



MINUTES
Special Meeting
Committee on Public Safety
Monday, July 22, 2019 @ 4:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was called to order at 4:30 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Patricia Spitzley, Vice Chair
Council Member Adam Hussain, Member- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, Council Legal Analyst
Officer Colby
Steve Swan, City of Lansing Building Official
Mary Bowen, Assistant City Attorney
Mary Ellen Purificato

DISCUSSION/ACTION

DISCUSSION: City Attorney Update - 3801 Walton- Nuisance Action

Council Member Wood recapped for the record that at the meeting in June, 2019 it was stated that if the issues were not resolved at the July 18, 2019 meeting, then the Council Committee would look into a nuisance action. Officer Colby restated from the July 18, 2019 meeting that the owner has security cameras but after speaking to the company that installed them, it was determined the owner did not purchase the monitoring system to go with the cameras, therefore there is no onsite way to view the tapes. She was given instructions on how to download the video, but she acknowledged that would be difficult to view. Officer Colby went onto stated that regarding the tenants, she has had continuous problems with owner. She had asked for a list with the updated leases and was provided the leases, but of the 13 names on the leases only one was a legal name. Therefore, Officer Colby stated she had to initiate contact with the tenants by knocking on doors and asking for identification. From that she created a master tenant list, but then admitted that since that time people have moved out and new tenants are in, and again she has not been provided an updated tenant list or been contacted by owner. Council Member Spitzley asked if the cameras were registered with SCRAM. Officer Colby confirmed they were registered, but again stated her frustration there is no monitor to view the videos.

Mr. Swan was asked about a list of outstanding issues and referenced the list that was provided to Committee at the beginning of the meeting. He confirmed nothing has changed

except the smoke detectors have been installed. Mr. Swan stated he will schedule a meeting to get into the property and if there are issues then there will be a violation on failure to comply, but that could take time to go through the appropriate process. Officer Colby added she is getting complaints on bugs even though the owner states he has Orkin on site.

The Committee then reviewed the resolution that was drafted by OCA and Council staff. Mr. Smiertka asked if the Committee was ready to declare this a nuisance, and Council Member Wood stated she was if the OCA is saying Council can do it.

Officer Colby went back to the list of Service Calls, and stated in her opinion there are more than what was listed, and then added that tenants contact her because they are afraid to contact the LPD and make a record of the complaint in fear they will be evicted. Council Member Wood asked how many units there were and Officer Colby confirmed 14. Council Member Wood noted that if the property is declared a nuisance they will have to work with the City HRCS Department and Dr. Jackson-Johnson on relocating the residents.

The Committee and law reviewed the resolutions and made the following changes:

- Second WHEREAS: "public nuisance issues on the record.."
- Third WHEREAS: "the Public Safety Committee referred to the City Council that is now declares the property a public nuisance and that the Office of the city Attorney pursue legal action to abate such alleged nuisance activities at 3801 Walton."
- NOW THEREFORE BE IT RESOLVED "that the City Council declares 3801 Walton a public nuisance and authorizes the City Attorney to commence litigation against the property."

Council Member Wood informed the Committee that she will discuss this at Committee of the Whole later today and it will be a "Late" item on the Council agenda also, later in the evening. She then asked Mr. Swan to continue to pursue further inspections. Mr. Smiertka stated once the resolution is adopted it will be presented to Mr. Kruger, the property owner.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE RESOLUTION TO BEGIN A NUISANCE INVESTIGATION FOR 3801 WALTON. MOTION CARRIED 2-0.

Mr. Smiertka suggested to Officer Colby that any tenant that wants to speak should do so via affidavit.

ADJOURN

Adjourned at 4:46 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: August 1, 2019