



MINUTES
Committee on Public Safety
Tuesday, December 5, 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
Council Member Carol Wood, Vice Chair
Council Member Ryan Kost, Member

OTHERS PRESENT

Renee Richmond, Council Administrative Assistant
Lisa Hagen-Lawrence, OCA
Joe Abood, OCA
Walter Allen, Code Compliance Manager
Nicholas Montry, Deputy Director ED&P
Rawley VanFossen, Director ED&P
Covic Milivoje
Mike Lynn

MINUTES

MOTION BY COUNCIL MEMBER KOST TO APPROVE THE NOVEMBER 7, 2023, AS PRESENTED.
MOTION CARRIED 3-0.

PUBLIC COMMENT

No public comment at this time.

DISCUSSION/ACTION ITEMS

RESOLUTION – Orders to Make Safe or Demolish to the owners of 619 W. Mt. Hope Avenue

MOTION BY COUNCILMEMBER KOST TO UNTABLE THE ORDERS TO MAKE SAFE OR
DEMOLISH TO THE OWNERS OF 619 W. MOUNT HOPE AVENUE. MOTION CARRIED 3-0.

Councilmember Hussain stated the Committee received an email that the builder was no longer interested in the property and asked for any updates from Code. Mr. Allen commented they received an email as well and no additional updates.

MOTION BY COUNCILMEMBER WOOD TO APPROVE THE RESOLUTION TO MAKE SAFE OR
DEMOLISH TO THE OWNERS OF 619 W. MOUNT. HOPE AVENUE. MOTION CARRIED 3-0.

RESOLUTION – Orders to Make Safe or Demolish to the owners of 3301 Turner Street

Councilmember Hussain reminded the Committee that they are seeing this again because the new owners were not notified of the Show Cause Hearing, Mr. Allen added an update that permits for electrical and mechanical were pulled with the new owner. Councilmember Hussain asked if a timeline, financials were included with the permits pulled to Code. Mr. Milivoje presented a document to Mr. Allen and he stated it looks in order and moving forward. Councilmember Wood asked Mr. Milivoje if he had a timeline of getting it to the 50% threshold, he responded approximately July 2024, adding there is a lot of work to complete. Councilmember Kost asked about the framing permit was not approved, Mr. Allen stated the tear out was not approved and not sure why. It was the consensus of the Committee to keep this on future Public Safety Committee agendas each month for a report out from Code.

DISCUSSION – Nick Montry, ED&P follow-up and update

Councilmember Hussain asked for follow-up on the following questions from ED&P:

- 1.) We know that the Fee Study contract was awarded to Maner Costerisan. We were told the contract called for up to 160 hours of work and the expectation was 2 months of work. Where are we at on the study and release of information? Mr. Montry answered it is currently ongoing and should have in the next few weeks but have not seen a rough draft yet.
- 2.) We know there have been several difficulties with regard to the top-down analysis RFP. Issues with consultant fees, scope of work, structure of the RFP, and the like have all been referenced. Where are we at with this effort? Mr. Montry indicated this is currently on hold, the department is operating at 65% staff and would not be beneficial or thorough.
- 3.) Are there any further budget implications with regard to the two studies? Mr. Montry confirmed and that originally it was not accounted for but will be looked at for FY 24/25. Councilmember Wood reminded the Dept. of a top to bottom study and strongly suggest it get done. The Committee agreed and gave their support.
- 4.) Where are we with the 21 red-tagged houses with initial tag dates ranging from 2003-2012? The last we heard was that they were "all moving forward". However, the only hard, verified numbers we received were 2 "in demo" and 1 "demo completed". What are the current numbers on "in demo", "demo completed", "permits pulled and work being conducted", etc.? Do we have addresses for each? Mr. Montry provided the Committee with a list, Councilmember Hussain asked if this included the original 21 as there are 35 on this list. Mr. Allen confirmed the list included those as well as those currently being worked on or submitted to the Demo Board.

