



MINUTES

**Meeting of Committee on Public Service
Friday, September 16, 2016 @ 3:00 p.m.
City Hall, Conference Room, 10th Floor**

CALL TO ORDER

The meeting called to order at 3:06 p.m.

ROLL CALL

Councilmember Kathie Dunbar, Chair
Councilmember Patricia Spitzley, Vice Chair
Councilmember Adam Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Chief Yankowski, arrived at 3:16 p.m.
Eric Ripper
Scott Sanford, Code Compliance
Mark Dotson, Deputy City Attorney

Discussion/Action:

Council Member Dunbar referenced and outlined the 2004 Resolution as the template. The new resolution would reflect the recent public involvement to proceed. The first three paragraphs were added to reflect that “each property owner in the Glenburne Subdivision, by accepting a deed to property within the Subdivision, is, per the Declarations of Covenants, Conditions and Restrictions filed with Eaton County” is a member of the association. It also now reflects that the members of the association jointly “own and are collectively responsible for the maintenance of an 11 acre green space” known as Glenburne Commons.

The Committee reviewed page two of the resolution, beginning with the fist “Be it Further Resolved”, making the change that would now state “the properties which are responsible per the Declarations of Covenants, Conditions and Restrictions as follows”, removing “ are especially benefited”. The mowing season dates will be July 2016 to June 2017, and it will not be renewed annually, but will now say “reviewed and adjusted annually”.

Council Member Dunbar pointed out to the group that at the meeting on September 13, 2016 the residents wanted a site plan done to denote the actual property lines. Mr. Sanford stated it was not the City’s responsibility, but the home owners association. Council Member Dunbar reminded Mr. Sanford that the association has no mechanism in place to perform or pay for that, so what would that increase the cost of the assessment to. Mr. Sanford stated it could increase up to \$3,000. Council Member Spitzley suggested adding “Be it Further Resolved,

an initial survey to determine the property lines and boundaries will be performed and that cost will be paid for by the residents.” Council Member Dunbar stated she would reach out to Mr. Johnson on the survey costs, and report back to Council staff to place in the resolution.

Council Member Spitzley asked about the process for any encroachments into the common area from the residents. Council Member Dunbar confirmed if there is an encroachment it goes to the homeowners association, and they will have a survey to enforce.

The Committee questioned if the association could reconstitute, and if they did if they could come to the police for legal enforcement based on the By Laws. Chief Yankowski stated it would still be difficult because in the case of abandoned vehicles it is the property owner responsibility to call a wrecker to tow the vehicle. The LPD handles private property different then public property. Council Member Dunbar asked about trespassing in the Commons area with quads and dirt bikes, and the Chief noted that quads are not allowed in the City anyways, so when residents see them anywhere they should contact the Police. The Chief did reiterate LPD will be limited because the property belongs to the homeowners association. Council Member Dunbar asked Mr. Sanford to documents all the items that they find when they clean the site and do special assessment spreadsheet.

Chief Yankowski asked Mr. Dotson if the property is still determined to be private, and it was confirmed. Council Member Hussain asked what steps the Committee could take to put the residents in contact with an attorney because the Committee cannot do the process for them. Council Member Dunbar and Spitzley offered the suggestion of the free legal housing assistance from MSU College of Law.

Mr. Sanford wanted it noted that the City does own parcels in Glenburne and will have a vote in any decision, however is exempt from taxes. Council Member Dunbar then asked if the resolution should include something on tax exempt parcels, she also noted another meeting will be scheduled in the future with the association. Chief Yankowski reminded the Committee that there is a similar situation in the City at Hunters Ridge, where they have an association; however have no funds to take enforcement action on the violations.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION WITH THE COMMITTEE CHANGES. MOTION CARRIED 3-0.

ADJOURN

The meeting was adjourned at 3:38 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: October 24, 2016