



MINUTES
Committee on Public Safety
Tuesday, February 25, 2025 @ 4:00 p.m.
City Council Conference Room, 10th Floor City Hall

CALL TO ORDER

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

PRESENT

Council Member Trini Pehlivanoglu, Chair
Council Member Adam Hussain, Vice Chair
Council Member Kost, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Greg Venker, OCA
Meredith Johnson, EDP
Tom Barry, EDP
David and Tawny Cerny
Clarence Hooker
Rahim Alikeil
Joseph Fawaz
Brian McNamara
Vearl Green, 917 Chittock Street LLC representative (1723 Osband)
Andy Marcovic
Joe Bermudez
Jordan Creagh
Joe Neller
Bob Pena
William Russell

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM FEBRUARY 11, 2025 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No public comment at this time.

DISCUSSION/ACTION

RESOLUTION –Orders to Make Safe or Demolish; 308 E Cesar E. Chavez Avenue
The owner was not present.

Mr. Barry stated the plan review was submitted in 2023, to repair masonry building, building permit applied in 2023, closed November 2024 due to lack of activity and no inspections. Property owner

contacted 2/17/2025 the EDP department with no timeline, and they want make safe or demolish for fire damage.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO MAKE SAFE OR DEMOLISH IN 60 DAYS FOR 308 E CESAR E CHAVEZ AVENUE FOR 2/24/2025.

Council Member Kost noted that it appears the repairs were not going to happen and with the no owner representative present they cannot speak to their plan.

MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 5625 Kaynorth
Mr. Fawaz was present.

Mr. Barry stated permits were issued in 2016, 2018, and in 2019 the property owner at that time asked for it to be closed then sold the property. A meeting with EDP was done on 2/19/2025, there is an electrical permit applied for, pending a building permit. On 2/23/2025 they submitted a plan to EDP to be complete by June 2025, however there are pending taxes.

Mr. Fawaz stated he went for the building permit today, had to get more plans and will go back to EDP on 2/26/2025 with plans and pay for the building permit.

Council Member Kost asked when Mr. Fawaz purchased. Mr. Fawaz stated in 2019-2020. Council Member Kost noted he was at demo board in May 2024, but Mr. Fawaz was not present at that meeting and then voiced his concern that nothing that has occurred was not done and will now stop. Mr. Fawaz assured the Committee that the delay will not happen. Council Member Kost stated he would support for 30 days.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE MAKE SAFE OR DEMOLISH ACTION FOR 5625 KAYNORTH FOR 30 DAYS; 3/25/2025.

Council Member Hussain stated to all public that there have been tools for use and ability, but there has been delays. The City now finds itself, because they have been negligent for so long, that homes throughout the City are not in good condition. Mr. Fawaz stated as soon as electrical contractor is done, he can move on. Council Member Hussain stated that all owners need to communicate with the building department and make sure in earnest to keep moving.

MOTION CARRIED 3-0.

RESOLUTION - Orders to Make Safe or Demolish; 1232 N Washington Avenue
Mr. Hooker was present.

Mr. Barry informed the Committee that a building permit was issued in 2023, partial inspection in 2024, insulation inspection in 2024 and contractor not ready. Reinspection for 2/20/2025, but was cancelled with reinspection for today, 2/25/2025. Electrical permit expired, rough done in 2024, no other inspections scheduled, will close 3/2025 if no inspections. EDP recommends table the action. The inspection for today was cancelled by contractor again.

Mr. Hooker stated insulation is currently being done, and once that is done more can be done. He asked the Committee to table or consider make safe or demolish.

Council Member Pehlivanoglu noted there is a recommendation for 30 days from EDP, therefore asked those staff members if in 30 days the current items would make that structure safe. Ms. Johnson stated a lot of progress could get made if the insulation inspection was not to get cancelled.

Council Member Kost referred to notes that in May 2024 the demo board told the owner to find a different contractor and provided references. These issues have been going on since May 2024 with the same contractor. He spoke in opposition to tabling the progress.

MOTION BY COUNCIL MEMBER KOST TO APPROVE THE RESOLUTION TO MAKE SAFE OR DEMOLISH IN 60 DAYS FOR 1232 N WASHINGTON AVENUE FOR 2/24/2025.

