



AGENDA
Committee on Public Safety
Thursday, February 7, 2019 @ 3:30 p.m.
City Council Conference Room, 10th Floor

Council Member Wood, Chair
Council Member Spitzley, Vice Chair
Council Member Hussain, Member

1. Call to Order

2. Roll Call

3. Minutes

- December 19, 2018

4. Public Comment on Agenda Items

5. Discussion:

- A. ORDINANCE – Fire Code Amendment; Chapter 39 of the 2018 International Fire Code
- B. RESOLUTION – Make Safe or Demolish; 2500 West Jolly Road; 33-01-01-31-476-211
- C. RESOLUTION – Make Safe or Demolish; 1414 Ballard Street; 33-01-01-10-157-001
- D. RESOLUTION – Introduction and Set Public Hearing; Ordinance to Adopt the 2015 International Property Maintenance Code

6. Other

7. Adjourn

[illegible]

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MINUTES

Committee on Public Safety

Wednesday, December 19, 2018 @ 3:30 p.m.

City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was 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- excused

OTHERS PRESENT

Sherrie Boak, Council Staff

Joseph Abood, Chief City Attorney

Marshaun Blake, LFD Fire Inspector

Scott Sanford, Code Compliance

Kathy Miles

Elaine Womboldt

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM DECEMBER 12, 2018. MOTION CARRIED 2-0.

Public Comment

No public comment at this time.

DISCUSSION/ACTION

RESOLUTION – Introduction and Set Public Hearing; Fire Code Amendment; Adoption of Chapter 39 of the 2018 International Fire Code

Council Member Wood confirmed that Council cannot make changes to the Fire Code per ordinance. Officer Blake provided details on why the LFD was asking to only adopt Chapter 39 at this time since they currently fall under the 2009 Fire Code. Chapter 39 of the 2018 International Fire Code addresses Processing and Extracting Facilities, and while the Office of the City Attorney reviews the currently 2009 Code with the new 2018 Code, they are asking Council to adopt Chapter 39 so they have something to inspect, apply to and hold the applicants accountable to. With recent marihuana processes in the communities now, oils can be extracted using flammable products, and to get the flammable product out of the oil there is another process of burning it off. This Chapter will help regulate those facilities when they go to extract the oil from the plant.

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Council Member Wood provided specifics on recent marihuana licensing inspections, and asked if the LFD has used this Chapter when looking at those facilities for a license. Officer Blake acknowledged that they confirm but the majority of the applicants were not ready because no one wanted to build something if they were not going to be approved for a license. So they were approved pending an inspection, once it was built out after the license was issued. Once through the applicants go through the building process they will inspect them. Council Member Hussain asked if changes can be made to the Code similar to what they are doing with the IPMC. Officer Blake stated when he does his review he can make suggestions if it does not comply with what the LFD does.

MOTION BY COUNCIL MEMBER HUSSAIN TO INTRODUCE AND SET THE PUBLIC HEARING FOR JANUARY 28, 2019 FOR ADOPTION OF CHAPTER 39 OF THE 2018 INTERNATIONAL FIRE CODE.

Ms. Miles asked about a facility in her neighborhood and asked if the specific location was going to be allowed to do extraction. Officer Blake could not confirm specifics since he has reviewed multiple plans, but it would depend on the plans submitted and their proposed process.

Ms. Womboldt inquired into if the LFD can come into neighborhoods for inspections and if any have gone over the 3500 KWH limit. Officer Blake informed her that the KWH is monitored by BWL and they then report to Code Enforcement. If the Code Officer sees a violation they will report it. Mr. Sanford confirmed they do get a report from BWL and had 402 properties which came down to 60 that were then registered and inspected. Mr. Abood clarified for Ms. Womboldt that this KWH restriction falls under the home occupation ordinance but all home occupation potential violations through the use of electricity. There is still an active home occupation team of LPD, FIRE, OCA, Code and BWL.

Ms. Womboldt then wanted to know if electrical fires are listed for any grow facilities. Office Blake stated they do an investigation to make the determination.

MOTION CARRIED 2-0.

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

Council Member Wood pointed out that at the last meeting there were questions on the definition for “Historic” and also Section 108.2 which spoke about providing notice to an owner before it is boarded up. Mr. Abood informed the Committee that after a discussion with Mr. Venker in his office, their approach was the historic definition will stay in, and they also planned to keep in 108.2 even though it conflicts with the practice followed by Code. Council Member Wood asked that they review keeping it in if it is not going to be enforced or followed and what conflict of constitutional practices that would cause. The discussion will continue with the next meeting in 2019.

DISCUSSION – 2am – 5am Parking Enforcement

Mr. Abood referenced the recently adopted ordinance for Chapter 404 which after his review and interpretation is not just restrictive to downtown, but applies to the entire City. He added that as it read, Public Service can issue a TCO for any street in the City for permit parking. Council Members pointed out that his interpretation was not what was explained to the full Council when these changes were recently adopted. It was explained it would be for the designated downtown area only. Mr. Abood acknowledged their comments, and stated that if they made any changes it would also go into Chapter 404. Council Member Wood then asked the Committee to look at 404 chapter to see if comports to ideas for 2am -5am parking

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enforcement they have been discussing. The Committee recapped discussions that were had at Council and statements made that the recent ordinance would not deter from or undue what public safety was working on for 2am – 5am parking. Council Member Wood stated the topic would be discussed at the 2019 Committee meetings and if none of the current members of the Committee were on that Committee, then they would send representation to provide an update on where they ended.

Council Staff recapped the findings from the Public Service Committee which began with a new Chapter (Chapter 405) but was advised to combine into the current Chapter 404 which follows the Uniform Traffic Code.

Ms. Miles spoke in frustration with the recently passed ordinance, opining that it was brought forth by the last administration.

Ms. Womboldt questioned if the new ordinance was in effect for the entire City. Council Member Wood stated there would have to be a Traffic Control Order established setting aside a “zone”, then they would need a permit. Mr. Abood added that it would have to be approached by the Parking Manager, who would then go to Public Service to request the consideration of a Traffic Control Order (TCO), then the Public Service Board would review it, and if approved by Council, then the resident would have to get a parking permit. Carol this committee was looking a need base.

Other

Ms. Womboldt spoke on recent gun violence in South Lansing, unregistered rentals, and her concern with the increase in crime. She then asked the Committee what she should do to make changes with the Police and change the image. Ms. Miles agreed with the statements.