The Committee asked questions on the following properties specifically, and Mr. Allen informed the Committee that the January dates should all be 2024 not 2023:

- a) #1 – 3417 Stabler; Councilmember Wood asked if they know when inspections are or was it tabled and then permit pulled. Mr. Allen said he is unfamiliar with this property, however, if it is with the Demo Board, they have their process and requirements and work hand in hand with code/building safety and is back on their agenda each month until it needs to move out.
- b) #24 – 4108 Deerfield; Councilmember Kost asked how long the work has been stopped, Mr. Allen indicated this was done by Demo and is unsure.
- c) #25 – 1020 Woodbine; Councilmember Wood asked law to confirm and Ms. Hagen-Lawrence confirmed it is in litigation.
- d) #28 – 1326 N. Jenison; Mr. Allen said they are waiting on utility shutoff to go through then to demo. Councilmember Wood reminded the Committee that earlier in the year Public Service, BW&L, and Consumers Energy were at a meeting and stated if they are told it is urgent, they just to let them know, she then asked Ms. Richmond to locate the minutes, names and numbers of those that attended and forward for an update.
- e) #33 – 1032 E. Oakland; Councilmember Kost asked if this property is getting demolish or not, Mr. Allen confirmed by the owner, the contractor pulls the permit.
- f) #32 – 651 E. Jolly; Councilmember Kost stated this looks like a breakdown in communication and thought the property was approved for Demo back in the summer, and asked what is in place to avoid this. Mr. Montry stated the way BS&A works is once a permit is approved an email is sent, they pay the fee, and get the permit, adding if they fail to see the email EDP is not aware, adding he sees room for improvement on this process. He continued that after a

bit of time if it isn't paid, they should reach out, it is difficult with BSO so busy and they receive hundreds of permits. Councilmember Kost asked if BS&A can send an alert to staff, Mr. Montry said this would be looked into.

Councilmember Wood said her concern with any house when the owner is doing the work, they don't know timeline, there is nothing in the ordinance that requires if an owner is completing that there is a timeline. She suggested something that addresses the fact if owner chooses to complete demo that there is timeline.

5.) Have we begun to move red-tagged properties that don't meet the statutory SEV/Estimated Cost of Repairs threshold but have sat idle for at least 24 months through the process? Last we knew, law said that there are multiple avenues allowed by the state and we were able to proceed on the foregoing. Mr. Montry stated no, the city has not adopted such a standard but can, Councilmember Hussain asked if there was an opt-in and Council hasn't yet. Ms. Hagen-Lawrence said if they are looking to move on the 24 month piece, the city would have to adopt and establish a stricter standard which is a significant lift in terms of legal analysis. She added they would qualify under building code as urban core city to adopt, but legal has not been approached. The Committee concurred to get the process started.

6.) Have we begun to ask for timelines and evidence of financial wherewithal when permits are being pulled on red-tagged properties? In addition, have we identified perennial permit pullers and found a system to report and address them? The last we heard was "not at this time". Mr. Montry stated BSO doesn't possess the ability to deny on that criteria, they cannot ask to see bank statements. Councilmember Kost asked with perennials we can but just with them going through Demo correct, Mr. Montry confirmed.

7.) Have we had further conversations regarding a public dashboard of registered rentals with valid rental certifications such as what Grand Rapids has in place? Mr. Montry confirmed they are in discussion with IT and have a meeting on 12/07 and hope to carbon copy Grand Rapids. Councilmember Hussain asked about the short comings of BS&A when looking at a neighborhood, Mr. Allen stated it does not have street boundary capability.

8.) What are the red-tag, neat-team, pink tag, and duration numbers currently? Mr. Montry answered red 557, pink 227, neat-team 469, and MSD 32. Councilmember Kost inquired how many have been purged, Mr. Allen said approximately 100 but still need to clear out some.

9.) Regarding NEAT team fees, we have learned that we can only bill addresses, not units. So, if an address has 10 units that are red tagged, we can only bill that address the \$150 NEAT team fee, as opposed to \$1,500. That also impacts the numbers reflected in the dashboard. Sycamore Townhomes, as an example, had 344 units tagged but only had 68 unique addresses and that number is what was reflected in the monthly report. We were last told that law was looking into why we treat addresses and units in this way and whether there is something we can legally do with our ordinance to address this. Has there been further discussion on this? Mr. Montry answered they have been working with Ms. O'Boyle from law and were told they are assessed per building basis because of the ordinance. Mr. Abood responded they are looking into this and will follow up.

