



MINUTES
Committee on Public Safety
Tuesday, December 10, 2024 @ 4:00 p.m.
City Council Conference Room, 10th Floor City Hall

CALL TO ORDER

Council Member Kost called the meeting to order at 4:00 pm

PRESENT

Council Member Ryan Kost, Chair
Council Member Trini Pehlivanoglu, Vice Chair
Council Member Peter Spadafore, Member-excused

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen-Lawrence, OCA
Greg Venker, OCA
Nick Montry, EDP Director
Rawley Van Fossen, EDP Director
Joe Neller, SIMTOB
Belinda Fitzpatrick

MINUTES

MOTION BY COUNCIL MEMBER PEHLIVANOGLU TO APPROVE THE MINUTES FROM NOVEMBER 26, 2024, AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment at this time.

DISCUSSION/ACTION

RESOLUTION – Make Safe or Demolish; 122 S Grand Avenue
Council Member Kost noted that Code will high level overview first.

Mr. Van Fossen summarized recent items on the property. It has been red tagged for a time, there were two show cause hearings due to clerical error, but ultimately during the testimony at the Demo Board it was agreed upon demolition, and now it is to coordinate a timeline to remove. There has been no activity, and no permits pulled. They have met with owners on future plans and demolition activity. The department position as of today, again no permits or activity, and ask to move forward to make safe or demolish.

Ms. Lyndsy LeBlanc, director of the parent company, and confirmed met with EDP a couple weeks ago, and concurred there is no salvaging it. Over the years there were development plan that have fallen through and understand now against timeline. Have applied for a 10 day abatement and working through some snags to work through. Once obstacle is the cost to demo, is highly value, if going to

invest and want to do a project. Will meet with Brownfield Authority in January with a plan of what they want to do. Hoping a downtown development with residential. Understand building can't stay up, but understand the biggest cost is taking out foundations, so asking for consideration on that requirement. With Brownfield, to start new construction would until October roughly 2025, so are interested in possibly putting up a bond. Mr. Van Fossen said demolition standards are for foundations to be removed and filled in, unless there is a plan to be built. From what they have seen, removal of the foundation could compromise the right of way, and if that is there is costs. They could work with 30-60 days if there is plan. One discussion was keeping foundation, infill, and could they put up a bond, and if they do not do something the City can use that. Mr. Venker stated he was made aware of the discussion; they are stuck with law and the Make Safe or Demolish of Council. There is no legal basis to have a bond or advance for the final step, so to some extent could the council include in its resolution include that if no longer dangerous to be near or on. Would like to look more into this. This would require some kind of acknowledgement by Council, cannot be done administratively. Ms. LeBlanc state it is a large cost from taking out foundation, which impacts street and sidewalks. When come in with new building will need new foundation, so cost effective to do the work all at the same time. Ask the City to work with the owner. Council Member Kost asked if tear down the structure, and leave foundation before 60-day deadline, would that be considered in compliance. Mr. Van Fossen, from building safety standards, no, because State standards state foundation required. They would not be able to final out the demolition permit. At end of 60-day mark is to make safe demo is permit pulled, active and then finale out. So, at that point they would then have to ask to come in remove on City cost. Council Member Kost acknowledged it is valuable but cannot be valuable if it has sat the way it is for years. It is an eyesore and feels strong to move forward with 60 days make safer or demolish, and understand the owner concerns. The city cannot play out for the next year to if the building is coming down. Ms. LeBlanc confirmed the building is coming down, they are just looking for a bond for the foundations so the City can then use those funds. Council Member Pehlivanoglu asked EDP if tearing down building no foundations goes against State, and Mr. Van Fossen confirmed. Council Member Pehlivanoglu asked Ms. LaBlanc why it can't be done. Ms. LaBlanc stated they can do it; it is the cost of doing the work twice – removal and then put back in in 2025. To abate building \$500,00, foundations is an additional \$700,000, creating a significant cost. The building has ties when bequeathed to owner form his father but have already met with the DLI on great ideas. They want to put up a significant building, but don't want to do something meaningless, and so asking the city to work with the owners. Council Member Pehlivanoglu acknowledged but struggled with taking another year. With homeowners they tell them they will not hold up the process to live in, and in this case dealing with something that has been on the list for over a decade. Not feeling comfortable with a bond, since there is no legal basis. Ms. LaBlanc, it will be safe for a year, in that intervening time, there will not be a building there, just asking not to remove the foundations. In that time, it can be crushed stone or grass, whatever Council wants. They will make safe, only exception will be foundations under the ground. Council Member Kost spoke in frustration on lack of action on the property and conditions. Council Member Pehlivanoglu asked OCA, if move forward with a bond situation, would that open the city up to other companies and buildings, would entice them to do something similar. Mr. Venker stated that being that there is no process already, it would be an exercise of discretion. Council Member Pehlivanoglu stated that she did not want to set this as a standard.