Council Member Hussain spoke on the changes happening in South Lansing and hopes for 2019.

ADJOURN

Adjourned at 4:30 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: _____

CHAPTER 39

PROCESSING AND EXTRACTION FACILITIES

User note:

About this chapter: Chapter 39 is a new chapter focused on the processing and extraction of oils and fats from various plants. This process includes extraction by use of a solvent, desolventizing the raw material, production of the miscella, distillation of the solvent from the miscella and solvent recovery. The processes used are not necessarily typical hazardous material processes, and often the systems and equipment associated with such processes are not listed. Because of the typical lack of listings, the systems and equipment need specific approvals for each installation. This chapter provides the tools to appropriately address the hazards while also meeting the unique needs of industry. This chapter has provisions for a technical report prepared by a registered design professional and requires site inspections to make sure equipment and systems are installed as designed and approved.

SECTION 3901 GENERAL

3901.1 Scope. Plant processing or extraction facilities shall comply with this chapter and the *International Building Code*. The extraction process includes the act of extraction of the oils and fats by use of a solvent, desolventizing of the raw material, production of the miscella, distillation of the solvent from the miscella and solvent recovery. The use, storage, transfilling and handling of hazardous materials in these facilities shall comply with this chapter, other applicable provisions of this code and the *International Building Code*.

3901.2 Existing buildings or facilities. Existing buildings or facilities used for the processing of plants or where the medium of extraction or solvent is changed shall comply with this chapter.

3901.3 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7.

SECTION 3902 DEFINITIONS

3902.1 Definitions. The following terms are defined in Chapter 2:

DESOLVENTIZING.

MISCELLA.

SECTION 3903 PROCESSING AND EXTRACTION

3903.1 Construction. Processing shall be located in a building complying with the *International Building Code*.

3903.2 Prohibited occupancies. Extraction processes utilizing flammable gases or flammable *cryogenic fluids* shall not be located in any building containing a Group A, E, I or R occupancy.

3903.3 Location. The extraction equipment and extraction processes utilizing hydrocarbon solvents shall be located in a room or area dedicated to extraction.

3903.4 Post-process purification and winterization. Post-processing and winterization involving the heating or pres-

surizing of the miscella to other than normal pressure or temperature shall be *approved* and performed in an appliance listed for such use. Domestic or commercial cooking appliances shall not be used.

3903.4.1 Industrial ovens. The use of industrial ovens shall comply with Chapter 30.

3903.5 Use of flammable and combustible liquids. The use of flammable and *combustible liquids* for liquid extraction processes where the liquid is boiled, distilled or evaporated shall be located within a hazardous exhaust fume hood, rated for exhausting flammable vapors. Electrical equipment used within the hazardous exhaust fume hood shall be rated for use in flammable atmospheres. Heating of flammable or combustible liquids over an open flame is prohibited.

Exception: The use of a heating element not rated for flammable atmospheres, where documentation from the manufacture, or *approved* testing laboratory indicates the element is rated for heating of flammable liquids.

3903.6 Liquefied petroleum gas. Liquefied petroleum gases shall not be released to the atmosphere except where released in accordance with Section 7.3 of NFPA 58.

SECTION 3904 SYSTEMS AND EQUIPMENT

3904.1 General requirements. Systems and equipment used with the processing and extraction of oils and products from plants shall comply with Sections 3904.2 through 3904.4 and 5003.2, and other applicable provisions of this code, the *International Building Code* and the *International Mechanical Code*.

3904.2 Systems and equipment. Systems or equipment used for the extraction of oils from plant material shall be *listed* or *approved* for the specific use. If the system used for extraction of oils and products from plant material is not *listed*, the system shall be reviewed by a *registered design professional*. The *registered design professional* shall review and consider any information provided by the system's designer or manufacturer. For systems and equipment not *listed* for the specific use, a technical report in accordance with Section 3904.3 shall be prepared and submitted to the

fire code official for review and approval. The firm or individual preparing the technical report shall be *approved* by the *fire code official* prior to performing the analysis.

3904.3 Technical report. A technical report, reviewed and approved by the *fire code official* as required by Section 3904.2, is required prior to the equipment being located or installed at the facility. The report shall be prepared by a *registered design professional* or other professional approved by the *fire code official*.

3904.3.1 Report content. The technical report shall contain all of the following:

1. Manufacturer information.
2. Preparer of record of the technical report.
3. Date of review and report revision history.
4. Signature page, including all of the following:
 - 4.1. Author of the report.
 - 4.2. Date of report.
 - 4.3. Date and signature of *registered design professional* of record performing the design or peer review.
5. Model number of the item evaluated. If the equipment is provided with a serial number, the serial number shall be included for verification at the time of site inspection.
6. Methodology of the design or peer review process used to determine minimum safety requirements. Methodology shall consider the basis of design, and shall include a code analysis and code path to demonstrate whether specific codes or standards are applicable.
7. Equipment description. A list of every component and subassembly, such as fittings, hose, quick disconnects, gauges, site glass, gaskets, valves, pumps, vessels, containers and switches, of the system or equipment, indicating the manufacturer, model number, material and solvent compatibility. Manufacturer's data sheets shall be provided.
8. A general flow schematic or general process flow diagram of the process. Post-processing or winterization shall be included in this diagram. Primary components of the process equipment shall be identified and match the equipment list required in Item 7. Operating temperatures, pressures and solvent state of matter shall be identified in each primary step or component. A piping and instrumentation diagram (PID or P&ID) shall be provided.
9. Analysis of the vessel(s) if pressurized beyond standard atmospheric pressure. Analysis shall include purchased and fabricated components.
10. Structural analysis for the frame system supporting the equipment.

11. Process safety analysis of the extraction system, from the introduction of raw product to the end of the extraction process.
12. Comprehensive process hazard analysis considering failure modes and points of failure throughout the process. The process hazard analysis shall include a review of emergency procedure information provided by the manufacturer of the equipment or process and not that of the facility, building or room.
13. Review of the assembly instructions, operational and maintenance manuals provided by the manufacturer.
14. List of references used in the analysis.