Council Member Hussain concurred on the issues that appear with the contractor.

Council Member Pehlivanoglu noted the original red tag was 2011; 14 years. Concurred there is a contractor issue.

MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish 204 E Potter

Mr. Alikeil was present.

Mr. Barry stated there were permits in 2023 and inspections 2024. The insulation inspection was scheduled and approved 2/13/2025. The electrical permit was approved 8/2024 and had additional add-ons 2025. In January 2025 the owner asked for extension until April 2025. EDP recommending tabling.

Mr. Alikeil stated the electrician is coming, materials have been purchased. Regarding the plumber, he stated the permit was extended for 3 months. The drywall is done, then they need the plumber and final electrician.

Council Member Hussain asked for the drywall inspection. Ms. Johnson stated all other trades need to be approved before final on the building permit. Council Member Hussain asked what “project plan submittal/update” meant on their document from the Building Department in the packet for this property. Mr. Barry was not sure what that it meant. Council Member Hussain acknowledged the movement, even though slow, and will take department recommendation.

Council Member Kost asked if permit was extended, and Ms. Johnson stated it was extended.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE MAKE SAFE OR DEMOLISH ACTION FOR 204 E POTTER FOR 30 DAYS; 3/25/2025. MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 1023 Porter

Ms. Cerny was present.

Mr. Barry informed the Committee that the building permit was issued 2023, partial inspection 2024, insulation 1/3/2025, no other inspections requested, and the contractor is the homeowner. Service inspection disapproved in 2024, rough inspection approved 11/2024, and final inspection requested 2/2025 and scheduled for 3/14/2025 by contractor. He concluded by stating EDP is recommending tabling for 30 days.

Ms. Cerny stated that a mechanical contractor came to the site and said they didn’t need to replace the furnace and was told that unless the furnace was replaced there would not need to be a mechanical inspection. Regarding the plumbing, they were waiting on the fixtures, and they are there now. Ms. Cerny asked if there is a mechanical needed. Ms. Johnson stated it would depend, and the office would need to get the communication from the contractor and speak to the inspector. Ms. Cerny stated she would get to the EDP office.

Council Member Kost acknowledge the work that is being done and asked if Ms. Cerny was going to live there. Ms. Cerny confirmed they had been renting somewhere else during this project but had go

buy that one because it was going to be sold out from under them. They owned this one first. Council Member Kost voiced his concern that this property could turn into a rental, since owned since 2017,, and so sat since 2017. Ms. Cerny spoke on the safety of her current residence.

Council Member Hussain asked if the Committee is concerned on the amount of work that has been done. Council Member Kost noted his struggles.

MOTION BY COUNCIL MEMBER KOST TO TABLE MAKE SAFE OR DEMOLISH ACTION FOR 1023 PORTER FOR 30 DAYS; 3/25/2025. MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 1300 W Maple
No owner present.

Mr. Barry stated the building permit was issued in 6/2024, electrical permit in 9/2024 and approved 11/2024. There are delinquent property taxes, and EDP asked to table 30 days.

Council Member Pehlivanoglu asked if it would be deemed safe in 30 days, or EDP would continue to ask for it to be tabled if only a single permit pulled.

Council Member Kost noted this has been tabled multiple times, and in May 2024 demo board the officer stated they needed a contractor. It has been red tagged since 2005, and they should be able to finish in 60 days if move forward.

Council Member Pehlivanoglu noted ownership has changed hands, and they need to investigate when they purchase.

Council Member Hussain referred to EDP notes, there has not been any contact with contractors since December 11, 2024, and EDP staff concurred.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO MAKE SAFE OR DEMOLISH IN 60 DAYS FOR 1300 W MAPLE FOR 2/24/2025. MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 1723 Osband
Ms. Green was present as partner of 917 Chittock.

Mr. Venker reviewed to see if Ms. Green could speak on behalf of 917 Chitock Street LLC. He stated on LARA he had Neal Wright only listed. Council Member Hussain asked Mr. Venker who had legal standing on this project, and Mr. Venker stated Council can hear from anyone, but preference has been someone with legal interest. Ms. Green is stating she does but he does not anything to dispute this. Council Member Pehlivanoglu noted she did speak on Show Cause Hearing, and just told another public comment that they could not speak.

