



MINUTES
Committee on Public Safety
Tuesday, April 18, 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
Jordan Hankwitz, Director EDP
Nicholas Montry, Deputy Director EDP
Denise Kenny
Elaine Womboldt
Merry Rosenberg
Deborah Mulcahey
Walter Allen
Jody Washington
Norma Bauer

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE MINUTES TO INCLUDE ELAINE WOMBOLDT AS PRESENT TO THE APRIL 4, 2023. MOTION CARRIED 3-0.

PUBLIC COMMENT

Councilmember Hussain noted that the meeting is being streamed live on YouTube and for comments individuals get 3 minutes.

Elaine Womboldt thanked the committee for their hard work, it's not an easy task they've endured. She spoke on two articles on in LSJ and one in City Pulse on the multiple red tag issues, and that code compliance has not been held accountable. She read from a letter she supplied to the committee to add to the packet.

Deborah Mulcahey inquired if she gets three minutes for each topic to speak, Councilmember Hussain stated the committee meeting is run like the Council meeting to be consistent and it is three minutes total. Ms. Mulcahey spoke on the non-action of code and stop pointing fingers, as well as parking and they only work until 4:30. She supplied the committee with a letter and handout asking for action

regarding the issue of the light signal at Jenison/Saginaw and an MDOT 90 study, LPD needs more enforcement at Saginaw/MLK.

Merry Rosenberg spoke on the letter previously supplied to the Committee on the light signal at Jenison/Saginaw and the continued speeding and not stopping, something needs to be done.

Councilmember Hussain asked Ms. DiSessa on an update on Autumn Ridge, Ms. DiSessa said they were onsite this past Friday and still waiting on reports. Mr. Allen added that he was there and spoke to John Schneider and he was working on it but not sure of the date. Councilmember Hussain added they had an inspection and a number of issues, they appealed and wasn't the correct form and fee needed to be paid before Consumers turned the gas back on. Mr. Allen said the bill was paid and it was going to be turned on so they did it early on that Friday, Councilmember Wood asked for verification the bill was paid, Mr. Allen confirmed. Councilmember Wood wants from the mayor to get with OCA and try to do everything to get compliance, Ms. DiSessa said there is still a meeting on this and she will report back. Councilmember Wood asked how long this will take, the mayors text said immediately working on it, Ms. DiSessa stated she does not have that information or part of the conversation so she will get with the mayor promptly upon her return after the meeting.

DISCUSSION/ACTION ITEMS

RESOLUTION – Set a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of property located at 1309 W. Saginaw St.

Councilmember Hussain noted the owner as Emily Childress, this is a fire damage property and asked Mr. Allen why the two different SEV amounts, \$56,500 on the Overview and \$36,100 on the PowerPoint. Mr. Allen confirmed the overview is the correct amount. Councilmember Hussain continued that this property has had multiple red tags, show cause hearings, and demo orders, why so many and the length in getting this done. Mr. Allen indicated the family began work on it, then it changed owners and went back into demo. Councilmember Hussain asked if pulled permits were expired and any insurance, Mr. Allen confirmed permits expired and yes on the insurance, Councilmember Wood asked if he was sure, Mr. Allen said yes.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO SET A SHOW CAUSE HEARING ON ORDERS TO MAKE SAFE OR DEMOLISH TO THE OWNERS OF PROPERTY LOCATED AT 1309 W. SAGINAW ST. MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of property located at 1020 Woodbine Ave.

Councilmember Hussain noted the owner as Cao Lupin, fire damage with SEV at \$8,5000. Mr. Allen confirmed severe damage with LFD noting 100%, red tagged in 2022, demo order Feb 2023, no permits pulled. Councilmember Wood asked insurance, Mr. Allen is unsure but will find out.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO SET A SHOW CAUSE HEARING ON ORDERS TO MAKE SAFE OR DEMOLISH TO THE OWNERS OF PROPERTY LOCATED AT 1020 WOODBINE AVE. MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing on Orders to Make Safe or Demolish to the owners of property located at 318 Clifford St.