3904.4 Site inspection. Prior to operation of the extraction equipment, where required by the *fire code official*, the engineer of record or *approved* professional, as *approved* in Section 3904.2, shall inspect the site of the extraction process once equipment has been installed for compliance with the technical report and the building analysis. The engineer of record or *approved* professional shall provide a report of findings and observations of the site inspection to the *fire code official* prior to the approval of the extraction process. The field inspection report authored by the engineer of record shall include the serial number of the equipment used in the process and shall confirm that the equipment installed is the same model and type of equipment identified in the technical report.

SECTION 3905 SAFETY SYSTEMS

3905.1 Gas detection. For extraction processes utilizing flammable gases as solvents, a continuous gas detection system shall be provided. The gas detection threshold shall be not greater than 25 percent of the lower explosive limit/lower flammability limit (LEL/LFL) of the materials.

3905.1.1 System design. The flammable gas detection system shall be *listed* or *approved* and shall be calibrated to the types of fuels or gases used for the extraction process. The gas detection system shall be designed to activate when the level of flammable gas exceeds 25 percent of the LFL.

3905.1.2 Gas detection system components. Gas detection system control units shall be *listed* and *labeled* in accordance with UL 864 or UL 2017. Gas detectors shall be *listed* and *labeled* in accordance with UL 2075 for use with the gases and vapors being detected.

3905.1.3 Operation. Activation of the gas detection system shall result in all the following:

1. Initiation of distinct audible and visual alarm signals in the extraction room.
2. Deactivation of all heating systems located in the extraction room.
3. Activation of the mechanical ventilation system, where the system is interlocked with gas detection.

3905.1.4 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system; activation of the mechanical ventilation system where the system is interlocked with the gas detection system; and initiation of a trouble signal to sound in an *approved* location.

3905.1.5 Interlocks. Electrical components within the extraction room shall be interlocked with the gas detection system. Activation of the gas detection system shall disable all light switches and electrical outlets.

3905.2 Emergency shutoff. Extraction processes utilizing gaseous hydrocarbon-based solvents shall be provided with emergency shutoff systems in accordance with Section 5803.1.3.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1610 – UNIFORM FIRE
CODE AND UNIFORM FIRE CODE STANDARDS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1610 – Uniform Fire Code, Section 1610.01 – Adoption of 2009
International Fire Code, of the Codified Ordinances of the City of Lansing, Michigan, be and is
hereby amended to read as follows:

1610.01 –Adoption of 2009 International Fire Code AND ADOPTION OF CHAPTER 39 OF
THE 2018 INTERNATIONAL FIRE CODE.

(a) For the purpose of establishing the minimum requirements consistent with nationally
recognized good practice for providing a reasonable level of life safety and property
protection from the hazards of fire, explosion, or dangerous conditions in new and
existing buildings, structures, and premises and to provide safety to firefighters and
emergency responders during emergency operations, the City hereby adopts the 2009
International Fire Code, including Appendices B, C, D, E, F, G, H, AND I, published by
the International Code Council, Inc. with the additions, deletions, and revisions contained
in this chapter. ADDITIONALLY, THE CITY HEREBY ADOPTS BY REFERENCE
CHAPTER 39 - PROCESSING AND EXTRACTION FACILITIES, OF THE 2018
INTERNATIONAL FIRE CODE. A copy of this Code is on file in the Office of the City
Clerk.

1 (b) References throughout these codified ordinances to the International Fire Code shall be
2 deemed to mean the International Fire Code adopted in subsection (a) and it may be so
3 cited. References throughout these codified ordinances to the Fire Prevention Code of the
4 City of Lansing shall be synonymous with this International Fire Code, including its
5 amendments adopted herein.

6 (c) Unless otherwise expressly provided, in the event of a conflict between any of the
7 provisions of the International Fire Code, herein adopted, and a provision of this chapter,
8 or any other provision of these Codified Ordinances, or any other local ordinance,
9 resolution, rule or regulation, the local provision shall control. In the event of a conflict
10 between any of the provisions of the International Fire Code, herein adopted, and State
11 law, including rules and regulations promulgated pursuant to State law, the State law
12 shall control. In the event of a conflict between any of the provisions of the International
13 Fire Code, herein adopted, and a provision of any other standard technical code adopted
14 by reference by the City of Lansing, the stricter or higher standard shall control.

15 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
16 inconsistent with the provisions hereof are hereby repealed.

17 Section 3. Should any section, clause or phrase of this ordinance be declared to be
18 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
19 other than the part so declared to be invalid.

20 Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
21 immediate effect by City Council and shall expire on December 31, 2027.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	2500 W. Jolly Road
PARCEL NUMBER:	33-01-01-31-476-211

LISTED TAXPAYER:	Maurice Randall
INTERESTED PARTIES:	Maurice Randall
SEV INFORMATION:	\$29,100.00
LAND VALUE:	\$15,519.00
BUILDING VALUE:	\$42,621.00
LOT SIZE:	100 x 175

LEGAL DESCRIPTION:	S 175 FT LOT 71 ECO FARMS
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	8/23/2018
ORDER:	60 Days make safe or demolish
REASON/CONDITIONS:	unsafe
HEARING OFFICER:	David Muylle

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	

HOUSING CODE VIOLATION LTR:	
ORIGINAL RED TAG DATE:	
ZONING:	
ESTIMATE OF REPAIRS:	
PICTURES:	
OTHER:	

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

2500 W. JOLLY RD.

- Original Red Tag Date

- 12/05/2017

- Submitted Into Make Safe Or Demolish Process

- 06/29/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- Maurice Randall

2500 W. JOLLY RD.

Property Value Information

- SEV

- \$29,100.00 (*as of 11/16/2018*)

- Structure

- \$42,621.00 (*as of 11/16/2018*)

- Land

- \$15,519.00 (*as of 11/16/2018*)

- Estimate of Repairs

- \$79,000.00

2500 W. JOLLY RD.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 12/05/2017

- Code Compliance Letter Written

- 12/05/2017

- Code Compliance Due Date

- 1/04/2018

2500 W. JOLLY RD.

Demolition Board Actions

- Demolition Board Show Cause Hearings
 - 8/23/2018
- Order by Demolition Board
 - MS or D by 10/23/2018
- Request Sent To City Council for Show Cause Hearing
 - 11/02/2018

2500 W. JOLLY RD.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

2500 W JOLLY RD.

General Comments

- None of the required permits have been pulled as of 11/16/2018.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 2500 W. JOLLY RD., 33-01-01-31-476-211 legally described as: S 175 FT LOT 71 ECP FARMS is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on ; and

