



MINUTES
Committee of the Whole
Monday, April 3, 2023 @ 5:30 p.m.
Tony Benavides Lansing City Council Chambers

CALL TO ORDER

Council President Wood called the meeting to order at 5:30 p.m.

PRESENT

Council Member Carol Wood
Council Member Jeremy Garza
Councilmember Adam Hussain
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Brian T. Jackson
Councilmember Jeffrey Brown
Councilmember Ryan Kost

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Jim Smiertka, OCA
Emily Linden, Internal Auditor
Kim Coleman, HRCS
Joe MacDonald, HRCS
Toni Young, HRCS
Barb Kimmel, EDP
Shelbi Frayer, EDP
Nancy Mahlow
Jody Washington
Elaine Womboldt
Michael Lynn
Erika Lynn
Farhan Sheik-Omar
Roslynn Williams
Belinda Fitzpatrick
Rev. Thomas Wood
Denise Kenny
Jane DiSessa – arrived at 6:11 p.m.
Mayor Schor - arrived at 6:46 p.m.

Minutes

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM THE MARCH 27th, 2023 AS PRESENTED. MOTION CARRIED 8-0.

Council President Wood began by stating to the public and Committee that everyone including the Administration, Council, Economic Development & Planning and Code Compliance are all

culpable in this situation. Council has passed budgets and ordinances to address this, they have spoken to the Administration on complaints that have been provided to them, and yet there was no resolve. She continued by clarifying that when she is speaking on Economic Development and Planning, it also includes the previous administration, former Director Bob Johnson and Brian McGrain, along with former Code Compliance Manager Scott Sanford. Council President Wood then provided a list of the actions the Council has done over the last decades speaking on code compliance at the state legislature, adoption of the IPMC, fire, electrical, plumbing and building, ordinances to address inspections, violations and fines. The City added employees over the years when Code Compliance said they needed them. Council President Wood then recapped what occurred during the months of October and November in 2022 leading up to the General Election and election of a 1st Ward Council Member. This included a statement by former Code Compliance Manager Scott Sanford to his staff that “another idiot was running for Council”, at which point this statement along with other statements from that meeting were turned over to the Administration and HR. Council at that time asked for an investigation to be done by January 1, 2023, before the newly elected Council Member would take office. This was not done until February, 2023. During this timeframe referenced, Council asked that Mr. Sanford not attend Committee meetings because of the disrespect for Council. It was pointed out to the Administration that the Code Compliance Manager job description stated that Mr. Sanford was not required to attend the meetings but to provide reports to them. Tonight, after hearing from the constituents with their concerns, Council needs to look for a meaningful approach for solutions. There should not just be discussion on where to put the blame, but where to have solutions. Council needs to look at solutions where people can live in a safe home.

Public Comment

Mr. Lynn referenced the agenda and the label of “crisis” and acknowledged the Council for admitting actions and faults. Mr. Lynn spoke to the leadership briefly on the Code Enforcement Manager and holding everyone accountable.

Mr. Sheik-Omar spoke about transparency, his frustration when people come to Council and the Administration does nothing. Mr. Farhan voiced his frustration in the lack of change by the City and Council.

Ms. Lynn spoke on the lack of oversight of Code Compliance and that being the responsibility of the Mayor and his administration.

Ms. Williams asked the question asked by many, “what has the City done”. Ms. Williams spoke as a resident of a red tagged property where she has had issues back to 2019. Ms. Williams recapped her conversations in the past with HRCS, stating that HRCS has not provided her assistance but spoken “down to her”. Ms. Williams asked Council to look at budgeting to help with affordable housing, adding that owners are purchasing multi-family properties when they have open red tags. Lastly, Ms. Williams asked Council to re-evaluate HRCS and funds to be cut if they cannot assist residents.

Ms. Womboldt reiterated to Council that this is not a new problem and the over 705 tagged homes are a disgrace. She added that to her knowledge, homes are red tagged but the landlords are still taking their rent, and some have families who have jobs and children and so are afraid to say anything. Ms. Womboldt asked for property owners and management to be held accountable.

Ms. Washington acknowledged the Council for holding this meeting and acknowledged that this has not been going on for years, but has gotten worse over the last 4-5 years. She spoke briefly on meetings she had with the Mayor, the action that the HRCS Department has taken away from the HRCS Advisory Board. In addition she stated that HRCS is advising the

outside agencies to place residents in hotels if they have a red tagged property which is then forcing the homeless people to leave the hotels.