Councilmember Hussain noted the owners as Daniel and Kim Dudley, SEV at \$37,500, EST repairs at \$80,900, original red tag in 2011, letters sent 2011 and 2022, demo order in Oct 2022, hearing in Feb 2023, no permits pulled. Councilmember Wood asked why if tagged in 2011 did it take so long, Mr. Allen said he is not familiar with this case. Councilmember Wood spoke to EDP and this is unacceptable, residents in the neighborhood cannot sell or purchase because of the condition of the property, Mr. Hankwitz said noted. Councilmember Hussain mentioned estimated cost have to exceed SEV and this has sat for way to long. Councilmember Kost mentioned he contacted code six months ago with concerns and people breaking in. Councilmember Wood the state statute says if MSD

property sits for 24 months and nothing done it doesn't have to meet SEV and it's rarely used and not sure why.

MOTION BY COUNCIL MEMBER KOST TO APPROVE THE RESOLUTION TO SET A SHOW CAUSE HEARING ON ORDERS TO MAKE SAFE OR DEMOLISH TO THE OWNERS OF PROPERTY LOCATED AT 318 CLIFFORD ST. MOTION CARRIED 3-0.

DISCUSSION – Communication from Merry Rosenberg regarding a changed traffic signal at the intersection of Jenison Ave. and Saginaw St.

Councilmember Hussain referenced item E and the letter from Ms. Rosenberg and the concerns of the residents regarding the changed signal and they are requesting a neighborhood meeting with MDOT and asked Mr. Whisler to speak. Mr. Whisler noted the concern was not only volume of traffic but significant red light running and rear end collisions. Part of the requirement is to do a signal analysis, this location must not have met it so they initiated a study 90 day flash and then review, based on results a recommendation is made, either modernize to remove or ask the City to keep and then responsible for all maintenance. Ms. Mulcahey said she finally connected with MDOT after two months and Mr. Adelman has been very helpful. She added the t-bone crash is considered an angle crash and a rear end is not correct, and they have to have five angle crashes in a 12 month period correct, Mr. Whisler confirmed.

Ms. Mulcahey stated it seems the State of Michigan can do a study for as long as they want, as of right now May 3rd is the last day of the 90 day study and referenced a meeting with the neighborhood again. Mr. Whisler spoke on the volume question, and they do a trend analysis and collect data on a yearly basis, and during the pandemic there was significant less traffic. He added they compare to previous years and adjust. Ms. Mulcahey asked if he was involved. Mr. Whisler said no, they were notified about the study and a meeting request with LPD and Mr. Kilpatrick and is not sure if that meeting occurred. Councilmember Hussain asked if they are required to inform the public, Mr. Whisler said no only for environmental.

Councilmember Wood asked the cost if the city took it over, Mr. Whisler said one signal on average is \$150,000-\$200,000 and then add maintenance. Councilmember Wood asked if he had a contact at MDOT to reach out to have a discussion, Mr. Whisler responded Melissa Longworth. Ms. Rosenberg mentioned an email from Erin Chelotti, Councilmember Hussain said with permission he's like to reach out and establish a meeting with MDOT and the neighborhood and then asked LPD to give the area some attention, Captain Diehl confirmed an email has already been sent.

DISCUSSION – Red Tag Crisis Update; Economic Development & Planning, OCA, HRCS, and Administration

Councilmember Hussain asked those present for EDP to introduce themselves prior to getting into the questions and answers. Mr. Hankwitz noted he comes from the Michigan Senate, there for eight years as Chief Administrator, Mr. Montry said he comes from the Public Service Department and looking forward to building relationships and the task at hand.

Councilmember Hussain asked the following questions:

- How many months are we behind in rental inspections? Mr. Hankwitz stated after speaking with Nick and Walter, 4-6 weeks. Councilmember Wood asked if they thought this was an acceptable timeframe, Mr. Allen said yes for inspections. Councilmember Wood said during that time landlords don't have to register as rental and until they have someone living in the unit. Mr. Allen confirmed it is 4-6 once they register. Councilmember Woods concern is someone buys a house, they move someone in before registering it because they have 4-6 weeks, Mr. Allen said if they find someone living there prior it is considered a failure to register and a letter would be sent. Both Councilmember Wood and Hussain disagreed and stated that is not what was told to them, Mr. Allen said cannot move anyone in until an inspection is complete and

certified. Councilmember Kost asked about the cost of failure to register, Mr. Allen said \$150 is the current fee and is unsure of past fees. Councilmember Wood asked Ms. Linden to look at the budget for any new fee, Ms. Linden responded the only fee changes is lack of certificate fee which is \$100. Mr. Allen confirmed they are two separate fees. What is our plan to address?

