



MINUTES
Committee on Public Safety
Tuesday, May 2, 2023 @ 3:30 p.m.
City Council Conference Room, 10th Floor City Hall

CALL TO ORDER

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

PRESENT

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

OTHERS PRESENT

Renee Richmond, Council Staff
Lisa Hagen-Lawrence, OCA
Amany Williams, OCA
Tom McKee, Intern OCA
Jordan Hankwitz, EDP
Nick Montry, EDP
Walter Allen, Code Compliance
Andy Kilpatrick, Public Service – arrived at 3:34
Jane DiSessa, Deputy Mayor
Kim Coleman, HRCS – arrived at 3:32
Joe McDonald, HRCS – arrived at 3:32
Willard Walker, HRCS – arrived at 3:32
Nicklas Zande
Mike Lynn
Katie Diehl, Captain LPD
Kristin Walton

MINUTES

MOTION BY COUNCIL MEMBER KOST TO APPROVE THE APRIL 18, 2023, MINUTES AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment at this time.

DISCUSSION/ACTION ITEMS

DISCUSSION – Red Tag Crisis Update; HRCS, EDP/Code, Law and Administration

Councilmember Wood asked EDP/Code for a status on the spreadsheet of the 21 oldest housing ranging from 2003-2012.

Kim Coleman, Joe McDonald, and Willard Walker arrived at 3:32

Mr. Hankwitz mentioned 123 Isbell St being on the list for 20 years, and the approach to this has been appropriate, the owner has been paying the \$150 fee each month, so not enough to move the needle to affect change, need to look at RFP fee changes some haven't been changed since 2005.

Andy Kilpatrick arrived at 3:34

Councilmember Wood asked has any been moved to Demo Board, Mr. Hankwitz replied 1722 Donora St, 318 Clifford St were both moved, and 5017 Hughes Rd was demolished April 2023 and confirmed it was completed by us, then added that progress is coming on 123 Isbell. Councilmember Kost said his concern with Isbell go backs 10 years and clearly someone is living there so wondering if it is being monitored, so people aren't in danger. Mr. Hankwitz mentioned the code officer noted people were taking things out of the house as they were cleaning within the hours permitted. Councilmember Kost then asked if all on the list have been verified vacant, Mr. Allen answered CO's go around once a month, and can verify 123 Isbell is vacant, he's been out there once and Mr. Kilpatrick twice, there are no faucets in the kitchen, nothing in the bathroom, no furniture or clothing. Councilmember Kost again asked confidently they are vacant and been checked, Mr. Allen again answered all these are NEAT team walk around and if they find anything they call LPD and confirmed vacant.

Councilmember Kost asked about the fees and when permits are pulled do they stop the fee, Mr. Hankwitz responded no, the fee continues until they are compliant. Councilmember Kost then asked if they have come up with a long-term strategy for red tags, Mr. Hankwitz answered they are still looking into it as he has inherited a lot and still reviewing policies/procedures and would like a dialog with Council on recommendations. He added as of right now they have 683 Red, 290 Pink, and 501 NEAT, they are currently looking at how to create a tool to record and council and public whether it be compliance, demo, how long on the list, reducing time and better status, he isn't comfortable with giving a confident timeline.

Councilmember Kost asked about if code has assisted in relocation for red tags, Mr. Hankwitz stated they don't offer that, Councilmember Wood noted in the last meeting they talked about asking if they have a place to go and where that place is to verify it isn't another red/pink tag property. Councilmember Kost asked if code does anything to incentivize landlords if they assist in relocation, Mr. Hankwitz stated they are looking at the policy and change/recommendations from the consultant, once determined. Councilmember Wood mentioned that in the fee structure everyone has to be equal, and one incentive already is they have three years for another inspection.

Councilmember Kost asked with the list of landlords that have multiple red tags are they identifying to make them nuisance landlords, Mr. Hankwitz indicated that is still being figured out. Councilmember Kost asked if any have been prosecuted for having people living in red tags, Ms. Hagen-Lawrence responded nothing additional that she has seen but can reach out.

Councilmember Wood asked Mr. Hankwitz to go over the list and add those with permits pulled, those noted as MSD, and those when pulling permits any discussion on timeline like 815 Prospect, they might have pulled permits in 2006 but nothing since. Mr. Hankwitz mentioned Isbell again and those have pulled permits, they've been onsite, and should they stop work EDP/Code is going to encourage progress and stay in contact, they will also continue to get fees until complete. He then asked for confirmation that the information she is requesting is a 'bucket list' and does not need all 682. Councilmember Wood confirmed she would like up to 2019 or 2020 and stated that she wants to move pass this list and onto the next, then noted if a property pulled permits and said work done in 6 months, she wants to know in 6 months. She suggested maybe having a form the owner has to sign and complete with the permits pulled, timeline, and funding. Councilmember Wood asked law to look at discounts other municipalities may be using, Ms. Hagen-Lawrence confirmed. Councilmember Kost also asked Code when looking at pulled permits to look at the history as well.

