



MINUTES
Committee on Public Safety
Tuesday, February 7, 2023 @ 3:30 p.m.
City Council Conference Room, 10th Floor City Hall

CALL TO ORDER

Council Member Hussain called the meeting to order at 3:30pm

PRESENT

Council Member Adam Hussain, Chair
Council Member Carol Wood, Vice Chair
Council Member Ryan Kost, Member

OTHERS PRESENT

Renee Richmond, Council Staff
Lisa Hagen-Lawrence, OCA
Barb Kimmel, EDP
Walter Allen, Code Compliance
Jim Smiertka, OCA
Chelsea Collar
Cameron Collar
Mitch Rice, Nation Outside
Candy Rice
Belinda Fitzpatrick

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES DECEMBER 15, 2022, AS PRESENTED. MOTION CARRIED 3-0.

Councilmember Hussain asked about under Other if anything was received regarding the Britten addresses, Councilmember Wood stated nothing received yet

PUBLIC COMMENT

Councilmember Hussain explained that public comment is typically used for Agenda items but understand that a guest would like to make the Committee aware of something and added each person has up to 3 minutes.

Ms. Collar asked the Committee to consider immediate DEMO of 239 Harris Street as it is in extreme disrepair. She continued that the previous owner Mr. Keener passes away with no will and it is unoccupied, it has had numerous trash violations and vehicle violations, finishing that it is unsafe and was red tagged in September 2022.

Mitch Rise from Nation Outside read a letter encouraging the Committee to move forward a Fair Chance Housing ordinance.

Councilmember Wood stated that the Committee is aware of 239 E Harris, however they cannot supersede the process and until it come through the Demo Board the Committee cannot act. Continuing that the Committee can ask Ms. Kimmel to work with Code and look at it and see if it meets the qualifications. Councilmember Hussain concurred with Councilmember Wood adding that the State statute dictates the cost of repair, and it is a long process.

Councilmember Wood informed Mr. Rice that she has reached out to law and they are researching and when we have additional information it will be brought back to Committee.

DISCUSSION/ACTION ITEMS

DISCUSSION – 567 Tisdale Avenue; Storage/Dumpster onsite

Councilmember Hussain stated the Committee has heard about this address for some time and correspondence indicates it is listed homestead but has a storage/dumpster onsite and asked Code and OCA to speak. Ms. Kimmel stated she believes the property is a commercial property but that aside it has had trash violations, she has not had a chance to speak with Ms. Stachowiak regarding this. Ms. Hagen-Lawrence stated the email went to the City Attorney's general email address, which she reached out to the attorney they were in court, so will reach out again for discussion.

Councilmember Wood indicated that the issue isn't whether they are grandfathered in or not. The trash issue is the most prevalent to deal with, however, she would like the information from law on the criteria for grandfathering and how they can lose status if owners change or not lose it if a relative takes the ownership. Mr. Allen believes this property has used this for storage for many years and is a zone commercial personal property. He continued he has written it four times in five years, the newest on January 25th, submitted on Feb 2nd and they have 10 working days to comply. Councilmember Wood asked if it is the same owners, Mr. Allen replied he inspected it 10 years ago and it was the same owner, held by this family for a long time and clarified it is not a homestead.

Councilmember Kost mentioned he went by the property today and took pictures, which look different than what is in the packet, these are summertime with green trees and a van with flat tires. Councilmember Hussain indicated the pictures in the packet are from a concerned resident not code and concluded that the Committee will leave this on the agenda and discuss further at the next meeting on 2/21 for updates from Code and Law.

DISCUSSION – House Bill No. 4012; regarding updating speed limits in trunklines and municipalities

Councilmember Hussain stated he's been working with Senator Anthony for remedies on MLK to slow down, some issues are speed or environment, as well as, working with MDOT and other legislator's. Continuing that back in 2012 the city asked for a study as there was no uniformity, resulting in rounding up/down to within 5 mph of the 85th percentile. Councilmember Hussain referenced House Bill No. 4012 page 4, lines 11-15 and that it could be set below the 85th percentile if an engineering and safety study demonstrates hazards to the public and are not reflected by the 85th percentile but must not be set below the 50th percentile speed. Councilmember Hussain indicated his hope is to pass a resolution out of Committee in support.

Ms. Hagen-Lawrence said in context if the committee wants to set it at any point below the 85th percentile the traffic study is going to be needed if they want the rounding down more than up. She added she doesn't think the resolution she drafted says anything to what Senator Anthony says but if the committee is ok then this resolution supports the house bill.

Councilmember Hussain finished that he would take it back to Senator Anthony for clarification and bring back to the next meeting on 2/21.

