



MINUTES
Committee on Public Safety
Thursday, December 5, 2019 @ 3:30 p.m.
Tony Benavides Lansing City Council Chambers, 10th Floor

CALL TO ORDER

The meeting was called to order at 3:32 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Joseph Abood, Chief City Attorney – arrived at 3:36 p.m.
Lisa Hagen, Assistant City Attorney/Council Research Assistant
Mary Bowen, Assistant City Attorney
Brian McGrain, Economic Development & Planning
Scott Sanford, Code Compliance
Steve Swan, Lansing Building Official
Ellen Bloomer
Inta Flower
Jonathan Flowers
Ed Fowler
Steve Rall
Carol Rall
Dushella Harris
Emma Sturghill
Andrea Parker
Maudean Prster
Deborah McCaussey
Vicky Wright
Abbie Nelson
Lee Nelson
Ariana Parker
Vicki Parker
Denna Osborne

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM NOVEMBER 21, 2019 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment

Ms. Flower spoke on the health and safety issues at the residence, noting the facility has gone down since the management changed.

Ms. Wright spoke on the health and safety issues of the property, presented photos to the Committee on the poor lighting, tall grass, and plants in rain gutters, garages and the maintenance. She noted she has made multiple attempts to approach the owners and managements and appealed for safety precautions to be addressed. Council Member Wood informed the public that she had discussions with BWL and they have addressed all the lighting they have but the lighting on the site is the responsibility of the owners.

Ms. Sturgill spoke to the Committee about her concerns with the safety and lack of property maintenance.

Ms. Rall spoke to the Committee on the proposed parking ordinance, pointing out a concern on who was going to determine the “based on need”, and in conclusion stated she was not in support of the ordinance.

Ms. Osborne spoke in support of parking on the street and provided examples of the need to accommodate because of single car garages, and single driveways.

Ms. Bloomer, a resident in Colonial Village and spoke in support of enforcement of the no 2am-5 am parking. She spoke on examples of neighbors who park 4-5 cars on the street nightly and construction vehicles parked on the street daily. Ms. Bloomer noted she could consider allowing one car on street parking. Lastly, Ms. Bloomer asked why the change and who will enforce the new amendments.

Mr. Rall spoke in opposition to the section on a “need” and who determines the “need”. Mr. Rall asked if commercial businesses in residential districts can obtain permits to park on the street and if anyone can apply for any neighborhood. Mr. Rall did point out that on page 2 line 19 does not address a requirement license plates changes.

Ms. McCaussey spoke in opposition to the parking ordinance, highlighting issues such as the criteria for a permit, enforcement, and conditions for rentals and asked for the LPD and LFD comments.

Resident in Autumn Ridge spoke about his furnace quitting in February and not getting a new furnace until June. He also noted other issues in his unit such as a non-working garbage disposal, and water leaks from a utility room over his apartment.

Ms. Harris, Autumn Ridge resident since July 5, 2019 made statements about her rent, lack of a washer and dryer, limited parking, no security buzzers at their door, concerns on the upkeep of the property and the time it takes to get a repair.

Discussion/Action

Autumn Ridge Apartments- Health Safety Follow Up

Council Member Wood read the email response from the owners that were invite to the meeting. (Attached). Mr. Swan confirmed there were 6 permits issued for furnaces and the inspections were schedule for 12/9/2019. Code Compliance was asked by the Committee if they had received any complaints. Mr. McGrain stated the rental inspection process is currently open, and Mr. Sanford added there are 487 town houses, they have been sent the failure to comply notices and the owners are researching their best option for the issues with the garages and exteriors. Mr. Sanford assured the Committee that Code is out there weekly.