Councilmember Wood asked of any closure with LPD on the list, Mr. Hankwitz answered they have it scheduled LPD is the priority, Captain Diehl said she has reached out to City TV to get options as well. Councilmember Wood mentioned to Mr. Allen that he was going to reach out to IT about their tablets in the vehicles, Mr. Allen answered he is meeting with them on Friday. Mr. Hankwitz added he and Mr. Montry accompanied Mr. Allen on a walk through to get ideas and real use for BS&A, Councilmember Kost asked where they were on access for Council. Mr. Hankwitz informed them that the BS&A training was cancelled but getting rescheduled and will be adding both Sherrie and Emily.

Councilmember Wood asked law if they could talk about the three PILOT's that are red tagged, Ms. Hagen-Lawrence said in short you cannot revoke because some units are red tag and some are not, so those that are red tag would not be available for the PILOT. Councilmember Wood asked who is going to refer that information, Ms. Hagen-Lawrence said MSHDA can audit anytime and communicate to the Assessor, law would not do that. Councilmember Wood then asked for further research for future PILOT's so this doesn't happen again, she then asked Mr. Allen about 720 W Ottawa and believes they aren't even certified which is a violation of city ordinances and asked law to look into as well. Mr. Hankwitz responded they sent a failure to comply letter in July and working with legal to move forward. Councilmember Wood noted she would like a response at the next meeting.

DISCUSSION – Update from Public Service and Code on enforcement of Bin Ordinance 1237

Mr. Kilpatrick confirmed that as recently stated Public Service will take over the entire process of enforcing, however, within the current ordinance the seven day lag time is problematic because it interferes with the next pick up and with giving a civil infraction it is difficult to say who actually put the bin out. Adding there are also the abatement of bins and then there is trash scatter, so shortening the time to 3-4 days would be helpful. Councilmember Wood asked how it is done with the snow abatement, Mr. Montry confirmed it is 24 hours. Councilmember Wood said she is interested in using that if that is working, Mr. Kilpatrick agreed.

Councilmember Wood mentioned then they would need legal to use the same language as the snow abatement, and now the issue becomes the ticket. Mr. Kilpatrick said the civil infraction can only be issued to a person not an LLC and that becomes difficult, adding that they could charge/invoice the property like it is done with trash/grass, and at the bottom mention the civil infraction. Councilmember Wood said she is hearing a few things, to look at the ordinance and change timeline, take the ticket off, and then asked what they are doing now, because this takes time having law get it ready, then a meeting, then a hearing, then another meeting, etc. Mr. Kilpatrick said when they receive complaints they go out and look, they will just push the bin back out of the right of way, and confirmed they are not getting a significant amount of trash scatter or overturned, it is more of the bins in the right of way. Councilmember Wood confirmed the enforcement right now is pushing them back into the driveway, Mr. Kilpatrick confirmed.

Councilmember Wood asked Mr. Kilpatrick if he recalls being at the original meeting when doing the ordinance, passing the ordinance, then they thought everything was good until the public said it wasn't and nothing was being done, they had Mr. Kilpatrick back to a meeting that he said it would be enforced, and it is not. Mr. Kilpatrick acknowledged her concerns and reiterated that they are taking responsibility and moving forward.

Councilmembers Kost asked how many tickets are getting thrown out, Mr. Kilpatrick said most are resolved by the owner, some by Public Service or Code. He continued that City Works and BSA don't

talk to each other so having it all through Public Service is better. Councilmember Wood asked for him to meet with Lisa/law and work on a draft for the next meeting.

Councilmember Kost asked if the definition of abatement just meant them moving from the curb into the driveway, Mr. Kilpatrick confirmed, as well as the manner in which they are allowed to be there is not before 4pm the day prior or after 7am the day of pick up. He added that the inconvenience of removing the cart, then having to return the cart is more time consuming than just putting it back into the driveway. Councilmember Kost then asked about recycling, Mr. Kilpatrick noted that is different they can charge as even if they don't use it, they have to pay unless they show proof, they are using a different recycling agency.