- What is the average time for recheck to ensure the landlord is working to achieve compliance? Mr. Hankwitz stated there are different recheck timelines for different violations/parameters and can get correct information.
- Is there an automatic scheduling of reinspection after 30 days? Mr. Hankwitz again said yes but depends on violations.
- What steps are being put into place to ensure that everyone within the department is trained on BS and A and knows how to query and generate necessary reports? Mr. Hankwitz stated training is scheduled for end of April early May, and need to determine who should have rights and then who should be backup during off/vacation days. With training not occurring until the end of the month/early next month, what steps have been taken to run necessary reports now? Councilmember Kost asked who is pulling queries if property is unregistered rental, Mr. Hankwitz said Ms. Puente does about 100 a month and checks various sites like realtor.com, Craigs list and the complaints from Lansing Connect. Councilmember Wood stated two questions, first is anyone interfacing with assessing and two, they had asked Shelbi to receive training on BSA even if it's a read only access and they'd like to have the Internal Auditor Ms. Linden able to pull reports. Mr. Allen indicated he runs reports every Monday and can sync with the Assessor.
- Have we identified a consultant to help with "top-down" review of policies and procedures? Ms. DiSessa stated not identified yet and they are thinking an outside person and not with the department and are discussing everything.
- How many pink-tagged and red-tagged units do we have currently? Mr. Hankwitz responded 296 pink and 693 red. Of the pink-tagged and red-tagged properties, how many have yet to have a follow-up inspection? Mr. Hankwitz believes zero needing follow-up. Councilmember Wood referenced the spreadsheet from Ms. Linden and specifically 1918 & 1904 Georgetown, 720 W Ottawa Units 48, 40, 32 & 51, 5505 S MLK Bldg C and Bldg J, all are PILOT's and would like OCA to look into revoking those. Ms. Hagen-Lawrence said she would follow up. Councilmember Kost asked how many red tags in NEAT, Mr. Hankwitz did not know and would check.
- Have the informational flyers and brochures been distributed to tagged units? Mr. Hankwitz confirmed if the property looks to be occupied, they attached them. How are we getting this information to those that are already living in tagged units? Mr. Allen reiterated Mr. Hankwitz response and the three left are in reference to Legal Aid, Know your Rights, and where tenants can go for assistance if displaced.
- What process is being worked on/has been established to ensure that tenants that are displaced due to red tags to other units within the city are being put into units that are certified? Mr. Hankwitz believes this is a question better suited for HRCS. How are we tracking the number of displaced tenants? Councilmember Wood suggested asking a tenant that is displaced where they are moving to would allow Code to look up the address and make sure it is a certified rental. Mr. Hankwitz agreed to explore that. Councilmember Wood then asked if Code can look at BSA when in the field, Mr. Allen said they didn't have tablets, then corrected himself that they do have access to computers but often lose connection and have to go back to the office to look up specific information. Councilmember Wood suggested reaching out to IT and LPD on how it works for them.
- Is the rental inspection checklist that has been in the works since 2020 finished? Mr. Hankwitz confirmed and that it is being utilized, Mr. Allen added he worked on it a few years ago but has done some editing. Councilmember Wood asked which IPMC book they are using, Mr. Allen said 2015, they have 2018 and 2021 and will personally send Councilmember Wood copies of both. Councilmember Kost asked if copies of the checklists are being saved, Mr. Allen said once in BSA it is a legal document with violation numbers and have been using the checklists for about three weeks now.