Ms. Mahlow referenced the list of red tag properties in front of Council and spoke on the actions continuing to occur in the Administration for years.

Ms. Fitzpatrick spoke as a resident that lives in a red tag home, stating her issues are with the City and County issues.

Rev. Thomas Wood stated to the Committee that he believes that this has been an issue with the City for a long time, and he has dealt with it since 1989. Rev. Wood asked Council to answer the questions to find the answers; make a plan and then stick to the plan to address the issues.

Council President Wood stated for the public that City Council has reached out to the Administration with several conditions and situations and have been told that things are being worked on. Tonight Council had an expectation that someone from the Administration would be here to speak on the Mayor's behalf, but no one is present.

Council Member Spitzley noted that in 2022 there was an Ad Hoc on Housing and Resident Safety Committee and that Committee provided recommendations to the Administration in a report and included them in the Budget Priorities adopted in September, 2022. Council Member Spitzley apologized for not following up with the Administration in the first three months of 2023.

Discussion/Action

DISCUSSION – Red Tag Crisis; Short Term, Medium Term & Long Term Solutions

Council President Wood began with the list of questions that was provided to the Administration and staff present on March 29, 2023:

What is the process by which a property is inspected, flagged and eventually tagged?

Ms. Frayer acknowledged the Council and stated the group of employees present will speak to the list of questions they were provided.

Ms. Kimmel responded to the first question, stating it is provided because it has been deemed unsafe. She outlined the process for inspection which could be for a rental recertification, they could find violation and/or list of repairs so it can be brought up to housing code. After 30 days there is a recheck, and those items were not corrected, then they send a lack of compliance and could be tagged for out of compliance. The other option for inspection is based on a complaint. On a site visit they would inspect and write up the violations. A red tag would not be applied unless the property is unsafe, or failed to comply for a long period of time. Council President Wood asked if the inspection process has a fee, and asked the time frame from the fee being paid to the inspection and Ms. Kimmel stated that though not the average, but as of today, when paying the fee it is 6 months till there is an inspection. Council President Wood asked if it is pink tagged, is there a follow up after the tenant leaves, and what happened if once the tenant leaves it becomes a red tagged property. She also asked if there is a follow up to make sure no new tenants are moving in. Ms. Kimmel confirmed on the recheck, they will check to see if it is the same tenant or new tenants, but they do not get tenant information. Council Member Spitzley asked what the average time is to make sure that the landlord is doing what they are supposed to do. Ms. Kimmel could not respond to that question. Council Member Spitzley asked if there was a process to automatically schedule a reinspection. Ms. Kimmel stated she thought it was 30 days, but could not confirm if the inspection is done in 30 days. Ms. Spitzley asked for a review of the rental license fees, which was a suggestion from Ad Hoc on Housing and Resident Safety in 2022 along with part of the Council Budget Priorities. Ms. Kimmel confirmed they have just started the review of the fees and are putting out an RFP for a fee study. Council Member Hussain noted that over time there has been

code staffing increases, but with 55,000 units and 50% being rentals, he asked Ms. Kimmel if there are enough code officers in place. Ms. Kimmel admitted that Economic Development and Planning is looking into that, and right now there is also an issue with the BS&A programming and querying the information. Currently they are not trained on everything BS&A can do and they can query to create reports. There are lot of inspections incomplete, properties out of compliance. Council Member Hussain asked if they plan to bring in a contract employee or hire a qualified person to review policies and make recommendations. Ms. Kimmel confirmed that one recommendation is to bring in a consultant to look at the department from top down and bottom up, to find strengths, weaknesses, and getting recommendations to find deficiencies and where to catchup. Council Member Hussain asked what EDP is doing to ensure the units people moving into from a red tagged property are not tagged. Ms. Kimmel admitted they are learning, and if the landlord offers to relocate people, they inspect the new locations. She admitted they however need to implement and actual process. And option might be move those people into a hotel, and if landlord is moving them, then inspect the new units to make sure they are sufficient for occupancy.