Mr. McDonald spoke on his meeting with the Rental Property Owners Association of Mid-Michigan (RPOAMM), the landlords are interesting and there is some support but questions on putting folks in motels because if they utilize vacant spaces and what if there is damage or people won't leave, also spaces would be unfurnished, he finished stating they may need law involved, but nothing scheduled yet. Councilmember Wood asked for something to be scheduled by end of week, not a meeting just scheduled, Mr. McDonald acknowledged.

Councilmember Wood then stated he mentioned he was going to go out to units with the Social Worker, Mr. McDonald responded he went out on his own and able to reach six residents, believed it was fruitful but none asked for assistance. Councilmember Wood asked if they are red tagged and are the people squatters or renters, Mr. McDonald answered two are renters, one a land contract and he got him some assistance, two are homeowner occupied they were working at their own pace doing work, with one guy staying at neighbors, the other was arrested for no trespass on own property, and the last he did not know for sure. Councilmember Wood asked if he followed back up with Code, Mr. McDonald noted the guy arrested is not interested in pulling permits and acknowledged regardless even homeowners need to pull permits. He added the other has permit pulled and trying to do the work during the week and a permit for electrical is pulled for a rental haven't followed up yet. Councilmember Kost asked when he reached out, Mr. McDonald answered two weeks ago. Councilmember Kost then asked if he mentioned to the homeowners that there are grants available for emergency repairs and if so what was the response, Mr. McDonald answered yes, one is doing the work himself and the other doesn't believe he would qualify. Councilmember Kost expressed concern and asked if he mentioned it to law/LPD to be involved and get the property vacant to avoid injury, Mr. McDonald answered no. Councilmember Wood asked so the two that are red tag and paying rent, was the one that has just electrical final, and the only issue, Mr. McDonald said yes on paying rent and can't recall if electrical was the only issue, he talked to Mr. Allen and stated the BS&A training would be helpful. Mr. Hankwitz confirmed.

Councilmember Wood asked for information on the rentals and then they could talk to the landlord renting, and if it is tagged then it's the landlord who should get penalized, Mr. McDonald acknowledged. Councilmember Kost asked when he spoke to the six people did, he tell them it is illegal to live in red tag homes, and Mr. McDonald confirmed. Councilmember Wood noted landlords are profiting and allowing people to live in red tag houses, and putting them at risk, if they are seniors they can go to Tri-County Office on Aging (TCOA) and veterans have a program, so please work on that information for those residents for next week.

DISCUSSION – Ad Hoc on Housing Report and Implementation response from Administration

Ms. DiSessa answered that she had provided an email response that was included in the previous meeting packet.

Mr. Hankwitz responded to the items for EDP as follows:

- 1a. Prioritize completing rental inspections – Mr. Hankwitz stated they are currently working on this to determine a timely manner however they can be untimely due to cancellations from the owner or other reasons. Councilmember Wood mentioned the previous manager deemed you couldn't do an inspection on a rental until someone was living in it, Mr. Allen acknowledged this is a policy but not an ordinance, and Mr. Hankwitz stated they are no longer abiding by this. Councilmember Kost asked if legally or not let's say they cancel 3-5 times can they put in for no certificate for 6 months like a probationary period. Mr. Hankwitz said right now if they have more than two, they assess a fee of \$100.
- 1b. Create a report of red tag statistics annually to provide to Council during budget discussions to determine if there are fees that need to be added or updated in the coming budget cycle – Mr. Hankwitz again referred to the RFP and the likelihood in requesting fee changes, Councilmember Wood asked for a copy for Council and the Internal Auditor and Mr. Hankwitz agreed.
- 1c. Prioritize inspections of rental housing – Mr. Hankwitz stated this is their practice now.
- Create a landlord registry through their housing inspections that shows recalcitrant landlords – Mr. Hankwitz noted this is undertaken by staff at the time when available but they do not have anyone dedicated to exploring this. Councilmember Wood asked if they thought of making a parttime position available until they are caught up, that what we reap from it would more than pay for the position as it's been done in Code seasonally. Mr. Hankwitz indicated he had not explored that but is willing to. Councilmember Kost asked if a landlord registry is under review and that Grand Rapids website has a current list with houses. Mr. Allen mentioned the Grand Rapids lists the property but not the landlord and some municipalities have just a landlord license list. Mr. Hankwitz confirmed they will look into it.

OTHER

Mike Lynn stated he went to the HRCS meeting and nobody showed up, guesses it was cancelled and asked how that happens with no notice. Councilmember Wood responded cancellations fall under OMA and asked Ms. Coleman when the next meetings was, she answered she didn't know of the top of her head but the schedule is on their home page and it will be posted.

ADJOURN

Adjourned at 4:44pm

Submitted by

Renee Richmond, Recording Secretary

Lansing City Council

Approved by the Committee as Amended on May 16, 2023