- Have we created a checklist for NEAT-Team monitoring of red-tagged units? How are we recording and reporting? Mr. Hankwitz said no they have a policy and procedure, Mr. Allen said the permit guys can't pause it has to be an officer, since he's been doing this, it has stopped about three weeks ago and all have been moved to bill in NEAT, with a few exceptions due to fire. Councilmember Wood asked if they have a written policy, they can say from this day forward this is why it changed and wants to see something to show the date effective, Mr. Allen said he would check with Ms. Kimmel.
- Have we done anything to address the sign and return process for compliance? Mr. Hankwitz indicated needs further examination. Mr. Allen added in the ordinance the word used is SHALL so that is his opinion. Have we ensured no life and safety matters are able to be a part of this process? Mr. Allen confirmed.
- What have we done to prioritize the "21 units" that have been red tagged for over a decade? Mr. Hankwitz stated they are in conversation with team lead enforcement officer. Have we worked out the issues with BS and A on the duplicate properties so that we have accurate information on tagged units? Mr. Allen confirmed same property could have multiple violations, and spoke to BSA and put on excel spreadsheet, right now only 56 duplicates. Councilmember Kost asked about 123 Isabell and Mr. Allen believes that is being reinspected this week, Amy Castillo inspected four months ago, didn't meet demo requirements on the inside, owner pulled permits and requested inspection.
- Are we taking steps to implementing a system for evaluating employees and establishing professional development opportunities?
- Are we now able to track workload/time-on-task for code employees? Mr. Hankwitz stated this is being explored has no answer at this time.
- Has the job description for Code Enforcement Manager been reviewed and approved? When will the job be posted? Mr. Hankwitz confirmed it's been approved and is forth coming very soon.
- What is the current timeline for the fee study referenced in COW? Mr. Hankwitz said RFP was drafted and in process of reviewing again and prefers to say near future as he cannot commit to a specific timeframe.
- Have you met with courts to work on cooperation and support? Mr. Hankwitz said they have not met yet. Have we begun to write more court compliance tickets? Mr. Allen hasn't seen more tickets but see's progress.
- Have you identified a strategy to keep and demolish blighted homes pre-tax auction by the county? Mr. Hankwitz not as of now.
- Have we restructured the daily schedule for code officers (e.g. time in office vs/ time in field)? Mr. Allen said they have phone hours from 8a-9a, scheduled inspections by staff at 10a, 11a, 2:15p and 3p, lunch from 1p-2p, and back in the office at 4p. In between that they have to squeeze in safety, premise, and exterior inspections. Councilmember Wood asked in geographical areas when someone is at an inspection and see a reinspection needing done how is that scheduled so they are not all over the place. Mr. Allen said they all have set areas and he tries to complete when possible, and it also depends on when it is due. Councilmember Wood asked if all city employees have cell phones and can they be forwarded from their desk, Mr. Allen confirmed the Code Officers do and yes. Councilmember Hussain asked why they are in the office, Mr. Allen added there are time that they are residents walk in.
- Have you created a timeline of activities to move the department forward? Mr. Hankwitz said they are reviewing the schedules.
- Have we done any hiring in code and premise and have we continued discussions on redistricting based on number of rental units? Mr. Hankwitz stated they will be posted soon, Mr. Montry added for the Code Enforcement Manager and a Premise Officer. Mr. Allen mentioned they districts are still the same and Sam Quon did these and not sure on the timeframe. Councilmember Hussain asked him to find out and maybe evaluate on an annual basis.

Councilmember Kost stepped away at 5:01pm

- Have we worked to place low-jack systems on all code vehicles? Active monitoring? Mr. Hankwitz mentioned they use Geotab and all vehicles are fitted with them, Mr. Montry included he has access to monitor. Councilmember Hussain spoke on the safety issue of making sure they are where they should be, Councilmember Wood added with city cell phones they can be monitored that way as well.

Councilmember Kost returned at 5:03pm

- What “other options” to red-tagging units are being “explored” for pink-tagged properties that aren’t necessarily unsafe? Mr. Hankwitz stated they are exploring options, Mr. Allen added that the State gives them an umbrella of what is considered safe and agreed with Councilmember Hussain that years ago they had around 7 different colors but they were all still processed in the same manner regardless of color. How many of the red-tagged units, not addresses, have been red-tagged due to lack of rental certificates? Mr. Hankwitz indicated 37 have gone from pink to red tags, Mr. Allen said it is set at 30 days in BSA. Councilmember Kost indicated that 1317 has been pink tagged longer, Mr. Allen said apartments are a whole other thing once court nullifies and they have to follow law.
- What is the current status of 2222 W. Holmes and 1317 W. Kalamazoo? Mr. Hankwitz stated 1317 is a work in progress and was told on Monday permits were being pulled, no information on 2222. Mr. Allen added he was there on Monday and it was clean when he was there.
- Shareable Database for Red-Tags (courts, LPD, LBWL): format and backup plan discussed; have we finalized and shared with LPD, LBWL, and courts? Mr. Hankwitz again indicated he is currently getting up to speed on the processes and what can be shared, Walter met with and is working with LPD. Captain Diehl said dispatch is not a fan of BSA, they don’t need all that information, as well as patrol just needs simple like addresses and the status and read only so those that are doing the auditing/updating maybe 1-2 times week, can be a google doc that is shareable.
- BS and A access: Update on BS and A backend read only access for Councilmembers? Mr. Hankwitz confirmed all of council and the internal auditor to have access as well to view.

