggested law look back at the notes from the 2017 meeting with Ms. Sumner in their office for list of items including cameras, removal of an egress, and screening tenants.

Mr. Smiertka then noted that he was working on his interviews and reports on Logan Square and the Pleasant Grove/Holmes development for the October 17th Committee meeting. He was asked to confirm status on a liquor license, and the current ownership.

Ms. Mahlow again asked for parking enforcement at fire hydrants and more signs that prohibit parking in the distance from the corner.

ADJOURN

Adjourned at 4:48 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: _____