WHEREAS, a hearing was held by the Hearing Officers on 8/23/2018, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by ; 10/23/2018 and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on 1/14/19 to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 2500 W. JOLLY RD. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within _____ days from the date of this resolution.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	1414 Ballard Street
PARCEL NUMBER:	33-01-01-10-157-001

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D005

LISTED TAXPAYER:	Brockway, Douglas
INTERESTED PARTIES:	RAL Realty
SEV INFORMATION:	\$20,000.00
LAND VALUE:	\$4,361.00
BUILDING VALUE:	\$35,625.00
LOT SIZE:	34 x 66

HOUSING CODE VIOLATION LTR:	7/12/2018
ORIGINAL RED TAG DATE:	7/12/2018
ZONING:	C Residential
ESTIMATE OF REPAIRS:	\$72,000.00
PICTURES:	yes
OTHER:	

LEGAL DESCRIPTION:	N 34 FT OF W 4 R LOT 17 BLOCK 2 HANDY HOME ADD
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	8/23/2018
ORDER:	60 days make safe or demolish
REASON/CONDITIONS:	unsafe
HEARING OFFICER:	David Muylle

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

1414 BALLARD STREET

- Original Red Tag Date

- 7/12/2018

- Submitted Into Make Safe Or Demolish Process

- 7/13/2018

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- Douglas J. Brockway
 - RAL Realty

1414 BALLARD STREET

Property Value Information

- SEV

- \$20,000.00 (as of 11/16/2018)

- Structure

- \$35,625 (*as of 11/16/2018*)

- Land

- \$4,361.00 (*as of 11/16/2018*)

- Estimate of Repairs

- \$72,000.00

1414 BALLARD ST.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 7/12/2018

- Code Compliance Letter Written

- 7/12/2018

- Code Compliance Due Date

- 8/11/2018

1414 BALLARD ST.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 8/23/2018

- Order by Demolition Board

- MS or D by 10/23/2018

- Request Sent To City Council for Show Cause Hearing

- 11/02/2018

1414 BALLARD ST.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

1424 Pontiac St.

General Comments

- None of the required permits have been pulled as of 11/16/2018.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1414 Ballard ST., 33-01-01-10-157-001 legally described as: N 34 FT OF W 4 R LOT 17 BLOCK 2 HANDY HOME ADD is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on ; and

WHEREAS, a hearing was held by the Hearing Officers on 8/23/2018, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by ; 10/23/2018 and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on 1/14/19 to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 1414 BALLARD ST. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within _____ days from the date of this resolution.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of an amendment to Chapter 1460, Sections 1460.01 and 1460.02 of the Lansing Codified Ordinances to adopt the 2015 International Property Maintenance Code with certain additions, deletions, and alterations.

The Ordinance is referred to the Committee on Public Safety

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 25, 2019 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering an amendment to Chapter 1460, Sections 1460.01 and 1460.02 of the Lansing Codified Ordinances to adopt the 2015 International Property Maintenance Code with certain additions, deletions, and alterations.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1460, SECTIONS 1460.01 AND 1460.02 OF THE LANSING CODIFIED ORDINANCES TO ADOPT THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH CERTAIN ADDITIONS, DELETIONS, AND ALTERATIONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1460.01 of the Codified Ordinances of the City of Lansing, Michigan, is hereby amended as follows:

1460.01. PROPERTY MAINTENANCE CODE

For the purpose of regulating and governing the conditions and maintenance of all premises and any structures thereon; providing standards for supplied utilities and facilities, other physical aspects of structures, and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and providing a mechanism for condemnation of structures unfit for occupancy and use and the demolition of such structures, the ~~2009~~2015 International Property Maintenance Code ("IPMC") is hereby adopted as if fully set forth herein, with the following additions, deletions, and alterations:

(a) When used in the IPMC:

(1) "[Name of jurisdiction]" and "the jurisdiction" are replaced with "Lansing" or "the City."

(2) "International Building Code" is replaced with "the Building Code, as adopted in Chapter 1420 of the Lansing Codified Ordinances."

- 1 (3) "International Mechanical Code" is replaced with "the Mechanical Code, as adopted in
2 Chapter 1426 of the Lansing Codified Ordinances."
- 3 (4) "ICC Electrical Code" is replaced with "the Electrical Code, as adopted in Chapter
4 1424 of the Lansing Codified Ordinances."
- 5 (5) "International Zoning Code" is replaced with "the Zoning Code, Title Six of Part
6 Twelve of the Lansing Codified Ordinances."
- 7 (6) "International Fire Code" is replaced with "the Fire Code, as adopted in Chapter 1610
8 of the Lansing Codified Ordinances."
- 9 (7) "International Plumbing Code" is replaced with "the Plumbing Code, as adopted in
10 Chapter 1422 of the Lansing Codified Ordinances."
- 11 (8) "Department of Property Maintenance Inspection" and "Department" are replaced with
12 "Office of Code Compliance."
- 13 (9) "Legal representative of the jurisdiction," "legal officer of the jurisdiction," and "legal
14 counsel of the jurisdiction" are replaced with "City Attorney."
- 15 (10) "Appointing authority" AND "CHIEF APPOINTING AUTHORITY" ~~is~~ARE
16 replaced with "Mayor."
- 17 (11) "Appeals Board" is replaced with "Building Board of Appeals."
- 18 (b) The following language is added to Section 102.6 after the word "designated": By the Federal,
19 State, or local government.
- 20 (c) Section 103.2 is deleted.

1 (d) The text of Section 103.3 is replaced with the following: The Code Official has the authority
2 to appoint Code Compliance Officers and to delegate to any of them any of his or her duties
3 or functions under this Code.

4 (e) The text of Section 103.5 is replaced with the following: The fees for services performed by
5 the Office of Code Compliance under this Code shall be established by Council Resolution.

6 (f) The following language is added to the end of Section 104.1: The Office of Code Compliance
7 is responsible for enforcing this Code and acts as the Local Health Department under Part 24
8 of the Public Health Code, PA 368 of 1978. The Office of Code Compliance may also enforce
9 any provision of the Housing Law of Michigan, PA 167 of 1917.

10 (g) The following language is added to the end of Section 106.1: Unless otherwise provided, a
11 property's owner is responsible for violations of this Code occurring on the property, even
12 where this Code imposes an additional duty on the occupant or where the owner has imposed
13 responsibility on the occupant by agreement.

