



MINUTES
Committee on Public Safety
Thursday, June 10 , 2021 @ 4:00 p.m.

Access the meeting via: <https://us02web.zoom.us/j/82136155042> ; ID: 821 3615 5042; Dial In: 312-626-6799

Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER via ZOOM

The meeting was called to order at 4:00 p.m.

ROLL CALL-via ZOOM

Council Member Jeremy Garza, Chair - Excused

Council Member Carol Wood, Vice Chair remotely from Lansing, Michigan

Council Member Brian T. Jackson, Member, remotely from Lansing, Michigan

OTHERS PRESENT- via ZOOM

Renee Richmond, Council Staff

Scott Sanford, Code Compliance

Lisa Hagen, OCA

Mary Bowen, OCA

Amanda O'Boyle

Dennis Radke, 2109 Worden

Steve Purchase, Board of Fire Commissioners

Mauricio Barrerra, Fire Marshall

Kyle Kaminski, City Pulse

Phone ending in 757

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES MAY 27, 2021 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 2-0.

Public Comment

No public comment at this time.

Discussion/Action Items

RESOLUTION – Orders to Make Safe or Demolish; 1412 W. Ionia Street (PEND-2543)

Councilmember Wood asked Mr. Sanford to speak. Mr. Sanford stated the property was before the demolish board and a hearing was held January 28, 2021 and assigned to hearing officer Joe Vatalie. The property has a state equalized value of \$24,300 and cost to repair estimated at \$124,433, the property was deemed MSD 60 days on 3/29/2021. An update for the Committee there are no changes, Erin Schultz attended one meeting in which he pulled a mechanical permit and it was issued, he was granted an extension but didn't attend second meeting. That permit is still sitting in an issued status with no inspection scheduled. Also, noted Mr. Schultz stated in our meeting he had foreclosed on the property and Jessica Lull is

no longer the owner however per the Assessor Ms. Lull is listed as the owner and Mr. Schultz as the taxpayer. We recommend MSD 60 days. Councilmember Wood acknowledged to Mr. Sanford that he was at the Public Hearing and City Council meeting and indicated as you that he had foreclosed on the property. He also indicated he had done all the work but couldn't get an inspection and there wasn't anything left to be done on the property to my recollection and asked Councilmember Jackson if that was his as well. Councilmember Jackson said he recalls him speaking a little to that but not sure that everything was done but seemed like he said he was making progress and had some delays. Mr. Sanford said the only permit issued is the mechanical back on 2/1/2021 for a heater furnace, air conditioner and electric water hear, there are no notes and no request for inspections and no other permits pulled. Councilmember Jackson asked if we move this and it then goes to full Council correct and Councilmember Wood acknowledge yes and then they still have 60 days to complete the work and get inspections which would stop the demo process. Councilmember Jackson continued if we can move it to Council and Scott can double check that nothings been done and at that time we can either take it off Council or move forward and he knew about today I believe. Councilmember Wood agreed that he was at the Council meeting and received the process on what needed to be done and had the opportunity to come before Committee. Ms. Richmond indicated she send two separate emails with the information for today's meeting and had no response back.

MOTION BY COUNCILMEMBER JACKSON TO APPROVE RESOLUTION – ORDERS TO MAKE SAFE OR DEMOLISH; 1412 W. IONIA STREET (PEND-2543). ROLL CALL VOTE, MOTION CARRIED 2-0

RESOLUTION – Orders to Make Safe or Demolish; 2109 Worden Street (PEND-2545)

Mr. Sanford stated this was heard at the demolish board on 11/05/2019 and assigned to Joe Vatalie with an equalized value of \$36,300 and estimated cost repair of \$79,000. It was the determination of the board to MSD in 60 days. There are not changes on this property either and was tabled back in 2019 to give the owner time to demo or fix and he did not. In December 2019 he also didn't attend the meeting and it was ruled MSD 60 days. It was getting ready to get referred in March and due to COVID all demos were put on hold until March 2021. So he was basically give an extra year to complete and no permits or action was so we request the Committee to take action and MSD 60 days.

Dennis Radke spoke and that it's been indicated that he wasn't present at the December meeting and he was not aware of it and he's attended every meeting he was aware of. Back at the time this all first started he did not have the finances to work on it and was slow getting started. He was looking at himself at doing all the work and COVID hit and he has since started talking to a roofer and builder. He wants to start the rehab and it is a good looking home and would benefit the city and don't want it demolished. Councilmember Wood stated one process they go through for an extension is to be able to do three things which is to develop a timeline for the progress, show you have the financial means and the permits are pulled and paid for. Once all those are done and through code with Scott and he believes those are satisfied he alerts the Committee and we can stop process for MSD are you willing to do this. Mr. Radke said yes and just tell him what to do. Councilmember Wood again stated her recommendation is the Council meets on 6/21/2021 we can move it out of Committee and if you follow the recommendations and meet with Scott it can be pulled off the Agenda and we keep track that you are following through with your commitment. Mr. Radke asked how to meet with Scott and Mr. Sanford gave him his direct line to call him. Councilmember Jackson did ask Mr. Radke if he thinks he has the ability to finance this and Mr. Radke said absolutely.