Mr. Sanford was asked if the owners were issued tickets for their failure to comply, and Mr. Sanford stated they were not, they are currently in their 120 day to comply window and if they do not he would be working with the OCA. Code was asked about any updates on the lack of working site lighting, and Mr. McGrain stated he would look into it in relation to the recent ordinance on site lighting. Council Member Wood assured the public she herself spoke to BWL and they have repaired all the lights that are theirs. Council Member Wood then referenced an email from a resident with photos and videos, and Council Staff confirmed those emails and all others the Committee received were sent onto Code and EDP prior to this meeting. Code compliance was asked to look at the photos and videos and see if any of those items fall under the current failure to comply, and also asked them to continue to monitor the exterior landscaping, leaves and snow. Council Member Hussain asked when the rental certificates would expire, and was told by Mr. Sanford that notices are sent out 60 days before they expire, and by his calculation they have 30 days. Council Member Hussain then spoke about a conversation he had in 2017 on complaints he had received and were sent onto Code and BWL, and asked Mr. McGrain what can be done so it doesn't take so long to comply. Council Member Wood encouraged the administration and staff to be proactive with the residents and make connections with them and the City Housing Ombudsman in HRCS, and Mr. McGrain stated he would reach out to that staff person. Council Member Wood informed the public that the topic will be discussed again on December 12, 2019 at the Committee's regular meeting and asked Code and Building to be able to provide updates and asked Council staff to invite Mr. McDonald the City Housing Ombudsman to that meeting and also the MSU Housing Clinic. There is a legal process that will have to be followed, but the Committee is making attempts to bring the issues to the attention of the right people.

OTHER

Status on Property Inquires

3801 Walton

Mr. Swan and Mr. Sanford had not additional updates and would provide an update of the rental inspections on 12/12/2019.

DISCUSSION

ORDINANCE – Amendments to Chapter 404, Create Section 404.13; Permit for Residential Overnight Parking

Council Member Wood recapped for the public the progress the Committee and Council had made over the last 2 years, discussions they had in the past with the LPD, options they discussed and the delay because of other ordinances the Council wanted addressed such as the Marihuana. The Committee went with a proposed permit process with a goal to address the much needed spaces which the resident would have to provide proof to the Parking Manager. This could require photos or even a site visit as to why they can't park in their own driveway or garage. The proposed ordinance allows for 1 annual permit per residential property and allows for temporary permits. Council Members met with the Mayor to reiterate this would only work if there is enforcement budgeted to address violations. The parking department is in the Economic Development and Planning Department so they will have staff to enforce from 10 p.m. to 5 a.m. The Council has asked that the process and enforcement be enacted so that it is in place once the ordinance is adopted and the department has informed the Committee it would be by February 1, 2020. Mr. McGrain asked for that date to be moved to March 1, 2020 to allow for time on the new software they will use, however he assured them he was prepared with the staff. Council Member Wood concurred, noting the intention is to pass the ordinance at the Council meeting on 12/16/2019. Lastly, Council Member Wood noted to the earlier comments on commercial vehicles on the streets, that the residents should contact code compliance now because there is already an ordinance that no commercial vehicles can be parked on residential streets.

The Committee reviewed the recent draft #6, and began on page 8, lines 3-8 which appeared to the public and Committee and duplicates. There was a consensus of the Committee to remove lines 3-5, #9. Council Member Wood then referred the public and Committee to the only 2 changes since draft #5, which were found on page 2 lines 12-13 which clarified "residential address" as a unit or apartment. Council Member Wood asked if that meant a 4 unit apartment building would only get one permit and Mr. Abood confirmed. The next change in draft #6 was found on page 6, lines 13-16 which changed 4 temporary permits in a year to 2 permits in a 72 hour period for the same address.

MOTION BY COUNCIL MEMBER HUSSAIN TO AMEND DRAFT 6 TO REFLECT THE ORIGINAL LANGUAGE FOR TEMPORARY PERMITS IN DRAFT 5 TO STATE "AT ANY GIVEN TIME, NO MORE THAN 4 TEMPORARY PERMITS MAY BE GRANTED TO A RESIDENT SPONSOR PER TWELVE MONTH PERIOD". MOTION CARRIED 2-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO AMEND DRAFT 6 PAGE 2, LINE 20 TO INCLUDE "CURRENT" BEFORE "LICENSE". MOTION CARRIED 2-0.

The Committee continued discussions with the public on the issuance of permits and how to enforce. Council Member Wood asked Mr. McGrain what fees the administration was considering and Mr. McGrain stated \$125 annually and \$30 for the temporary and those would meet all the expenses. Mr. McGrain concluded by stating they intended to be prepared by March 1, 2020. The OCA was asked to be prepared to present Draft 7 at the Committee meeting on 12/12/2019.