14 (h) The text of Section 106.3 is replaced with the following: The Code Official and all Code
15 Compliance Officers are hereby designated as authorized City Officials for the purpose of
16 issuing municipal civil infraction notices directing alleged violators to appear at the City of
17 Lansing Municipal Ordinance Violations Bureau or a local court of competent jurisdiction.
18 Unless otherwise provided in this Code or by State law, any person in violation of any
19 provision of this Code is responsible for a municipal civil infraction and subject to a \$500.00
20 fine and all other penalties and remedies allowed by law. Any person in violation of Section
21 108.4.1 or Section 108.5 is responsible for a misdemeanor and subject to the penalties provided
22 in Section 202.99(b) of the Lansing Codified Ordinances and all other penalties and remedies

1 allowed by law. If a violation of this Code is not corrected as required by the notice of violation
2 given pursuant to Section 107, the Code Official may institute the appropriate proceeding at
3 law or in equity to restrain, correct, or abate such violation; or to require the removal or
4 termination of any unlawful occupancy of the structure. With the exception of the 30 days
5 within which a vacant structure must be closed pursuant to Section 108.2, the Code Official
6 has the authority to grant an extension of the time specified in the notice of violation, upon
7 request by the person responsible for the violation, provided that the person agrees to correct
8 the violation within the extended time period to be granted and the Code Official determines
9 that a condition dangerous to life or property will not be created or perpetuated by granting
10 such extension. No such extension of time for the correction of a violation will extend the time
11 for filing an appeal.

12 (i) Section 106.6 is added, to read as follows: Violations of Section 302.4 and violations of Section
13 308 are hereby declared to be nuisances and may be abated by the City if not corrected within
14 the time provided in the notice given pursuant to Section 107. Any expense incurred in abating
15 a nuisance pursuant to this section, including an administrative service fee, shall be paid by the
16 owner or party in interest whose name appears on the City's real property tax assessment
17 records. The owner or party in interest whose name appears on the City's real property tax
18 assessment records shall be notified of the amount owed by first class mail at the address shown
19 on the City's real property tax assessment records. After 30 days, any unpaid amount shall be
20 reported to the City Assessor for placement on the next tax roll of the City and imposition of a
21 lien against the property on which the nuisance was located, as permitted by State law.

22 (j) When used in Section 107.1, "person" is replaced with "~~persons~~PERSON(S)."

1 (k) In Section 107.2:

2 (1) The following language is added to the end of number 4: For violations of Section
3 302.4, the notice shall require correction within 7 days.

4 (2) The text of number 6 is replaced with the following: Inform the property owner that,
5 when permitted by law, a lien may be imposed upon the property.

6 (l) The following language is added to the end of Section 108.1.1: Any structure that is a
7 "dangerous building" as defined in the Housing Law of Michigan, PA 167 of 1917, is also an
8 unsafe structure.

9 (m) The text of Section 108.5 is replaced with the following: Any structure condemned and
10 placarded by the Code Official shall be vacated. No person shall occupy any such structure or
11 allow any domestic animal to occupy any such structure. No person shall operate equipment
12 condemned and placarded by the Code Official. Repairs required by a correction order may be
13 made during the hours of 8 am and 5 pm on Mondays through Fridays or at other times for
14 which the Code Compliance Office has granted permission. The Code Compliance Office shall
15 grant permission for repairs to be made at other reasonable times set by Department policy if
16 the person seeking permission has obtained all permits necessary for the work to be done and
17 provides documentation indicating that the work cannot be performed between 8 am and 5 pm
18 on Mondays through Fridays.

19 (n) Section 108.8 is added, to read as follows: The owner of any structure placarded FOR MORE
20 THAN 90 DAYS pursuant to Section 108.4 is responsible for paying a monthly, non-
21 refundable administrative fee while the placard remains on the structure. The administrative
22 fee shall be established by Council resolution in an amount sufficient to defray the cost incurred

1 by the City to monitor the structure for the purpose of preventing public safety hazards. The
2 owner or party in interest whose name appears on the City's real property tax assessment
3 records shall be notified of the amount owed by first class mail at the address shown on the
4 City's real property tax assessment records. After 30 days, any unpaid amount shall be reported
5 to the City Assessor for placement on the next tax roll of the City and imposition of a lien
6 against the property, as permitted by State law.

7 (o) Section 108.9 is added, to read as follows: The Code Official may request permission to inspect
8 any structure intended to be used as a dwelling when that structure has remained vacant for
9 180 days. If permission to inspect is denied, the Code Official may seek a warrant from a court
10 of competent jurisdiction.

11 (p) Section 110 is deleted. In its place, MCL 125.538-125.542, with the exception of MCL
12 125.541c, from Article VII of the Housing Law of Michigan, PA 167 of 1917, are hereby
13 adopted by reference. Pursuant to MCL 125.534(6), regardless of whether or not the cost of
14 repair of a structure exceeds its state equalized value, the Code Official may bring a court
15 action to remove or rehabilitate it if (1) it is an unsafe structure pursuant to Section 108.1.1,
16 (2) it remains vacant or boarded, and (3) a significant attempt has not been made to rehabilitate
17 it for a period of 24 consecutive months.

18 (q) Section 111.1 is replaced with the following: Appeal of a decision that a structure is a
19 dangerous building pursuant to MCL 125.542 shall follow the procedures described in the
20 Housing Law of Michigan, PA 167 of 1917, and adopted in subsection (p). Any person directly
21 affected by any other decision of the Code Official or notice or order issued under this Code
22 may appeal to the Building Board of Appeals. The Code Official shall be an ex-officio member

1 of the Building Board of Appeals when it hears appeals brought under this Code, but the Code
2 Official shall have no vote on any matter before the Board. Written application for an appeal
3 must be filed within 20 days of service of the decision, notice, or order being appealed. An
4 application for appeal must be based on a claim that the true intent of this Code or the rules
5 legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do
6 not apply, or the purposes of this Code's requirements are adequately fulfilled by other means.

7 (r) Sections 111.2-~~111.7~~111.8 are deleted.

8 (s) The following definitions replaces those provided in Section 202:

9 *PERSON. ANY LEGAL ENTITY.*

10 (t) The definitions of "COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS,"
11 "inoperable motor vehicle," and "operator" are deleted.