MOTION BY COUNCILMEMBER JACKSON TO APPROVE RESOLUTION – ORDERS TO MAKE SAFE OR DEMOLISH; 2109 WORDEN STREET (PEND-2545). ROLL CALL VOTE, MOTION CARRIED 3-0

ORDINANCE – Amend Chapter 1610; Uniform Fire Code and Uniform Fire Code Standards (PEND-2541)

Councilmember Wood asked Lisa Hagen about Draft 3 and she explained that the only change is the sunset date at the bottom to December 31, 2029 as they are trying to make everything uniform across the board. Fire Marshall Barrera indicated he was here to answer any questions if needed and there were none.

MOTION BY COUNCILMEMBER JACKSON TO APPROVE ORDINANCE – AMEND CHAPTER 1610; UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS (PEND-2541). ROLL CALL VOTE, MOTION CARRIED 2-0

DISCUSSION – Rules of Procedures; Board of Fire Commissioners

Steve Purchase spoke that they had rules in front of the Committee last September. They brought it back to add a section that would provide for a requirement that the Fire Board receive annual training on OMA and general legal updates from the law department that was pertinent to the Fire Commission in section 9.3. In the process of adding that the OCA had additional technical cleanup in the rules. In compliance with OMA they empowered the chair to reduce time allowed for each speaker when there are so many that they cannot complete the meeting in a timely manner. In the last draft before the Committee there were two sections that were left blank and they filled those in. Mr. Purchase continued that the first was to add language concerning the Commissioners ability and rights to review disciplinary reports and actions of department. That the legal department has determined the ability to intervene in process is limited because the charter construction gives them that right but subject to the bargaining agreement in state law. He stated they crafted language that codified the rights and responsibility to regularly review reports and statistics concerning application of discipline within the department and the boards own rule is that final authorization with that collective bargaining agreement. He continued with the second that they flush out the complaint handling procedure required by the charter and the department's policy is aligned with this. Mr. Purchase stated finally in looking at the Boards history and how some of the departments administrative operational guidelines and rules had been they added a new section to establish they will regularly review all of those AOG's that are subject to Board approval at least once every five years and that is intended to prompt the board to more regularly engage in a review that falls under their purview.

Councilmember Wood explained that when a board adopts rules and the reason they go to Council for review is Council can make recommendations and go back to the governing board to look at and make a determination if they want to make those changes. Councilmember Jackson asked if there was any speaker registration timing prior and if so what changed to that is sounded like they give the chair the ability to limit so it fits the meeting. Mr. Purchase indicated the prior rules were consistent with Council at 3 minutes and Councilmember Jackson asked if it was being reduce even more than that and Mr. Purchase responded that he believed it would be at the discretion of the chair. Councilmember Jackson stated as a discussion he would be opposed to that and recommend they look at that and his second question was it was mentioned that they codified their role where it comes to sensitive material and how it relates to collective bargaining agreement (CBA) and was there any event that caused the change. Steve Purchase said to the speaker time at a practical matter they typically only have 1-2 speakers so doesn't see a where the language would ever come into play. He continued that as it relates to the disciplinary process there was no event that prompted the change. Steve stated in hearing the charter language it says they are the final

authorization with respect to imposition of review of discipline (just his summary), but for CBA they are consistent with state law. The current language doesn't give the Fire Board the authority to overturn it or vote and review on discipline with intent of altering that discipline, so what they wanted to do is codify the board's right and responsibility to review the discipline process and records in order to fulfill their other responsibility to make proposals for and ultimately to approve rules of conduct of the members of the department and disciplinary policy itself.

Councilmember Jackson said his last point is that they should almost strike the whole sentence that says the board has final say in that what's left of having a final say when it's all regulated in CBA. Mr. Purchase agreed Councilmember Jackson wasn't wrong and they've had that discussion but the problem is they have is ultimately that's charter language and not language in their rules. Steve continued that from a policy perspective they don't have a rule there was a point in time the board had a more active role in discipline process and there is an opportunity mid-contract that when CBA comes up again that could be addressed.

Councilmember Wood voiced that going back to Councilmember Jackson's comment on the amount of time that is given and the same rule is part of Council. In order for the chair to enact that rule there has to be a vote of the members or if the members feel that it isn't appropriate depending on the subject we can ask for a vote and override the Chair, something to think about.

Mr. Purchase again stated that for practical purposes it really doesn't come up and the intention is to follow Council. Given that the current rules are outdated he is asking the Committee to pass.

MOTION BY COUNCILMEMBER JACKSON TO PLACE ON FILE THE DISCUSSION – RULES OF PROCEDURES; BOARD OF FIRE COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 2-0

Other

Public Comment

ADJOURN

Adjourned at 4:49 p.m.

Submitted by Renee Richmond

Council Administrative Assistant, Lansing City Council

Approved as presented June 24, 2021