Council Member Spitzley recapped what has been said so far, and noted that when a pink tag is left, there is uncertainty for that resident because they do not know what that tag means. She wanted to know what the City will do with the recommendations they expect to get on the department review. Ms. Kimmel acknowledged that they have implemented some already where whenever a pink or red tagged is left they provide information, and she showed Council a flyer created in coordination with HRCS and OCA "Know your housing rights" which offers legal aid information, HRCS contact, and what a tenant can do to protect themselves. She noted that there are other HRCS flyers such as Community Resource Guide and a brochure on community resources for shelters, meals, ID. Council Member Brown asked when they started using the flyers. Ms. Kimmel confirmed it was shortly after Mr. McGrain left the City. Council Member Brown asked if the flyers have been sent to the properties that have been red and pink tagged. Ms. Kimmel confirmed they have not but can. Council Member Brown asked why the department is not trained on their program, BS&A and how long they have been using it. Ms. Kimmel confirmed they have a training planned for April 25th, April 28th and May 5th, and they have been using for at least 20 years. He then asked if there is an immediate option for BS&A staff to run the reports until staff are trained, at which Ms. Kimmel stated it could be a possibility, because they do not want to wait on training. As part of the training they will also be performing cross training and succession training.

Is there a written checklist that is published so it shows what is checked for.

Ms. Kimmel responded to the question; code goes out, takes notes, then comes to the office and writes the letter. They are working on a check list and will implement it soon, and a check list has been in the works since 2020. Council Member Spitzley asked about report tracking, and Ms. Kimmel stated they track it on site, then tag the items of violations, and a letter is sent to the owner and tenant with a timeline. There is no record of what was looked at or what was not looked at, but sometimes there are photos. Council Member Hussain asked about the list or checklist for red tag monitoring, what they are doing differently now than they have done in the past, he also asked if they considered not assessing monitoring fees. Ms. Kimmel stated that properties in the NEAT team will be assessed a fee until it is fixed. If there is a situation where fire or an insurance company are involved, that will be identified and monitored by Code. Council Member Hussain voiced his concern with landlords just sending letters stating the violation has been fixed and that being accepted. Ms. Kimmel admitted that is a problem and life safety should not be included on a sign and return document. There is man power to do follow up inspections, but if they get to the point where they cannot, Ms. Kimmel stated they would be back to Council on what approach. She again stated that they are currently in the process of assessing what is going on in this department. Council Member Spadafore noted that they assess properties fines and fees for other things including grass mowing and trash cleanup, and then asked if there is anything stopping Council from creating an ordinance where the City takes care of the issues and then puts the fees back on the property owner.

This would be having the City step in and force health and safety to address beyond just fines. Ms. Kimmel deferred to the OCA, but thought it would have legal and liability issues. Mr. Smiertka informed the Committee that they can go to court and ask the judicial system to take control. Council Member Spadafore expanded on his statement that there are issues ignored by the landlord, before gets to that point, there needs to be some level of intervention, so again he asked if there was a possibility for the City to take on the repairs. Mr. Smiertka stated they would need to get permission to go on private property, file an action in civil circuit courts. There are tools, but there would need to be a judges order or administrative search warrant. Council Member Kost noted that in the International Property Maintenance Code (IPMC), they could use that after 72 hours. Mr. Smiertka stated if they use action under the IPMC they would need an administration search warrant from a judge to go on the property. Council Member Kost then referred to the list of red tags, noting for everyone there are 21 over a decade old, then asked if there is a team assembled to address the old red tags. Ms. Kimmel stated there was not at this time, but they will make that recommendation. Ms. Frayer added that some of the data does have duplicates, and they will prioritize the list once the data is confirmed with the BS&A. Council Member Kost spoke on his frustration with the Mayor and his office on the lack of being present tonight and the lack of working together.

Council Member Spitzley added to the discussion by confirming that the City can go on property to cut grass, go on property to take trash, charge owners for \$1000, and if they do not pay, the City puts on taxes. The question is why there is no ordinance to address these health and safety repairs. The City should be able to address this in an ordinance and add in that when people have to move the landlord should pay. Mr. Smiertka explained that with weed and trash, it is openly visible. There is an ordinance which states it is a nuisance that harms the public health and safety. When you go into a house, they hire contractors to do the work on property owned by someone else, which has big constitutional issues without a warrant. He reiterated the earlier statement that they can go and ask a judge for a warrant.

Council Member Jackson stepped away from the meeting at 6:45 p.m.

CM Brown asked what has the administration done in a process to hold employees accountable. Ms. Kimmel stated there are practices in place; evaluation, an improvement plan, counseling and follow through. Currently the employees do not get job evaluations, and one of their recommendations will be made is to evaluate code enforcement.