12 (u) The following definitions are added to Section 202:

13 a. *Absentee landlord.* Any owner of rental property whose principal residence is located
14 more than forty miles from the corporate limits of the City.

15 b. *Code Compliance Officer.* Any duly authorized representative of the Code Official.

16 c. *Dwelling.* Any "dwelling," as defined in the Housing Law of Michigan, PA 167 of
17 1917.

18 d. *Leasehold.* Any "leasehold" as defined in the Housing Law of Michigan, PA 167 of
19 1917.

20 e. *Motor vehicle.* Any "motor vehicle" as defined in the Michigan Vehicle Code, PA 300
21 of 1949.

1 f. *Rental property.* Any premises, dwelling, dwelling unit, or rooming unit which is not
2 occupied on a daily basis by the owner(s), and which is offered to let, to hire, or to
3 assign for a period of more than 30 days to any person(s) for any or no consideration.

4 (v) The following language is added to the end of Section ~~302.4~~302.1: No mattresses or indoor
5 furniture shall be kept on exterior property or premises.

6 (w) The first paragraph of Section 302.4 is replaced with the following: All premises shall be
7 maintained free of weeds and of grass eight inches or more in height.

8 (x) The text of Section 302.8 is replaced with the following: No motor vehicle that is inoperative,
9 stripped, dismantled, or in a state of major disassembly or disrepair may be kept on any exterior
10 premises. Motor vehicles may be removed from private property in accordance with the towing
11 regulations established by the State as the "special anti-theft laws" sections of Division II of
12 the Michigan Vehicle Code, MCL 257.252—MCL 257.254.

13 (y) When used in Section 304.14, "during the period from [date] to [date]" is replaced with
14 "between May and October."

15 (z) In Sections 602.3 and 602.4, "during the period from [date] to [date]" is deleted.

16 (aa) Section 404.5 is deleted.
17

18 Section 2. That Section 1460.02 of the Lansing Code of Ordinances of the City of Lansing
19 Michigan, is hereby amended as follows:

20 **1460.02. - COPY OF ~~2009~~2015 International Property Maintenance Code for Public**
21 **Inspection.**

1 A copy of the ~~2009~~2015 International Property Maintenance Code is available for public
2 inspection in the City Clerk's Office.

3
4 Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
5 inconsistent with the provisions hereof are hereby repealed.

6 Section 4. Should any Section, clause or phrase of this ordinance be declared to be invalid,
7 the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the
8 part so declared to be invalid.

9 Section 5. This ordinance shall take effect on the 30th day after enactment, unless given
10 immediate effect by City Council, and shall expire on December 31, 2027.

11
12 APPROVED BY THE ORDINANCE REVIEW COMMITTEE
13 OF THE OFFICE OF THE CITY ATTORNEY

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.

12/5/18
Committee
Minutes

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

apply in private clubs so they did not have to inspect, however the owners invited them in for an inspection and cooperating. Mr. Shaw concurred with the Fire Chiefs information on the site. He offered to confirm a permit was pulled for the water heater mentioned and also if permits were required for new exit lights, but some might have just needed new bulbs or the outlet was there they just need to install the sign.

UPDATE – Logan Square

Chief Purchased confirmed with this property that the suppression was fixed and they have directed to keep the lines empty to prevent freezing. The owners have removed all combustible items from the vacant units and a KNOX Box was installed. They have installed a placard which designates which units are vacant for Fire, and they will only enter if it is a life safety issue. Mr. Swan added that his office was contacted by interested parties in the recent property auction, but was not aware of the sale. Council Member Hussain acknowledged what he was aware of was that the Economic Development and Planning office was reaching out to developers for a direct sale. Mr. Swan concluded his office does have open permits, but they continue to work and have no issues.

Ms. Womboldt Elaine acknowledged Fire and Code for working on the locations.

RESOLUTION –Set Hearing for Ordinance to adopt 2015 International Property Maintenance Code

The recent Draft 5 that was sent via email from Law earlier in the day was distributed to the Committee. The Committee went through the list from the last meeting and those recommendations. The “Cost of Demolition of Emergency Repairs” was no longer used in the definitions, per Mr. Venker with law in an email, because the City uses the City demolition process.

Page 5, Section 108.2 of the IPMC; closing of vacant structure; and the question was if the code should be included since it offers owners time. Mr. Sanford admitted they generally do not offer time, because with past experience they have waited; Code and LPD, onsite for hours waiting for the owner to arrive. Mr. Venker in his email to the Committee did not strike it out because he did not see a problem, however Council Member Wood stated if Code was not going to offer the owners time to arrive, then it should be stricken. Mr. Abood stated he recalled there were some legal reasons for keeping it in, so he would check on this on.

Page 6, Section 111 .1 was referenced at the last meeting and was already removed.

The definition of historic should have been struck since it was stated at the last meeting that it does not comport to City ordinance, however in Draft 5 it was not. Law was asked to either replace it with the City definition or strike it.

Page 15, Section 308.21 asked for confirmation that if left in it is part of the inspections, and Mr. Sanford confirmed.

Council Member Wood then asked if the Tagged Property List was disbursed to dispatch, and Mr. Sanford confirmed they no longer do that, but dispatch has access to their programs to look at the status. They do also issue an after-hours letter which lists names of up to 5 people who can be on site and they must be working on the home and the letter must be posted on the property.

Council Member Wood recapped that the outstanding issues are the historic definition and a double check on the options for Section 108.2. The outstanding items will be addressed on the December 19, 2018 meeting.

DISCUSSION – 2am – 5am Parking Enforcement

Documents were provided to the Committee from Council Member Wood, which included details from Mr. Brewer; Council Internal Auditor, an example from Milwaukee and a copy of the current adopted downtown parking City Ordinance. Council Member Wood then asked Mr.

12/12/18
Committee
Minutes

DRAFT

Council Member Wood provided specifics on recent marihuana licensing inspections, and asked if the LFD has used this Chapter when looking at those facilities for a license. Officer Blake acknowledged that they confirm but the majority of the applicants were not ready because no one wanted to build something if they were not going to be approved for a license. So they were approved pending an inspection, once it was built out after the license was issued. Once through the applicants go through the building process they will inspect them. Council Member Hussain asked if changes can be made to the Code similar to what they are doing with the IPMC. Officer Blake stated when he does his review he can make suggestions if it does not comply with what the LFD does.