MOTION BY COUNCIL MEMBER PEHLIVANOGLU TO APPROVE THE RESOLUTION FOR MAKE SAFE OR DEMOLISH 122 S. GRAND AVENUE WITHIN 60 DAYS. MOTION CARRIED 2-0.

DISCUSSION- Littering Ordinance - OCA

Council Member Kost spoke to OCA and asked them to discuss the changes in State law, and if the city can make changes. Mr. Venker stated that the State law does not benefit Lansing and cannot be adopted by reference. There was a change this year, NREPA, which contains criminal prohibitions, and none of those are ones that the City through ordinance can reference. There are some the City can adopt via reference such as uniform traffic code, criminal code, etc. NREPA does not contain a section where "you adopt this by reference". The City is allowed to adopted ordinances, only if punishable by over 90 days and fined. The section adopted by the State is well beyond that. This law

does apply in Lansing and LPD can cite that, but that would be held in the courts in the County. Under home rule city act, any criminal ordinance the City is capped at a \$500 fine.

Council Member Kost asked OCA how does the City enforce. Mr. Venker stated witness the dumping, or have a witness that saw the dumping. They will need the person to also admit dumping, to have reasonable doubt. Council Member Kost presented an example of a situation where there is a camera on a dumpster where they witness someone dumping trash, would that be enough evidence. Mr. Venker stated that there would need to be a license plate, the person gets out matches the description of the owner of the vehicle, and need LPD to make contact with that person to get an explanation. These are not statements on behalf of prosecutors, these are just examples of possibilities. Council Member Kost asked OCA if there is anything they can recommend to strengthen the current City ordinance. Mr. Venker asked for time to think about it.

DISCUSSION- 30 Oldest NEAT Properties and their Status – Economic Development and Planning

Mr. Van Fossen submitted an updated list, and Council Member Kost noted the list has an error, where it was not referred to Council on 12/6 but will be 12/16/2024. Mr. Van Fossen stated the City will get five (5) on 12/16/2024 and 1324 N Walnut was before Council in August and no work was done, so they are working on demolition. There are homes with active permitting, and on a monthly basis they evaluate monthly to determine if additional action needs to be taken. If there is active construction, they let those continue because they want it to be made safe. This information is also available to the public via BS&A, and can take any direct questions. Council Member Van Fossen note that when they see people living in one of these properties, it tells EDP they need to ask more questions; have they done the work and not contacted EDP, or are they living in what was illegal. Council Member Kost that is a key point, because there are some beautiful homes and they might have taken the action just not contacted EDP to close. Mr. Van Fossen stated their office could pursue “nudge” to the owners to see what has been done since there is still an open enforcement. He added that when there is a red tag on files, they then see people are there, they notify LPD to assist in enforcement in removing people if it is unsafe red tagged.

OTHER

No other topics of discussion.

Ms. Carlisle asked what NEAT, is Neighborhood Enforcement Action Team. It has a fee charge and has to be vacant for 90 days.

ADJOURN

Adjourned at 4:44 p.m.

Submitted by

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee on January 28, 2025