DISCUSSION – Legal Opinion on Why there can be no Ordinance on Relocation Assistance from Landlords and Fines

Mr. Abood apologized for a statement made at the last meeting, where he was under the belief there was an official opinion, however after the meeting he was updated that the City Attorney himself and the OCA office had an opinion on it, not a judicial opinion, so there is not official document to present. The OCA opinion, he noted, was that there was no statutory authority for this and it would create future litigation which the OCA recommends the City avoid. He then spoke briefly about the Housing Code Enforcement Team he mentioned at the last meeting and presented booklets that team will be using. Council Member Wood asked if the OCA was putting out a press release on the creation of this group, and was informed it had not been done, therefore she asked that information be provided to Ms. Boak to create a press release from City Council and detail how the OCA is handling things..

City Staff Man-Hours on Continual Offenders/Landlords of Rental Properties-Requested 10/3/2019

Council Member Wood asked Mr. Abood if there was a way to bill back the inspections to the landlord. Mr. Abood confirmed it would have to be done with a court order.

DISCUSSION – Ordinance on Crime Prevention Through Environmental Design

Council Staff was asked to contact Chief Green to attend the 12/12/2019 for a future discussion based on the recent review by Ms. Nubani.

DISCUSSION – Ordinance on Social Clubs

Ms. Hagen informed the Committee she is still researching any ordinances on social clubs and noted that what she has found thus far applies to all clubs including Lions' Clubs and Boys & Girls Clubs, etc. Ms. Hagen stated she has placed a call to the attorney for Grand Rapids because they have created ordinances that speak to service and social clubs, and assembly.

DISCUSSION – Ordinance for Guidance on Utility Shut-Offs

Council Member Wood recapped that at the last meeting, there was public comment on a potential ordinance to assist residents in notification on utility shut-off. Mr. Abood confirmed that it would be prohibited for the utility company to contact the City and provide names of residents who have shut-offs, and BWL does not shut off services in the colder weather months; they work with HRCS and other agencies to assist residents. In regards to DTE and Consumers Energy, Mr. Abood stated they contribute into a State fund so they can do shut-offs and then the State funds provide assistance.

DISCUSSION – Communication from D. Wengelkowski RE: Collection Bins

The discussion was moved to the 12/12/2019 meeting and the City Clerk would be invited again.

ADJOURN

Adjourned at 5:17 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: December 12, 2019_____

Sherrie,

Thank you for following up with us regarding the concerns brought to your committee by a few of our residents at Autumn Ridge Townhomes and Apartments. We are committed to ensuring that all of our resident work orders are resolved in a timely manner. Please know that we are dependent on our residents to communicate any unresolved or new work orders directly to our on-site team through any number of direct forms of communication including the ability to enter work orders in real time through our resident online portal. Should there be any immediate needs expressed by any of our residents please direct them back to our management team at the site, so we can generate a work order and track the close out of their concerns.

Please note that when these concerns are brought to our attention we track the inbound work orders which may require materials or third party services. When this happens, sometimes the fix is quick and sometimes it takes longer due to part availability, etc. That being said, the concerns we discussed during our call are either resolved or are in the bidding process to be resolved. Below is a brief recap of the concerns we discussed:

1. Furnaces: All reported furnace issues have been resolved and 7 replacements have taken place throughout the month of November and December.
2. Racoons: We have a professional third party service that has addressed any reported concerns, and there are no open items reported.
3. Light Fixtures: This is an ongoing project for the property which requires third party assistance and we are assisting the best course of action to resolve the concern.
4. Reported Leaks: There are three reported issues being bid out for third party assistance, and our site team has implemented any immediate preventive measures that can be conducted in the interim.
5. Landscaping: Landscaping services are conducted through a third party vendor, and our fall clean up is being scheduled around the unforeseen snow we've received.

Although we appreciate the extended invitation to attend today's meeting, we do respectfully decline the invite. However, I would like to reiterate that we are committed to the full resolution of the expressed concerns that may have been brought to your attention.

Art Kress

Vice President of Operations
RESSCO
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