MOTION BY COUNCIL MEMBER HUSSAIN TO INTRODUCE AND SET THE PUBLIC HEARING FOR JANUARY 28, 2019 FOR ADOPTION OF CHAPTER 39 OF THE 2018 INTERNATIONAL FIRE CODE.

Ms. Miles asked about a facility in her neighborhood and asked if the specific location was going to be allowed to do extraction. Officer Blake could not confirm specifics since he has reviewed multiple plans, but it would depend on the plans submitted and their proposed process.

Ms. Womboldt inquired into if the LFD can come into neighborhoods for inspections and if any have gone over the 3500 KWH limit. Officer Blake informed her that the KWH is monitored by BWL and they then report to Code Enforcement. If the Code Officer sees a violation they will report it. Mr. Sanford confirmed they do get a report from BWL and had 402 properties which came down to 60 that were then registered and inspected. Mr. Abood clarified for Ms. Womboldt that this KWH restriction falls under the home occupation ordinance but all home occupation potential violations through the use of electricity. There is still an active home occupation team of LPD, FIRE, OCA, Code and BWL.

Ms. Womboldt then wanted to know if electrical fires are listed for any grow facilities. Office Blake stated they do an investigation to make the determination.

MOTION CARRIED 2-0.

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

12/19/18
Committee
Minutes

Council Member Wood pointed out that at the last meeting there were questions on the definition for “Historic” and also Section 108.2 which spoke about providing notice to an owner before it is boarded up. Mr. Abood informed the Committee that after a discussion with Mr. Venker in his office, their approach was the historic definition will stay in, and they also planned to keep in 108.2 even though it conflicts with the practice followed by Code. Council Member Wood asked that they review keeping it in if it is not going to be enforced or followed and what conflict of constitutional practices that would cause. The discussion will continue with the next meeting in 2019.

DISCUSSION – 2am – 5am Parking Enforcement

Mr. Abood referenced the recently adopted ordinance for Chapter 404 which after his review and interpretation is not just restrictive to downtown, but applies to the entire City. He added that as it read, Public Service can issue a TCO for any street in the City for permit parking. Council Members pointed out that his interpretation was not what was explained to the full Council when these changes were recently adopted. It was explained it would be for the designated downtown area only. Mr. Abood acknowledged their comments, and stated that if they made any changes it would also go into Chapter 404. Council Member Wood then asked the Committee to look at 404 chapter to see if comports to ideas for 2am -5am parking



**Brownfield Plan #62
Amendment #1**

**Oliver Tower
Redevelopment Project**

**310 N. Seymour Avenue
Lansing, MI**

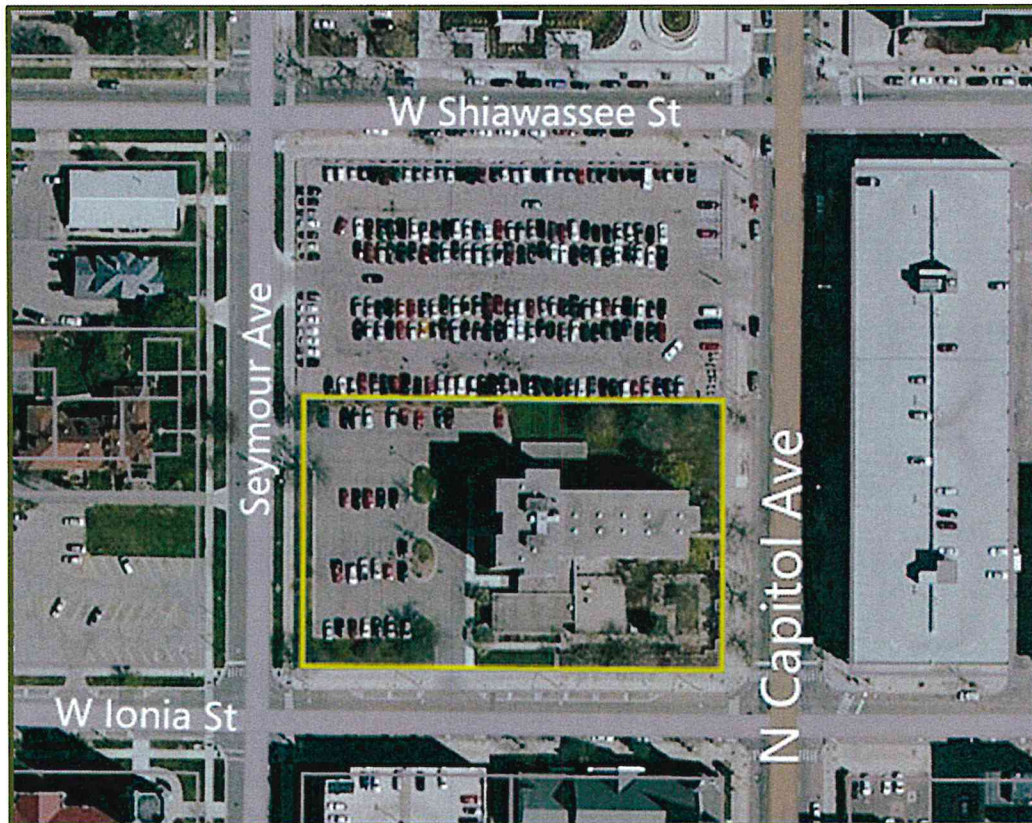
TRI TERRA

Brownfield Development
Environmental Consulting
Natural Resources

Submitted @ mfg-file



Eligible Property



- Brownfield Plan #62:
 - Approved by City of Lansing November 9, 2015
- Project Name:
 - Oliver Tower Redevelopment Project
- Applicant:
 - George F. Eyde Family, LLC
- Subject Property:
 - 310 N. Seymour Avenue
 - Parcel 33-01-01-16-177-022
- Eligibility Status:
 - Facility
 - Functionally Obsolete

Project Summary

- Mixed-use development including a complete restoration/rehabilitation of the 8-story building
- 4,430 SF of Office and Retail use on first floor
- 96 Residential Units
- Total Investment Estimated at \$14,700,000

