



MINUTES

Committee on Public Safety Special Meeting Monday, March 26, 2018 @ 4:30 p.m. City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 4:30 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Adam Hussain, Vice Chair
Council Member Jeremy Garza, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Bennett, Building & Safety
Brian McGrain, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Brandon Waddell, Assistant City Attorney- left at 5:05 p.m.
Elaine Womboldt
Kathy Miles
Harold Leeman
Sarah Lehr, LSJ
Council Member Spadafore - arrived at 4:58 p.m.
Greg Venker, Assistant City Attorney- arrived at 5:03 p.m.

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM MARCH 14, 2018 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No comment at this time.

DISCUSSION/ACTIONS

Council Member Wood stated the two (2) agenda items are ongoing items of concern, so this meeting was schedule to address just those two.

Logan Square Enforcement

Council Member Wood recapped for the staff present that at the last Committee meeting the Committee asked Law for an update on the progress and if there were any tags given for issues on site. Mr. Bennett stated the last meeting he attended on this subject was in the 2017 and under the previous leadership and Administration, and he could not pursue without

direction from his Director. He then acknowledged no interior inspections have been done, but did a site visit last week, where from the exterior there was nothing open and accessible, and the parking lot is still in bad shape. Council Member Wood asked Mr. McGrain to put forth the charge to his employees to inspect. Ms. Stachowiak added to the information from Mr. Bennett, noting she too did a site inspection and her violations included signage, and the owner is addressing the repairs on those. Ms. Stachowiak then informed the Committee that there was a meeting with the City Attorney and the owner where they discussed parking lot deterioration. Ms. O'Boyle in the City Attorney office was working a determining a course of action. Mr. Waddell acknowledged the Mr. Smiertka the City Attorney met with Mr. Kilpatrick, Director of Public Service, whose department did inspections to determine if the sewers were public or private. They did determine they are private. They were directed to contact the owner on whatever they found with the parking lot; sewer specific. Mr. Bennett confirmed that Public Service did an inspection on the storm sewer and saw it has deteriorated. Since it is private, there is a maintenance agreement that states the owner should maintain and Public Service should have that document and be able to cite the owners on it. He added that anything going into the catch basins is also going directly to the overall storm sewer system. Mr. McGrain confirmed a meeting was initiated with Mayor's Office and the owner, where they talked about solutions. Council Member Wood confirmed that the same excuses the owner provided to the Mayor and staff were given to the Committee members in the past, with no action. She then asked what direction the Mayor provided to the owner. Mr. McGrain stated the steps need to be taken, and they would do what they needed to do to address the transactions and they are as serious about the cleanup, as well as Council. They will continue to pursue with Code Compliance and inspections. Council Member Wood assured Mr. McGrain that the owner is aware that if he does not agree to address the issues, it will be viewed as a nuisance and go to Court. Ms. Stachowiak stated again the only violation is the sign, but a nuisance could be declared based on the activity that is taking place, and how it is being maintained. Council Member Wood asked if the LFD could be directed to check the fire hydrants to make sure they are functioning. Mr. Bennett clarified that fire hydrants are maintained by BWL, but the Fire Department can do a flow test, however he does not have the authority to tell the LFD to perform the test. Council Member Wood asked Mr. McGrain to work with the LFD and BWL to test the fire hydrants. Council Member Hussain asked why the property could have five (5) felony violation and other disreputable businesses, but nothing can be done with making the property owner accountable. Mr. McGrain noted that the tact is going to be how to get the property out of the hands of the current owner and facilitate a transfer to someone else who would do something a town center intersection. Mr. Waddell outlined the nuisance information the Committee would need. To deem a property a nuisance, in this case, the garbage, rubbish and the use of a "gathering on site" could be deem. They can also look at what happens with the ongoing Public Service inspection. Basically, he stated that whatever the department that finds a conclusion of a violation or nuisance would instigate the notice. They owner then would be given an amount of time to fix the issues, and if they fail to fix it, the code official or the department that issues the nuisance can go to Council and ask them to deem a public nuisance. The Council will then publish and send out a notice for a hearing, and then Council will determine if they will grant, deny or abate the nuisance. Once it is deemed a nuisance they now have the opportunity to appeal it in Court. Council Member Wood asked if it had been six (6) months since the enforcement of the gambling violations. Mr. Waddell stated he believed that a six (6) month letter had been sent, but would confirm. Council Member Wood asked that the Committee be copied on any letters to the owner on public service, parking lot and the six (6) month enforcement letter.

Council Member Hussain asked what happens if it is deemed a nuisance. Council Member Wood confirmed that it would be boarded up for a year, and they have to cease use. They then can ask for relief to sell it.

Ms. Womboldt spoke in opposition to what occurs at Logan Center.

3801 Walton Property Inspections and Next Steps

Council Member Wood had provided direction to Law to direct zoning and building safety to issue tickets to all owners adjacent to the fence, and any disputes would be handled in the courts. Mr. McGrain acknowledged the request and they will ticket every owner that abuts the fence, this week. Ms. Stachowiak informed the Committee that the fence can come down, and was confirmed with Code Compliance that a fence is not required at the site. If they choose to have the fence, it will need to be maintained. Mr. Waddell confirmed the statement that tickets can be issued for all adjacent properties. Council Member Wood noted that she had also received word from the LPD on the same recommendation for action.

Ms. Miles spoke on concerns of illegal activity at the Krogers at Holmes.

Ms. Womboldt spoke in frustration of reoccurring issues that leads to another issue and asked for results.

Council Member Hussain concurred that it will be the owners discretion to remove the fence, but his belief is that one of the other adjacent properties will reinstall fence.

Other

Council Garza asked for an update on the property at Pennsylvania and Jolly, the Nikos location. Ms. Stachowiak confirmed they have a license to sell vehicles. Council Member Garza pointed out that there are issues with tires outside and signs that are violations. Ms. Stachowiak stated she will follow up with Code Compliance.

ADJOURN

The meeting was adjourned at 5:06 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved: April 17, 2018