



MINUTES
Committee of the Whole
Monday, February 11, 2019 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER

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

PRESENT

Councilmember Kathie Dunbar- arrived at 5:38 p.m.
Councilmember Jeremy A. Garza
Councilmember Adam Hussain
Council Member Brian T. Jackson
Councilmember Peter Spadafore- excused
Councilmember Patricia Spitzley
Councilmember Jody Washington- excused
Councilmember Carol Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Samantha Harkins, Mayor Executive Assistant
Jim Smiertka, City Attorney
Eric Brewer, Council Internal Auditor
Scott Sanford, Code Compliance
Kathy Miles
Bettie Trice
Enrique Mendoza

Approval of Minutes

MOTION BY COUNCILMEMBER SPITZLEY TO APPROVE THE MINUTES OF FEBRUARY 4, 2019 AS PRESENTED. MOTION CARRIED 5-0.

Public Comment on Agenda Items

Ms. Miles spoke in support of the appointment of Bettie Trice.

Council President Wood amended the agenda to address the discussion/action items first.

DISCUSSION/ACTION

RESOLUTION – Appointment of Bettie J. Trice; 4th Ward; Medical Marihuana Commission; Term to expire November 27, 2020

Ms. Trice provided historical and personal information on her residency in Lansing. She noted she was a retiree from the Secretary of the Senate, and had experience in the legislature on legislation, research and communicating with the public.

Council Member Spitzley asked if she had any involvement in the State legislation on medical marihuana. Ms. Trice acknowledged she did not.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF BETTIE J TRICE AS THE 4TH WARD MEMBER TO THE MEDICAL MARIHUANA COMMISSION. MOTION CARRIED 5-0.

RESOLUTION – Appointment of Enrique J. Mendoza; At-Large Member of the Board of Review; Term to expire June 30, 2020

Mr. Mendoza informed the Committee he had been a resident of Lansing for over 45 years, currently works part time for the City and is interested in serving on this Board because he wants to get hired full time in Code Enforcement, and therefore hoping that serving on this board will help him.

Council Member Spitzley asked what part time position in the City he current does. Mr. Mendoza stated he is with parking services.

The City Attorney was asked to review the Charter to confirm or deny that Mr. Mendoza can serve on that Board since his a City employee. Mr. Smiertka reviewed and made the determination he could serve, and he stated the only ineligibility is if the person is holding the office of a City Official, and elected official or their executive staff.

Council Member Garza asked Mr. Sanford about filling a code enforcement position.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF ENRIQUE MENDOZA AS THE AT-LARGE MEMBER TO THE BOARD OF REVIEW.

Council President Wood clarified for the Committee that the Board of Review makes property tax appeal decisions, and those decisions are final.

MOTION CARRIED 6-0.

PRESENTATION

2015 International Property Maintenance Code Adoption (Code Compliance)

Mr. Sanford, noted the changes between 2009 and this 2015 Code.

Section 102.3 references the existing building code, energy code and fire code as they apply to the State of Michigan

They have expanded the reference section.

In the 2009 Code they were only required to contact the owner, but the 2015 now allows them to also contact the authorized agent.

The topic if infestation now includes premises, not just the inside of the structure, allowing them to inspect the entire property.

There is a new expansion in the Code to add fire protection on multi-tenant buildings. This includes signage, the clarification and exemption for smoke detectors, and details on the install near cooking elements, bathrooms, etc.

The Committee on Public Safety requested the change to remove the section on Occupancy since in the City, the zoning ordinance addresses occupancy, and having in both codes would cause a conflict.

What the 2015 code is doing is also carrying forward from the 2009 code the applicable sections on premise enforcement, such as vehicles, grass height and trash.

Lastly, the motor vehicle portion is not used because the City utilizes the State of Michigan Motor Vehicle Code.

Council Member Dunbar referred to the ordinance, page 7, line 15 and questioned if it should state "Code Office" not "Code Official". Council Member Spitzley referred to other sections in the ordinance where it speaks to "Code Official" and is consistent with the ordinance. Mr. Smiertka added that in the City code, it states there is an authorized City Official that can write the tickets. Council President Wood concluded by referencing the definitions in the 2015 Code itself. Adding that the documents; Ordinance and 2015 Code, should be used together.

Council Member Wood informed the public that the hearing would be set later in the evening at the Council Meeting for a hearing on February 25, 2019.

Council Member Garza asked for an update on hiring in Code Enforcement. Mr. Sanford confirmed they have four (4) premise inspectors and filling a vacant position. He then asked if they were for designated wards. Mr. Sanford admitted they are trying to fill all four (4) premise positions, but currently since there are 3 they have divided the City into thirds, running north and south. The details on the districts, the assigned offices can be found on the website.

Council Member Hussain asked for Code to provide a listing of officers and locations quarterly.

ADJOURN

The meeting was adjourned at 5:53 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council

Approved by the Committee on February 25, 2019