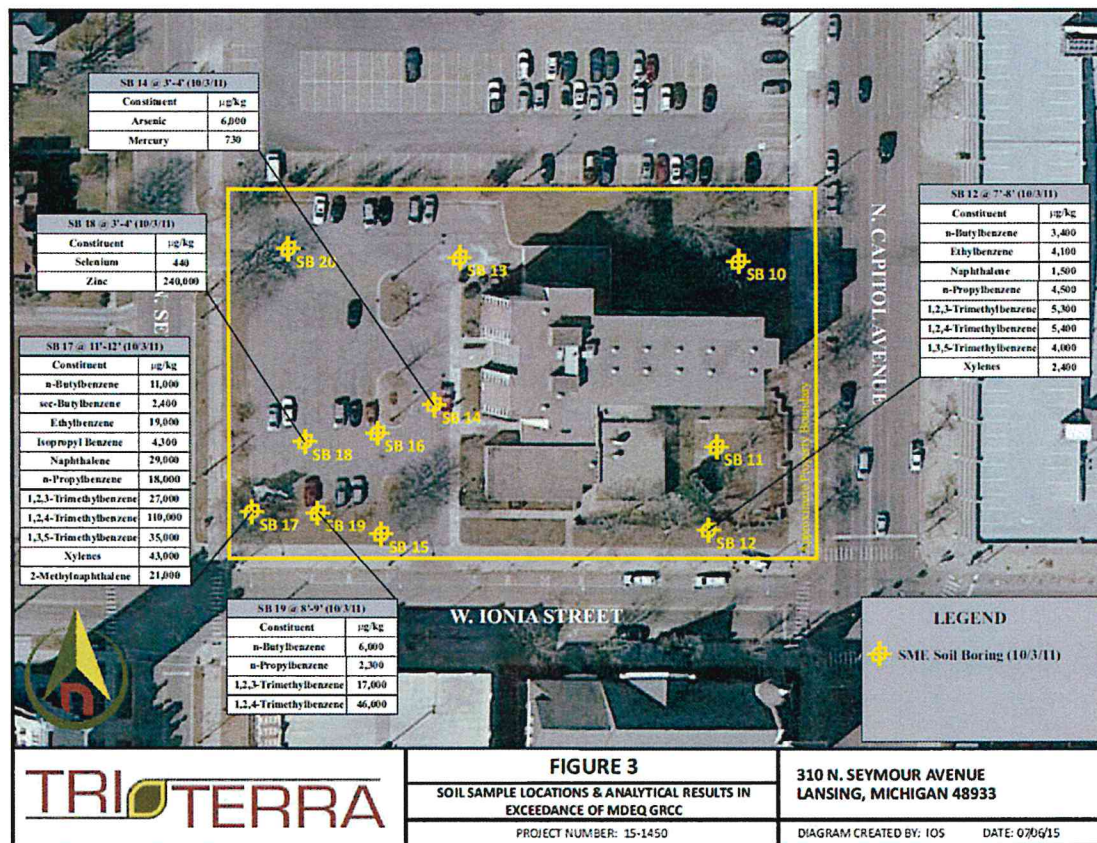


Brownfield Conditions



- **Statement of Obsolescence:**
The City of Lansing Assessing Department issued a statement of functional obsolescence for building on April 22, 2016
- **Asbestos Containing Materials:**
Building materials within building (e.g. floor tile, wallboard joint compound, etc.) contained asbestos.

Brownfield Conditions



- Environmental:
Environmental assessments completed at the property identified metals and petroleum contamination at level which exceed Michigan's generic cleanup criteria

Summary of Amendment #1 to Brownfield Plan #62

Category	Brownfield Plan #62 Approved 11/9/2015	Amendment #1	Impact of Amendment
Project Description:	Complete rehabilitation of the 8-story Oliver Tower Building. The project included the construction of approximately 1,300 square feet of new office/retail space extending from existing building footprint.	Construction of new office/retail space extending from existing building footprint has been determined to be economically infeasible.	Project remains the complete renovation of the entire building into 96 apartment units with office and retail on the first floor.
Capital Investment:	\$8,000,000	\$14,700,00	\$6,700,000 More Private Investment
Eligible Activities:	\$2,156,627	\$1,373,761	\$782,866 Less Tax Capture to Developer
Duration of Plan:	19 years (2017-2035)	12 years (2020-2031)	Plan Reduced by 7 Years
Total TIR Captured:	\$2,435,690	\$1,471,110	Total Tax Capture Reduced by \$884,334
Eligible Activity Completion Date:	December 31, 2018	December 31, 2019	Deadline Extended by 1 Year
Tables:	Table 1: Legal Description Table 2: Summary of TIF and Reimbursement of Eligible Activities	Table 1: Brownfield Eligible Activities Table 2: TIR Capture Estimates Table 3: TIR Reimbursement Allocation Table	Updates and Organizes the Brownfield Numbers
Attachments:	Attachment A: Summary of Known Environmental Conditions	Attachment A: Legal Description Attachment B: Summary of Known Environmental Conditions	Better Presentation of Parcel Information and Environmental Conditions of Site.

Total New Taxes

Total New Taxes Generated	\$1,886,849
Portion Captured to Reimburse Developer	\$1,373,761
Portion Captured for BRA Plan Administration	\$48,674
Portion Captured for BRA Local Brownfield Revolving Fund (LBRF)	\$48,674
Total Captured	\$1,471,110
Remainder to Taxing Units and State Brownfield Revolving Fund	\$415,740



New Taxes – Captured for Eligible Activities

Eligible Activities	
Environmental Assessment and Due Care Activities	\$14,100
Asbestos Activities	\$6,200
Demolition Activities	\$932,500
Infrastructure Improvements	\$54,000
Subtotal Eligible Activities Cost	\$1,006,800
Contingency	\$36,281
Preparation of Brownfield Plan	\$17,700
Interest (5%, Simple)	\$312,979
Total Anticipated TIR for Reimbursement	\$1,373,761
BRA Plan Administration	\$48,674
BRA Local Brownfield Revolving Fund (LBRF)	\$48,674
Total TIR Reimbursement and BRA Capture	\$1,471,110

New Taxes – Not Captured

-  New TAXES generated that pass through to taxing units and State Brownfield Revolving Fund

State Education Tax (3 mills State Brownfield Revolving Fund)	\$79,355
Local Millage includes School Operating & State Education (10% Pass-Through)	\$163,457
City Debt (100%)	\$9,251
School Debt (100%)	\$163,677
Total	\$415,740

Proposed Brownfield Plan

Brownfield Plan Amendment

- Tax Increment Financing (TIF) for Eligible Brownfield Activities – 12 Year Plan
- Beginning 2020