



MINUTES
Committee on Public Safety
Wednesday, December 5, 2018 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was 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- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Andy Kilpatrick, Public Service Director
Amanda O'Boyle, Assistant City Attorney
Greg Venker, Assistant City Attorney
Steve Swan, Building Official – left the meeting at 3:50 p.m.
Dale Schrader
Council Member Washington -arrived at 4:07 p.m.
Kathy Miles
Jon Miles
Mary Ellen Purificato
Scott Sanford, Code Compliance
Harold Leeman

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM NOVEMBER 14, 2018. MOTION CARRIED 2-0.

Public Comment

Mr. Schrader spoke on the Walnut Neighborhood and his concerns on the lack of the trash bin ordinance enforcement. He then presented photos from a residence at 116 Seymour on October 26, 2018, when he filed a complaint with Lansing Connect but still to this date he sees no action. Mr. Schrader also pointed out he had a conversation with Mr. McGrain in Economic Development and Planning along with an enforcement officer, but was told at that time that code compliance was not handling it but was being handled by Public Service.

DISCUSSION/ACTION

DISCUSSION - Trash Bin Ordinance policy and implementation

Council Member Wood informed Mr. Kilpatrick that she had received complaints since the ordinance was passed. Some complaints were that when filing a complaint they were told by

Code Compliance they do not have the responsibility, when calling Public Service they tell them it is not their responsibility. Council Member Wood then asked why it is not being enforced. Mr. Kilpatrick spoke to Brian McGrain last week, and confirmed they will be educating in December to Code Enforcement and then blanket areas of the City on the information and fines. Then in January they will begin enforcing. Mr. Kilpatrick then confirmed that any complaints in *Lansing Connect* currently they will address, but he will also look into what the routing is for those complaints now and where they are going to make sure they are being routed to Public Service. They understand that it is the responsibility of the owner and a letter of violation will go to the property owner of record. Council Member Wood wanted to know why the delay in enforcement to January without Council being made aware of the timeline. In addition, she pointed back to other ordinances that have been passed but not implemented appropriately in the departments so that everyone knows. Mr. Kilpatrick admitted that in this situation it was a miscommunication and time line, and his department not following along the Council meeting agendas. Mr. Kilpatrick agreed they should have been ready to go in November, but weren't and will start ticketing residents. On behalf of Public Service, they will take the call, O & M and Cart, will have training on the process. Mr. Sanford was asked on their process, and he stated they have ordered the new tags with fines listed and policy, and will start working on those on Friday's; hopefully this week. This is the educational piece for any current violations. Code Officers will also be carrying the tags as well to put them on anything they see. Mr. Sanford stated he has yet to receive a copy of the final ordinance from the Clerk's office. Council Member Wood asked if information was in the billings, and provided to Granger for their billings.

Council Member Hussain asked about status of premise officer vacancies. Mr. Sanford stated they are testing 10 candidates currently for the vacancies.

Mr. Schrader asked about the status of the complaint he had. Mr. Kilpatrick stated they will look at *Lansing Connect*. Mr. Sanford stated they will put the tags on the carts and move the carts to the middle of the driveway.

Council Member Hussain asked about how Lansing Connect routes the violations. Mr. Kilpatrick stated each complaint goes to an email address, depending on if "trash" or "cart". Mr. Sanford it all depends on what the residents click in the box. Mr. Kilpatrick stated he needs to speak to IT on where it is being routed. Mr. Sanford stated they have a meeting set up for December 10, 2018 with IT and BSA to work on Lansing Connect. Mr. Kilpatrick acknowledged they will be check into the routing of the complaints.

Ms. Purifecato asked stickers on the carts for a violation. Mr. Kilpatrick clarified that the first piece was the education piece in tag form, and the first violation will be the sticker that was mentioned during the discussions.

Mr. Leeman asked why the Mayor and Council do not require the employees to tag the carts.

RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 2500 W. Jolly Road

Mr. Sanford informed the Committee that the property was red tagged on 12/5/2018 and was set to be made safe by June, 2018. The property has been vacant over 180 days and the repairs come in at \$79,000 which exceeds the SEV of \$29,100. On 8/23/2018 the Board ruled it unsafe and requested 60 days make safe. Lastly, it was confirmed there were no permits pulled at this time. It was confirmed by Council staff that the request was referred to Council on November 19, 2018. Council Member Hussain asked if the owner appeared at their hearings, and it was confirmed they did not, and Mr. Sanford assured the Committee that the property met the State required 180 tag notice before it came for demolition request.

MOTION BY COUNCIL MEMBER HUSSAIN TO SET THE SHOW CAUSE HEARING FOR JANUARY 14, 2019. MOTION CARRIED 2-0.

RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 1414 Ballard Street

Mr. Sanford stated the property was red tagged on 7/12/2018 and submitted for make safe or demolish on 7/13/2018. The SEV of the property was \$20,000; structure value at \$35,625 and land at \$4,361 with an estimate of repairs coming in higher at \$72,000.00. Mr. Sanford confirmed no one was present at their hearings, and no permits were pulled. The Committee questioned the quick day turn around, and the date on the photos being “12/7/2018” which was in the future. *(After this meeting it was confirmed that the correct date was 7/12/2018 and the day turn around was determined by the department because of the condition of the property and approved by the Building Official.)*

MOTION BY COUNCIL MEMBER HUSSAIN TO SET THE SHOW CAUSE HEARING FOR JANUARY 14, 2019. MOTION CARRIED 2-0.

RESOLUTION – Introduction and Set Public Hearing; Ordinance to Adopt the 2015 International Property Maintenance Code

Mr. Sanford stated to the Committee that currently the City is under the 2009 IPMC, and in following the Building Department that has adopted their 2015 Code, they are now asking to adopt the 2015 IMPC. Council Member Wood asked if the same exceptions from the 2005 are included as exceptions with the 2015, and Mr. Sanford confirmed.

The Committee went through the document, and asked questions.

Page 5, Section 108.2, should have been struck and the question was if the City Ordinance states “can cause the premises” when this code states “shall cause”. Mr. Venker stated he wants to verify that against everything.

Page 5, Section 109.1 states notice of imminent danger be posted at each entrance, and Mr. Sanford confirmed they can do that.

Page 6, Section 111.1 which Mr. Venker stated that this Section is currently in the City Ordinance 1460.01 so it will remove this Section Means of Appeal because “appeal” is tied to the Housing Law for the City.

Page 9, Section 202; Definition for Cost of Such Demolition or Emergency Repairs, and the question was asked if when putting out to bid, and the contractor scavenges items is that reduced from the cost of the demolition. Mr. Sanford stated it is not, because under the ordinance on demolition, once it is awarded the contractor has the right to salvage. Therefore this reference should be struck. Council Member Wood agreed. Mr. Venker pointed out that the process for Make Safe or Demolish does not fall under the IMPC and he will check on removal for this purpose.

Page 9, Section 202; Definition for Historic Building, the question was asked if it comports to the City Historic District. Mr. Venker replied that it does not compete with the City Ordinance, and the City definition is not inconsistent.

Page 11, Section 302.8 was confirmed by Mr. Sanford as struck from the new ordinance and replaced with the same language as the current version.

Page 11, Section 303.2 Swimming Pools and Spas; Enclosures was confirmed by Mr. Sanford that it is being enforced.

Page 13, Section 304.18.1 was confirmed by Mr. Sanford that it was being enforced on the units but not on the exterior of the building. The Fire Code determines the exterior ratings of doors.

Page 15, Section 308.2.1 was questioned on if it is being enforced currently. Mr. Venker stated it is not struck out in the current ordinance or the draft ordinance in front of them now. Council Member Wood questioned if when they do inspection if they ask for verification that the tenants or owners have a rubbish removal plan for pick up.

Page 15, Section 309.4 was questioned on its enforcement and Mr. Sanford assured the Committee they cite the owner.

Page 18, Section 404.4; Mr. Sanford was asked if the City utilize this requirement and measures and Mr. Sanford confirmed.

Page 25, Section 704.1.2 was referenced and asked if this was from the International Fire Code, and Mr. Sanford confirmed and added that the Fire Marshall does that enforcement.

The discussion will continue at the 12/12/2018 meeting before it gets referred to Council for a hearing.

UPDATE FROM LAW– 3801 Walton & Future Enforcement

Council Member Hussain read the following email from Council Member Garza in his absence:

From: Garza, Jeremy <Jeremy.Garza@lansingmi.gov>

Sent: Wednesday, December 5, 2018 11:43 AM

Subject: 3801 Walton Update

Good morning carol and Adam,

I apologize that I am unable to attend our Public Safety Committee meeting today.

On Nov. 26th The city attorney, Steve Swan, Trevor Arnold and I met with Bruce Kruger.

Jim Smiertka gave Mr. Kruger an ultimatum, either he figures out how to clean up his property or he will start the process of designating this property a nuisance. Mr. Kruger agreed to start evicting the 4 problematic tenants, secure the main entrances by installing locks, and installing cameras to sign up with SCRAM. Mr. Kruger also agreed to allow Steve Swan, Scott Sanford and myself to walkthrough and inspect each unit on his property.

After the 1st of the year Mr. Kruger is supposed to send a letter in to the city attorney's office stating he's done the improvements, he also agreed to come back before our Public Safety Committee in a couple months to debrief us on the work completed.

LPD Trevor Arnold and Kasha Osborn are also supposed to be doing a crime prevention study of the property. Trevor Arnold will be relieving his duties of the CPO to Jillian Colby sometime in December.

Thank you,

Jeremy A Garza

DISCUSSION – 2am – 5am Parking Enforcement

This discussion was moved to the December 12, 2018 meeting.

ADJOURN

Adjourned at 4:33 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: December 12, 2018