OTHER

Councilmember Wood began by mentioning the property at 810 Beulah Street that just caught fire along with multiple other properties at 1532 Redwood, 2822 Cabot Drive, 920 N Sycamore, 3225 Andrew, and 1407 Massachusetts Ave that all had property tax issues, and an email from Alan Fox. Councilmember Wood then mentioned 1407 had someone as the owner that had no interest in the property and not lived there for 5 years, the person living there thought they were on a land contract but J&ST development trying to evict them and they are not list as owners. Councilmember Wood mentioned an article about a guy that used to live in Lansing (Reggie Jones) and he would find red tagged homes and start a process of land contracts and moving people in illegally.

Councilmember Wood said she reached out to law and asked if this is a misdemeanor and what can they do, adding there has to be a better process and the City needs to do better. Mr. Smiertka stated renting a red tag property is a misdemeanor, need a police report and then sent to OCA to authorize a warrant, not going to find it in Code. Councilmember Hussain asked if LPD was aware of this, and Councilmember Wood stated that neighbors are upset because LPD is telling them if they aren't causing any harm, they can't do anything, and talking to the Captain they don't have a data base to keep track. Mr. Smiertka thinks it could be a simple process and would need to talk with the Chief. Ms. Hagen-Lawrence added that Code does not write reports that way, when a red tag is occupied LPD is dispatched, and this has been a topic they've been addressing for a few months. Councilmember Wood said the owner needs to get the offense, Mr. Smiertka mentioned landlords need to register. Ms. Hagen-Lawrence said once they get the property then they never register. Councilmember Wood said one remedy is they don't get the certification if taxes are owed.

Councilmember Wood asked when code is checking on red tags are they checking that taxes are paid, Mr. Allen indicated that no it is not being done and was informed by Mr. Sanford that it was illegal. Councilmember Wood said it is an Ordinance and not illegal. Councilmember Kost stated he went out and looked at 47 red tagged homes and believed some were occupied. He added that he seen furniture in some homes. Councilmember Wood again referenced the article and scam in renting red tagged homes.

Councilmember Hussain asked about the red tag monitoring within 30-60 days and Ms. Kimmel said it is happening in 90 days and a code officer is going walking the property but they do not enter the home. Mr. Smiertka said it is a \$500 misdemeanor fine and up to 90 days in jail. Ms. Kimmel asked who sets the fine and can it be raised, Ms. Hagen-Lawrence said it is a state statue. Councilmember Wood mentioned that we can ticket but need the judges to follow through and most just want to try for compliance instead of imposing a sentence and fine.

Mr. Allen asked to go back to Councilmember Kost and the 47 houses, asking what time of day because they are allowed in the home Mon-Fri between 8a-5p but have to be working on the home. Councilmember Kost replied he was there on a Sunday. Mr. Allen added that he was with LPD and personally knocking on doors and nobody came to the door and LPD cannot do anything. He continued that some houses are tagged and in NEAT program, maybe raising the fee after 90 days so it has more bite to it. Councilmember Hussain said it has to cover the cost and maybe a fee cost study is needed, Ms. Kimmel asked if other communities have different amounts, Mr. Allen and Councilmember Kost confirmed. Ms. Hagen-Lawrence added it could be a fine instead of a fee, and Mr. Allen added that as soon as they put the red tag on it is getting ripped off. Councilmember Kost added that he spoke with Mr. McGrain and he admitted to being sympathetic to residents, and Councilmember Hussain said he gets it but the city is setting itself up and it is unsafe.

Councilmember Hussain mentioned a press release from the Mayors office and was surprised at the amount of those tagged, continuing things aren't in place or being following through on. Ms. Kimmel appreciated being informed and there are issues to deal with and they need to be consistent.

Councilmember Wood said for the next meeting in two weeks what can the committee expect back, asking law and code to get with the chief and/or captain for a line of communication, maybe a data base, Ms. Kimmel could not commit to a data base in two weeks. Mr. Smiertka agreed to wanting Ms. Kimmel ready and talk with the chief and get his thoughts.

Councilmember Kost asked as a homeowner and a house is red tagged does he need a letter, and Mr. Allen mentioned a sign and return is different. He continued that a red tag could be utilities as well and they will do a sign and return. Mr. Allen requested the addresses again, and Councilmember Wood repeated them.

Councilmember Hussain confirmed the next meeting on 2/21 and this topic of Update on Red Tag on the agenda.

Ms. Fitzpatrick mentioned that people living in red tag house because they're tagging houses that shouldn't be red tagged but understands people taking advantage.

ADJOURN

Adjourned at 4:41pm

Submitted by

Renee Richmond, Recording Secretary

Lansing City Council

Approved by the Committee on March 7, 2023