Council Member Jackson returned to the meeting at 6:48 p.m.

Council President Wood asked the Committee to keep their additional questions connected to the question being discussed so to move through the list in a timely manner.

Mayor Schor arrived at the meeting, stating he was listening in his office.

Is there any tracking of the workload they are doing.

Ms. Kimmel admitted they are working on the BSA program to query those things.

A month ago there was no long term plan, is there now one in place and what is it.

Ms. Kimmel stated that two weeks ago there was a leadership change and the interim; Walter Allen has been in that role, with 23 years of City experience and he too is dedicated to making change. She then outlined other things that have occurred to make change:

- Implementing the ordinance Council adopted that property taxes be paid prior to rental certificate issues.
- Identify and continue policy and procedures that need to be implement.
- Identify training on BS&A, on inspections, NEAT team and others.
- Scheduled training with BS&A

- Reviewed the job description for the posting of a Code Enforcement Manager position
- Written an RFP for a fee study that will look at all fees for Economic Development & Planning
- Working to identify a contractor or consultant to evaluate and identify, assist and make recommendations for solutions
- Identified the need for change to the red tag and pink tag system.
- Instead of a pink tag, a compliance ticket should be issued by code.
- Working with the courts to make sure courts is on board to assist enforcement.

Council President Wood asked Ms. Kimmel to provide her list with a timeline on when they will be met or completed.

Ms. Kimmel continued her list:

- Identify a strategy for Lansing to keep and demolish blight homes pre-tax auction. Once property gets passed to the County treasurer, then the blight homes get auctioned to people, and they stay red tagged because they are beyond repair, or minimally repaired.
- Identify the need for monitoring the code office productivity.
- Restructure the day to day of a code officer.
- Identify and remove duplicate red tags, which they are currently aware of 45 on the list.

Ms. Kimmel concluded by adding that once the consultant is brought in there might be more to add to the list.

Council Member Spitzley asked who the consultants recommendations will be presented to, and Ms. Kimmel stated it would depend on the recommendation. If they can implement them into a policy or procedure they will do those, if it requires an ordinance they will come to Council.

Council Member Garza asked if when they work with the courts, what does the City do to make sure things don't happen again where things go on for years, and lawsuits that delay fixing of homes. Mr. Smiertka noted for Council that litigation takes time and law suits do not stop inspections. Sometimes after inspections, there are some being appealed in the administrative process; in the red tag process they can write tickets, complaints and warrants for misdemeanors, make safe and demolish process, ask court and have court take jurisdiction. The remedies are there the OCA just needs the facts. Council Member Garza asked if an ordinance can be written to put a stop to prolonged years in court on appeals. Mr. Smiertka stated to the Council that anyone can go to court and make claims, then it could take 1-2 years in court.

Council Member Hussain voiced his frustration when Council goes to the Administration with properties and they do nothing, but Council is being told there are "tools" to address this. He then provided an example of Sycamore Homes that began in May 2022. Mr. Smiertka reiterated that they have to have the data and a request to do something. Council President Wood asked who the request should come from, and Mr. Smiertka stated it would depend on the situation but it has to be from the enforcement officer. They can write a civil infraction, misdemeanor, nuisance action; he believes that there is nothing the OCA cannot do. Council Member Hussain asked the OCA to educate the departments on what they need. He then asked why and how is a landlord signing new leases on tagged properties. Mr. Smiertka stated the OCA is not responsible for the issuance of a rental certificate. If they want something written, the department needs to provide the information to the OCA. Ms. Frayer asked Mr. Smiertka to work with his staff to find out what details and facts they need so that it can be addressed in EDP.

How many employees are at code and define their different role.

Ms. Kimmel confirmed there are currently 21; manager, lead housing manager, 10 code enforcement officers, with one vacancy; 4 premise officers with one vacancy; 3 principal clerks

and one administrative assistant. Council Member Hussain suggested they look at restricting and redistricting.

Do we track the City cars to ensure their safety and that these properties are inspected.

Ms. Kimmel explained how the City monitors all the maintenance on City owned vehicles. Council Member Spitzley clarified the question had to do with the topic at hand; monitoring the vehicles driven by the Code office employees. Council Member Garza asked if they had “low-jack” services on the vehicles so they can determine they are not going home, etc. He provided examples of closed cases that should not have been closed if the officer had actually visited the property. Ms. Kimmel confirmed there is a “low jack” system on some of the vehicles but not all of them.

