



MINUTES
Committee on Public Safety
Monday, October 22, 2018 @ 5:15 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was called to order at 5:16 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 Smiertka, City Attorney
Heather Sumner, Deputy Chief Attorney
Lisa Hagen, Assistant City Attorney

Public Comment

Ms. Miles spoke in support of the resolution on the agenda.

DISCUSSION/ACTION:

RESOLUTION – Make an Investigation Pursuant to City Charter 3-206; RE: Pleasant Grove/Holmes Plaza and Immediate Surrounding Area.

Mr. Smiertka admitted that this area is not well litigated and there are some issues with the subpoena power. The Charter says Council can make investigations into the affairs of the City.

The question, Mr. Smiertka noted, is what does it mean “of affairs of the City”, and “City Agency”. He clarified that “agency” is boards, departments, etc. The “affairs of the City” is something different and so this leans towards an investigation into the nuisance at the property. Council must state what nature this is and confirmed it is stated in the proposed resolution. Mr. Smiertka then confirmed it will take five (5) votes of Council to open an investigation and the full Council will do that investigation. Council Member Wood asked if she could relegate it back to the Committee on Public Safety, at which Mr. Smiertka stated she could not. Every subpoena will have to be authorized by the full City Council. Mr. Smiertka again noted that the issue is that there is no statute authority for subpoena, so this has to be implied. In conclusion, it was stated to the Committee that subpoenas have to be done for each individual, by council with a five (5) yes vote, but they will first ask for a voluntary appearance before the subpoena is obtained. If the person appears and does not want to speak, then there is another issue; if they show but do not produce results then the City will have to file in circuit court for equitable relief laying out the Charter and law. The steps the

Committee were given were; Council needs to approve the investigation, then delegate to a Committee.

Council Member Wood provided her opinion that the resolution in front of the Committee at this meeting should be voted on and taken to the full Council at the later meeting tonight. Then the City Attorney will draft a letter to the owner him that he has been requested to meet with the City Attorney Office and Committee on Public Safety to address issues on his property, and if he fails to do so, the resolution will speak to the investigation step.

Mr. Smiertka informed the Committee that the owner has been in contact with the Fire Department and working willingly with them on inspections.

MOTION BY HUSSAIN TO APPROVE THE RESOLUTION TO BEGIN INVESTIGATION PURSUANT TO CITY CHARTER 3-206 FOR PLEASANT GROVE/HOLMES PLAZA AND IMMEDIATE SURROUNDING AREA. MOTION CARRIED 3-0.

ADJOURN

Adjourned at 5:25 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: November 7, 2018

ACTIVITY REPORT

PLEASANT GROVE AND HOLMES

AND

LOGAN SQUARE

PLEASANT GROVE AND HOLMES

POLICE

- The patrol division has expended 532 overtime hours since June 26, 2018, engaging in a focused cycle of engagement within the proximity of the Center on neighborhood complaints of loitering, trespassing, urination in public, homelessness, pandering, loud noise, drug use, trafficking, shootings, and a host of other nuisance issues. The patrol division has been advised to respond with increased patrols, to include, but not be limited to, overtime assignments, patrol extra attention, communication with business owners, and camera technology improvements.
- Incident reports and calls for service are reviewed with OCA.
- Engaged with Michigan State University for recommendations regarding the environmental design of the Center and its effect on nuisance and crime issues.
- Installation a high definition camera in the parking lot of one of the establishments to increase visibility.
- Application of a variety of police deployment techniques in the area to increase policing efficiencies.
- Continuation of active liquor license compliance checks.

FIRE

Fire inspections were performed on portions of the premises and only minimal violations were observed. A request for inspection of the remaining vacant units and other areas was made, and, if no permission is granted for entry an administrative search warrant will be requested from OCA.

BUILDING SAFETY/CODE COMPLIANCE

- Multiple compliance visits and inspections have been made to the site by Code Compliance and Building Safety. The property has been cited for a trash violation.
- Signs in the right of way have been cited at multiple locations and these have been removed as of the August 23 visit.
- The vehicle for sale at 2200 W Holmes has been removed as of the September 5 inspection.
- Pot holes throughout the parking lots at 2201, 2215, 2227, and the vacant parcels surrounding these properties, resulted in a contract in place with an asphalt company to have the parking lots repaired by October 31.

CITY ATTORNEY

- Since July 1, 2018, the office (OCA) has been implementing a monitoring and zero tolerance policy for incidents arising within a quarter mile radius of this location. Files are then flagged for the prosecutors. Some incidents are referred to the Ingham County Prosecutor (ICPD) either by the police or this office. Three OCA cases have occurred in this area since July 1. One is in warrant status; one conviction for open alcohol has recently been obtained; and one is still with LPD in an unknown status. Four cases in ICPD are in an unknown status and one conviction for assault and battery has been obtained.
- OCA continues to coordinate with different departments for enforcement of any issues when complaints are made to this office.
- In-person contact has been made with the owner of the Center on at least two occasions and a signed promise letter has been obtained. Currently, the City Attorney is attempting to arrange an on-site meeting with the owner regarding compliance with the letter.
- OCA provided some legal assistance with documents related to the easement for Town Square.
- The Office is standing ready for administrative search warrant requests to support inspection activities.

NEIGHBORHOODS AND CITIZEN ENGAGEMENT

- Performed planning work for the new Town Square.

PUBLIC SERVICE

- Reviewed public square configuration in connection with the Town Square project.

LOGAN SQUARE

POLICE

- Continuing to monitor two suspect activities in the Center for compliance with law.
- Since the gambling shut down, not much significant activity has been reported; however, homeless issues appear from time to time.

FIRE

- As a result of a code inspection, Fire was alerted to fire suppression issues and an administrative search warrant was obtained for the balance of the inspection of vacant suites. The inspection did occur and problems with the fire suppression systems were found and violation notices were issued together with one notice for an egress door.

BUILDING SAFETY/CODE COMPLIANCE

- Logan Square was cited for violations such as, pot holes in the parking lot; damage to ground signs; window signs exceeding allowable coverage; and storage of shopping carts behind buildings. All have been corrected.

October 12, 2018

- A complete team of inspectors went through the entire premises and Center was cited for trash, waste, and debris.
- The Department communicated in person with all tenants regarding building and premises issues.
- The Mayor, LEAP, and the Director have met with the owner regarding the future of Logan Square and offered assistance with future plans.

CITY ATTORNEY

- Have met with the owner on two occasions regarding compliance and tenant issues.
- Procured an administrative search warrant for Fire inspection.
- OCA is continuing a zero tolerance policy here as noted in Pleasant Grove above. Since July 1, there have been three incidents- 1 Assault and Battery in warrant status; 1 ICPO pending; 1 LPD pending for an unknown suspect.
- OCA continues to coordinate different department responses for enforcement of any issues or complaints as they are presented to the office.

PUBLIC SERVICE

- Catch basins were examined to determine if the sewer is in danger of collapse. No imminent danger was found, but the condition was referred to Code Compliance for plumbing and maintenance code examinations.