Councilmember Hussain stated they will move to the questions for Law.

- Have we met with the courts to discuss a process for efficiently obtaining administrative search warrants that would allow for life and safety issues in tagged units to be addressed by the city? Ms. Hagen-Lawrence noted that there has been a process in place for a while and it requires obtaining a court order.
- Have you met with ED and P leadership to inform them of the process for getting information to law for misdemeanor or nuisance enforcement? Ms. Hagen-Lawrence mentioned that extensive meeting with EDP (Shelbi at the time), Law, and LPD and all seem to be on the same page. Councilmember Hussain asked Mr. Hankwitz if he’s been involved, he responded no he has not. Has training been developed for front-line workers?
- What is the city’s liability if we don’t vacate immediately and a life and safety issue occurs? Ms. Hagen-Lawrence replied this is tough to give a black and white answer because it is fact dependent, she is hesitant to talk hypothetical.
- Have we in fact reported to LPD, had a report written or search warrant requested and then report written, and conveyed to city attorney for potential prosecution? Ms. Hagen-Lawrence indicated the process is active and she’s seen some reports that weren’t sufficient but making progress. Has the process at least been ironed out? Councilmember Hussain asked for an example of not sufficient, Ms. Hagen-Lawrence again stated need to be fact specific, no indication the owner knew if person was squatting or not, adding they are now identifying what is needed in the reports for Code, LPD, and Law.

Councilmember Hussain mentioned they are going to skip HRCS for next meeting and may reach out to Ms. Coleman for clarification and will now move to the questions for the Administration.

- Have you determined, after looking at CBA's, why employee evaluations have not occurred at least in the past 15 years? Are we taking steps to implementing a system for evaluating employees and establishing professional development opportunities? Ms. DiSessa responded they are looking at the process and implementing an evaluation process, looking at best practices right now.
- Has a timeline been established for all remedies that have been discussed? Ms. DiSessa is unsure of what the committee is looking for, Councilmember Hussain mentioned the question was in the minutes and the Administration/Mayor said they would look up/down at Code, what the failures are, make recommendations for ordinance changes and Councilmember Wood asked for a timeline, they want to make sure communication is clear and there is accountability. Ms. DiSessa said she is not privy to all meetings and trying her best, all are working together, the committee has heard from EDP/LPD and she will get back to them on a timeline. Councilmember Wood appreciates her response but added these issues have been ongoing and now there are 21 houses over a decade old. She noted that the public is getting tired and doesn't believe what they say, they have to be diligent and put something together for the people and that they are taking the issues seriously. Councilmember Kost noted he's been a councilmember for four months now and doesn't have the luxury to say they don't have the answers and would appreciate more solid answers. Councilmember Wood stated an example that in 2018 they created an ordinance for bins at the curb, they were always getting knocked over, law assisted and talked to code, it was passed and went into immediate effect, months later complaints rolled in and found out nobody was enforcing, Code was putting the stickers on. Councilmember Wood mentioned for EDP to sit with Public Service and find out who is going to do what.
- Where have we landed on the red-tag ordinance and immediate displacement? What is the city's liability if we don't vacate immediately and a life and safety issue occurs? Ms. DiSessa noted her email response that this is a question for Council to amend the ordinance if they choose, it states immediate enforcement as soon as the building is red tagged, as for liability she defers to legal.

Councilmember Kost asked Ms. DiSessa for an update on Autumn Ridge, Ms. DiSessa responded she spoke with the mayor and he will address at the meeting on Thursday with Leadership. She added as stated earlier by Mr. Allen the power was turned back on, also still going to court on other issues and residents got water back on as well. Councilmember Kost asked so no court action until after the appeals, Ms. DiSessa stated she doesn't have that information.

DISCUSSION – Problem Property Enforcement Action Team; Update from LPD, OCA, Economic Development & Planning, and Internal Auditor

Councilmember Hussain stated he would like to explore the spreadsheet more and bring back.

DISCUSSION – 2022 Ad Hoc on Housing Report and Implementation

Councilmember Hussain tabled this for the next meeting.

OTHER

Councilmember Wood supplied the committee for the record a copy of Ordinance 1237 and the minutes from the December 5, 2018 Committee on Public Safety meeting.

Jody Washington noted all the red tags show sloppy leadership.

ADJOURN

Adjourned at 5:44pm

Submitted by

Renee Richmond, Recording Secretary

Lansing City Council

Approved by the Committee on May 2, 2023