Have any tickets have been written against landlords on red tags.

Mr. Smiertka and Ms. Kimmel did not have the information on this, but Mr. Smiertka they do have the capability to write tickets. Council Member Spitzley stated to the Administration they should not be ticketing the tenants because this is a landlord issue. Mr. Smiertka stated the prosecutors look at all the facts, and if the tenant is aware of the red tag and removes the red tag that is a different matter, but the owners are the main focus. Council Member Jackson stated that if a tenants knows, then they should never get a ticket since the landlord knows. If the goal is to make the landlord comply, should Council look at finding a way to make landlords comply. Mr. Smiertka assured Council that he was not aware of one ticket against a tenant.

How does property become a red tag situation and what does that mean for the landlord and tenant(or owner occupied resident) as the case might dictate.

Ms. Kimmel explained there are many times where there are 5-6 criteria for a red tag safety issues – structures, equipment, unfit for human occupancy, and dangerous, she added they are also tagging for lack of compliance. That is where things need to be explored for other options.

How many properties that are pink tagged have not had a follow up inspection.

Ms. Kimmel stated there are currently 329 units in Lansing with pink tags, but she could not say how many currently have not had a follow up inspection.

How many properties that are red tagged have not had a follow up inspection.

Ms. Kimmel stated there are currently 698 units in Lansing with red tags, but she could not say how many currently have not had a follow up inspection.

How many units are red tagged because of lack of rental certificates.

Ms. Kimmel stated there are currently 126 addresses red tagged due to lack of rental certificates, but was not able to provide the actual number of units. Council Member Garza asked if there is a process in place to follow up to get the funds that are due, and make sure they are certified. Also there is an inquiry into which ones are out of compliance. Ms. Kimmel assured them they can do that; they can see who is certified and who is not. Council Member Garza asked if that practice is being followed now, because there are properties with certificates that are expired. Ms. Kimmel explained the process of an automatic letter being generated once a certificate expires. Then there is a process for payment, then an inspection is scheduled, and sometimes the inspection might find required repairs. Before a certificate is issued the repairs must be completed. Council Member Garza asked who follows up in Code to make sure after the letter a fee is paid. Ms. Kimmel acknowledged the list in the packet did reflect properties with lack of certificate. Council Member Garza encouraged Council to consider increasing fees for rentals for out of compliance. Council President Wood made not to the Administration that an inspection is not schedule for 6 months after the fee is paid, and there could be tenants in there for those 6 months. Council Member Spitzley spoke in opposition to a practice done by Code where if the inspection fails, they accept a letter from

the landlord that the items were fixed. She asked that Code reinspect, and do an inspection in 30 days not 6 months. Council Member Jackson asked for a fee review because he was aware of landlords who feel prohibitive to owning in Lansing because of the property taxes and fees. Council Member Brown asked what the process was for supporting the residents in the homes where the inspections fail, or rental certificates are not reissued. Ms. Kimmel acknowledged they are working with HRCS to establish procedures. Council Member Brown then asked if they are tracking how many people are displaced, and Ms. Kimmel was not able to provide that information.

Why are voucher people placed in red tag and pink tagged properties and who is checking.

Council President Wood asked if anyone is following up on the relocation address when the City requires people to move out. Ms. Kimmel stated they will and work with HRCS. When it is a multi-family unit they will hotel everyone, then make sure the relocation units are not red or pink tagged.

Why is HRCS not helping people find housing instead of paying thousands in hotels when they could cover first and last rent a fraction of the cost.

Ms. Coleman acknowledged the invite to attend by Council. She then spoke on their intent to put people in stable housing, however they are currently challenged with a 38% rent increase since 2018 along with a homelessness increase across the country by 35% along with information from HUD they are 8,000 units short to meet the needs. They have learned that the LHC vouchers expire because there is not suitable housing, and then people are being pushed out because of lack of affordable housing. They would rather put them in a hotel then on the street.