10.) Have we done anything to address the sign and return process for compliance? Last we heard, it "needed to be examined further, even though the ordinance says that we SHALL reinspect and we may be violating our own ordinances". Mr. Montry responded despite challenges there are no sign & returns unless it is considered a life-saving measure. Councilmember Wood asked if there is a list please provide to the Committee.

11.) Are we taking steps to implement a system for evaluating employees and establishing professional development opportunities? Are we now able to track workload/time-on-task for code employees? Last we knew, we were exploring this. Mr. Montry stated this is an ongoing process and try to handle things as they arise, vehicles are equipped with navigation to see how long a call is taking. Mr. Allen added he has an open door policy and they do training weekly/monthly on various policies.

12.) We have quite a few vacancies in Code. What are our current vacancy numbers by position and where are we at in the hiring process? Mr. Montry informed the Committee they have three open code officer positions, one premise inspector, and one lead housing inspector, they have reached out to HR indicating they are at a critical low level, it's been very difficult to find qualified candidates. Councilmember Hussain asked if they cross-train in departments, this was confirmed by Mr. VanFossen that if not, there will be.

13.) Have you identified a strategy to keep and demolish blighted homes pre-tax auction by the county? Mr. Montry replied yes, if they take possession, they conduct an assessment, if beyond repair then they demo, or if CDBG possible, when outside that they will explore options.

Mr. Lynn referenced if a resident informs Code or COL employee to not come on their property can they still do it? Continuing that this happened and someone placed a sticker and took a picture and feels the question has not been answered.

DISCUSSION – House Bill No. 4237; Tenant Notification on when their Apartment Building is Condemned

Councilmember Hussain reference the new bill approved by the Governor taking place in February 2024, which requires local code enforcement agencies to notify tenants when there are imminent health and safety threats in their building and it is getting condemned. Secondly, if the building can't be vacated the building owner has to correct the violations and be reinspected. Asking what this looks like for Lansing and if they are already doing this. Mr. Montry added with the exception of notifying DHHS, they can vacate a red tag but not with health/safety issue. Councilmember Kost expressed concern with vacating a red-tag, Ms. Hagen-Lawrence informed the Committee that it is a misdemeanor to occupy a red-tag, if a crime is committed, if renting or living in a red-tag then LPD is the appropriate body and need a police report.

DISCUSSION – Legislation for More Tools to Combat Illegal Guns

Councilmember Hussain reference the press conference and stated the Committee wanted time to discuss and review and highlighted the following points:

- allowance for local agencies to have control on sales of guns and ammunition
- create felony/misdemeanor for legal owners of guns that were legally purchased and if lost/stolen to report
- local agencies to create felony/misdemeanor for pirated/ghost made gun
- higher penalty for felon/misdemeanor for production of a legal gun made into an illegal gun
- allow local agencies to prohibit guns from municipal buildings, parks, public transit or any other public gather places
- Allow local agencies to prohibit sales of guns or ammunition
- allow local agencies to prohibit to openly carry or conceal in their community

Councilmember Kost stated the last two are in direct contradiction with the Supreme Court ruling and believes local levels don't have the authority for that but supports the "ghost" gun portion.

Councilmember Wood reminded the Committee that Council passed an ordinance on reporting stolen firearms.

Councilmember Kost left at 5:05pm

Mr. Lynn spoke on his previous communications with Council on this topic and asked the Committee to take in consideration either Omaha 360 or Lansing 360 movement.

Councilmember Kost returned at 5:07pm

Councilmember Hussain requested the Committee to consider all discussed and share with the new Committee in 2024.

Councilmember Wood left at 5:13pm

Mr. Lynn added his concern if an owner is on vacation for weeks and firearm is stolen and used in a crime and is unaware.

OTHER

ADJOURN

Adjourned at pm 5:17pm

Submitted by

Renee Richmond, Recording Secretary

Lansing City Council

Approved by the Committee on January 23, 2024