Council Member Kost noted that they have a list of red tag properties that are affordable housing and the OCA has just informed them there are tools the City is not using. He voiced his frustration on having a tool box and great ideas but not getting solutions. Council Member Brown asked how much it costs to stay in the hotel for a month, and Ms. Coleman stated it is \$60-\$70 a night. Council Member Brown asked if there is a system in place for them to rather pay the first and last month rent, because a market rate housing is less than \$2100 a month. Ms. Coleman reiterated that housing is not available for people who can't afford it. People on the street cannot afford market rate and they are doing the best they can. Council Member Brown again asked if they were contracting for a hotel, why not find an apartment for the same rate. Ms. Coleman agreed with the idea and would be encouraged to work with a landlord like that. It was noted that the Committee on Public Safety suggested earlier to the Housing Ombudsman to create a vacancy bank and reach out to landlords to secure housing until other housing available. Council Member Jackson noted that \$2100 for a hotel is more than what the landlords are contributing to fixing the issues, and then asked for more affordable housing units.

Council Member Garza stepped away from the meeting at 7:39 p.m.

Council Member Spitzley stated that there are so many people displaced with red tags, and no matter what the study says, the City needs to have the responsibility to have clean, safer affordable housing.

Council Member Garza returned to the meeting at 7:41 p.m.

She expanded that the Administration and Council need to look at a plan, and once more provide the tenants with options, and the landlord needs to step up. A study needs to be done to determine where the deficiencies are, and there can be an investment in the City. Council Member Hussain stated that two weeks ago there was a discussion on the potential landlord unit "bank" or rapid re-housing. Mr. MacDonald confirmed he did take that recommendation and has himself on the next agenda of the Landlord Association where he will propose the rapid rehousing. Council Member Hussain asked if the Housing Ombudsman been to red tag properties.

Council Member Spadafore stepped away from the meeting at 7:46 p.m.

Mr. MacDonald stated that looking at red and pink tag properties were not in their process until recently.

Council Member Jackson stepped away from the meeting at 7:46 p.m.

Mr. MacDonald confirmed that in the future when they are made aware of a pink or red tag they will make contact with those tenants. Council Member Hussain asked how they identify occupancies. Mr. MacDonald stated assured them it is their goal not to have tickets issues and their plan is to have the Housing Ombudsman and LPD to work together.

Council Member Spitzley stepped away from the meeting at 7:49 p.m.

What has our housing Ombudsman done during this crisis.

Council Member Hussain noted for the record that he has yet to hear what the Ombudsman and the Citizen Advocate in the Mayor's office do, because with his experience they are not out with the people.

Council Member Jackson and Spadafore returned to the meeting at 7:50 p.m.

He continued by stating that there is a lack of urgency by the Administrative staff on these properties. He then asked about an update on Autumn Ridge.

Council Member Spitzley returned to the meeting at 7:51 p.m.

Mr. MacDonald acknowledged that every day from 8-5 they get calls and they currently also have 15 open cases of Eviction Diversion. There are also online submissions into the office where they determine what is an emergency or not. Keeping people housed is important.

Council Member Hussain again asked about Autumn Ridge and referenced earlier public comments by Ms. Williams. Mr. MacDonald stated he has had multiple conversations with Ms. Williams, as has Ms. Coleman and they are working on providing direction on placement but HRCS does not do the direct placement. Everyone has different wants, needs and what they can afford. Ms. Coleman confirmed HRCS has been looking for apartments for Ms. Williams and have offered to provide her the assistance with the hoteling. They are working with the courts on the current 1800 pending evictions also in the courts, and working with courts. Council President Wood noted that Autumn Ridge started in 2019 Mr. MacDonald in the Committee on Public Safety was asked to hold a neighborhood meeting with the residents. Mr. MacDonald stated they were advised not to get involved with a neighborhood meeting because of the pending lawsuit. He stated they were prepared to meet with the resident and would love to make them aware of their rights. Council President Wood stated to HRCS that in 2022 they were asked to create a flyer. Mr. MacDonald confirmed they work with OCA and legal aid. Council President Wood noted they were provided grant funds for this. Council Member Brown asked about funding to assist renters to address rapid rehousing. Ms. Young responded acknowledged that they follow the fair market rent indicators, but that does not keep up with current rates. They can look into supplementing the rental difference. Council Member Garza asked why there is no communication back to Council when they reach out to these citizens that are referred to them by Council members. Mr. MacDonald confirmed that anyone that has been referred to him, he has been working with. Council Member Hussain asked if they are also working with Code Compliance, and Mr. MacDonald stated there are quarterly meetings with HRCS and EDP staff to share information, training. Council Member Hussain asked the Administration if they are looking at model for a measure of umbrella leadership in EDP. Ms. Frayer confirmed that since she has been in EDP, it is clear there are not the right policies in place, and the oversight could be done by a deputy director along with more structure with training, follow-up and not lose sight of end goals.

They areas of the department are inter-twined so they have upped their staff meetings and the Mayor confirmed they are working on this.

Council President Wood passed the gavel to Council Vice President Garza at 8:08 p.m.

The Mayor noted there are five (5) departments inter-related to work through. Council Member Hussain asked for a policy review, and Ms. Frayer stated they putting that in an RFP for a professional company to review and provide policy recommendations.

Council Member Brown asked if anyone from HRCS works past 5 pm.

Council Vice President Garza passed the gavel to Council President Wood at 8:11 p.m.

He also noted the amount of the budget that goes to HRCS, and asked for allocation and accountability. Ms. Coleman assured the Council that anytime anyone needs something, HRCS staff has been available. Regarding contracting, they work with other agencies for services after 5 p.m. Council Member Brown asked for a list of those agencies. Ms. Coleman assured Council again stating that nothing major occurs after 5 p.m. since she has been a City employee but they have worked with street outreach to assist with services for housing after 5 p.m. They have also set up a program with LPD and LFD that if someone needs housing after 5 p.m. they can go and assist. Council Member Brown noted he has heard complaints about the HRCS customer service and asked for those staff to be trained on how to work with people in a crisis.

Why does the HRCS department delegate services to a different non-profit organizations.

Ms. Young stated that they have 60-80 agencies in the community they work with that are experts in their areas, depending on the services looking for. She acknowledged they can look and see what is out there and where are the gaps, and what agencies can be tapped in an emergency. If there is something needed with a lot of similarities, they can quickly create a program and work with them to revise the contract to include those services. In the recent situation there was a hotel program in place and that agency could respond quickly. Best to utilize the people in the community who have the expertise and skills to address the issues.

Council Member Spitzley noted that when things are going to multiple areas, things get dropped and so they should all be talking to each other regularly. She then asked, out of the 60-80 agencies, what is the HRCS process to make sure they are the appropriate fiduciary, and does HRCS audit their program. Also hearing that "hoteling" is it a referral that HRCS does, she asked if they have a specific hotel they always use. There is a concern that when people say "City of Lansing hotel" it is the only hotel the City specifically goes to. Ms. Young first stated that in the instance of oversight of the grant funds, there is a quarterly reporting process for those agencies. Before they get a contract, there is a capacity review, what is their past experience in financials, and a required list of documents before they sign a contract with them. Once they do have a contract, because they want them to be stable, then there is a quarterly reporting process, then share information and bring issues to their attention. In addition she assured Council that there are termination clauses in the contract. Council Member Spitzley asked the last time a contract was terminated, and Ms. Young stated she could not recall the specific one, but one was terminated recently.

Ms. Coleman stated that regarding the "hoteling" question, in the pandemic they needed to separate people who were ill or exposed and many of the shelters had arrangements with hotels and were able to house people in those hotels at reduce expenses. Currently Advent House works with three hotels, nothing that the City does not reach out, it is part of the contract for emergency shelter.

Council Member Brown asked how often they do site visits on the 60-80 agencies and follow up on their receipts to make sure they are providing the services and quality of service. Ms.

Young admitted they do them more on a complaint basis, but do monitor them. They montiro sampling of agencies, annually. At that time they ask for sign in sheets for documentation of numbers. Since there is no requirement for the names of people serviced they are not able to survey, but they do expect the agencies to do those and provide follow up.

Council Member Jackson stepped away from the meeting at 8:27 p.m.

Ms. Young confirmed that the information does get back to HRCS and they do agency visits. Council Member Brown asked Ms. Kimmel if they have done code inspections on hotels, and Council President Wood explained that the Fire Marshall does inspections at hotels, not Code compliance.

Council Member Kost asked how many people are turned away from hoteling program. Ms. Coleman confirmed they do not have recent numbers, but have priorities for families with children and seniors with needs.

Council Member Jackson returned to the meeting at 8:30 p.m.

Council Member Kost provided an example of people being turned away from hotels. The then asked if HRCS was present for the inspection at 1317 Kalamazoo and Mr. MacDonald stated they were not, they were at the 2222 W Holmes property, along with LPD social work, Ms. Frayer and Ms. Kimmel. Council Member Kost asked if HRCS called Advent House once they realized the 1217 Kalamazoo was tagged as well, and Mr. MacDonald confirmed he did visit that property on that Friday, but not over that weekend. Ms. Kimmel confirmed she was on the phone with Advent House, and Ms. Coleman also spoke directly to Advent House, and provided that contact to Ms. Kimmel.

What is the relationship between code enforcement and HRCS when a unit is pink tagged?
Answered earlier in the meeting.

How are residents notified of unsafe housing conditions.
Council Member Kost stepped away from the meeting at 8:33 p.m.
Ms. Kimmel stated they notify via a letter.

Why are we openly discriminating against single males in hoteling. Heard several times we don't have the money to help males that are single with a dog. Is that not illegal and do they deserve to live under a bridge?
It was stated to the Committee that there are no gender specific services being offered, and it is managed under the same process as hoteling.

Regarding 2222 W Holmes what outreach was done with the residents from the time the units were first inspected until it was red tagged.
Ms. Kimmel noted that when it was inspected that day it was red tagged. Council President Wood noted that before then some units were pink tagged. Ms. Kimmel could not speak to that. She expanded that when building safety tagged a building, they met with residents that were present, and deemed it unsafe, telling them they could not stay overnight, and they could not live there until the building was safe. The owners (SIMTOB) said they were moving everyone to safe housing, which the City found out shortly after that they did not do. They were then told if they could not be moved to safe housing they had to go to hotel. The Code office and Fire Marshall were on site and provided all tenants with brochures. Once the tenants were moved, Ms. Kimmel notified Council Members Wood and Hussain, the Mayor and later all of Council.

Council Member Jackson stepped away from the meeting at 8:37 p.m.

Council Member Spitzley asked what the time was from a pink tag to a red tag.

Council Member Kost and Jackson returned to the meeting at 8:38 p.m.

Ms. Kimmel clarified that in this case that building was not pink tagged, it had a valid certificate issued in June 2022. Her understanding of the events that took it to red tag status was that there was a roof leak in November and the owners did not pull a permit until January and did not start the work until, ironically, the day the City showed up to red tag. Council Member Spitzley noted her understanding that the property was red tagged before, and as an example when Council calls Code there has been a disconnect. There was no follow up with a plan on how to address things, and she asked what is going to be done to make sure all the steps are followed.

What have you done administratively to combat this issue.

Mayor Schor assured the Council the Administration is doing an up and down review, looking at Code Compliance to see what needs to change, what are the failures, and Council would recommend proposed ordinance changes. Council President Wood asked for a timeline so Council can evaluate and judge the change and make sure there is progress. She herself has sat in meeting in 2022 and recently being told things were being done and they were not, and there is evidence that things needed to be corrected that did not get corrected. She asked for checks and balances; accountability. Council Member Brown asked again why there are no employee evaluations to hold employees accountable. Mayor Schor says he does annual evaluations with his department directors, but he would have to look at the CBA's to see why it was removed in the past. Council Member Hussain spoke on his frustration with no evaluation, but as an example Code Compliance doing promotions. Mayor Schor said those promotions are up to the supervisors. Council Member Hussain stated again that employee evaluations are not being done by the supervisors. Council President Wood added that they are not supervising and that is why the City is where it is now. Mayor Schor assured the Council that is just one department. Council Member Spitzley reminded the Mayor it is an administrative thing and an issue of no record of performance review to keep employees on task.

Council President Wood acknowledged all employees that were present to answer questions, and acknowledged Council for attending this special meeting. At this time she referred any future discussions, actions and reporting to the Committee on Public Safety who will then report back to Council monthly on where things stand.

What ordinance do we need City Council to end this cycle.

Council President Wood stated that this question would be a continuing discussion and work of the Committee on Public Safety. Mayor Schor admitted his administration is looking at a red tag ordinance. Currently when it is red tagged, the people have to immediately evacuate, which he believes does not give his administration enough time to find assistance.

Council Member Hussain noted the Committee on Public Safety meets the 1st and 3rd Tuesday of every month at 3:30 p.m. He then asked Mayor Schor to speak directly to Ms. Williams after this meeting since she was in the audience.

Council Member Garza voiced his concern of changing the current ordinance to allow the administration more time would that could open a timeline for people to get hurt. The property issues need to be addressed with Code Compliance before it gets to a red tag status.

Other

No other topics of discussion.

Adjourn

The meeting adjourned at 8:54 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary,
Lansing City Council
Approved by the Committee April 10, 2023