Mr. Barry stated the 2/12/2025 inspection was approved, electrical issued in 2024, service inspection partial approval in 3/2024, and extension requested and given until 6/1/2025. Contractor for plumbing called for rough for 2/24/2025 and approved.

Council Member Pehlivanoglu asked in 30 days would it be finalized, and if they come back will EDP recommend table again. Mr. Barry stated he believes it could be done or make safe in 30 days; lived in.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE MAKE SAFE OR DEMOLISH ACTION FOR 1723 OSBAND FOR 30 DAYS; 3/25/2025. MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 5141 S MLK Jr. Blvd.
Mr. Markowich was present, owner of Property Ventures of Michigan.

(tape)

Mr. Markowich asked to table for 30 days to get asbestos report completed, then after that will have a time frame to demo. The plan is to save materials out of the building. Regarding the demolition, still plan to demolish and working on a redevelopment. Mr. Bermudas stated his interest to demolish and building an apartment complex, and he is a licensed demolition contractor.

Council Member Hussain stated the EDP recommends moving forward with a 60-day MSD, because of fire damage. Council Member Hussain then read into the record the advice that was provided by Mr. Venker:

If a structure is not fire-damaged, is it unlawful to move forward with an order less than 60 days or is it simply not the practice long adhered to? In other words, could we move forward with a 30-day on a structure that has not been fire damaged but has been tagged forever and a day?

Adam

The short answer is, yes it is lawful to move at a faster timeline on properties that are not fire damaged, but of course it depends on another factor.

The relevant statutory section is MCL 125.541(4), which reads:

“For an order of demolition, **if the legislative body** or the board of appeals of the city, village, or township **determines that the building or structure has been substantially destroyed by fire, wind, flood, deterioration, neglect, abandonment, vandalism, or other cause**, and the cost of repair of the building or structure will be greater than the state equalized value of the building or structure, the owner, agent, or lessee shall comply with the order of demolition **within 21 days** after the date of the hearing under this subsection.”

The question then becomes if the facts support the Council determination that a structure has been substantially destroyed by one of those causes, which include much more than just fire. However, I underline substantially destroyed because typically that means half or more of the building is gone, collapsed, totally ruined, etc. It is entirely possible that a property is in disrepair due to abandonment to the point that cost of repair is more than SEV (half of assessed value), but it may not necessarily qualify as substantially destroyed, whereas a house that went through a fire clearly is substantially destroyed. I suspect that over time as a matter of practice, fire became among the easiest for everyone to say "yes, obviously."

(As for the 30 days vs 21 days in the statute, I can only speculate that this had to do with time required to pull a permit and get the demo done, as opposed to anything else.)

Sincerely,

Gregory S. Venker

City Attorney

Council Member Hussain Then stated if Committee says 60 days, after Council 3/10 that would still create window to May. Mr. Markowich acknowledged the date, and it was explained that once 60 days they have to make safer or demolish before we do. He then asked OCA if contract let out, and if contractor shows up on site after 60 days, then what happens after 60 days what happens. Mr. Barry stated cannot pull permits – city and the contractor. Council Member Hussain asked if at 60 days a permit pulled. Mr. Venker stated on day 60, they pull permit, and City put out to bid, will not grant for demo permit. Mr. MarCOVIC stated asbestos is the most expensive, and

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO MAKE SAFE OR DEMOLISH IN 60 DAYS FOR 5141 S MLK JR. BLVD. FOR 2/24/2025.

Mr. Bermuda asked if there is a delay. Council Member Pehlivanoglu noted from Committee today that is 73 days. Council Member Hussain noted that after 3/10/2025 that is administratively done. Mr. Venker stated EDP has some discretion, but there is a standing order from the legislative body of 60 days. As long as process is in process, do not anticipate the City will take over, but if the permit is halted the City could step in.

MOTION CARRIED 3-0.

RESOLUTION –Orders to Make Safe or Demolish; 1616 S Cedar
Mr. McNamara

Mr. Barry stated the building permit was issued in 2023 as home owner permit. ON 11/9/2024 for a final, and that was partially approved. As project moves forward the plumbing and electrical. The report does not reflect electrical. Based on the building permit progress, building official states it has been made safe. That being said EDP recommends to stop make safe progress. Mr. Barry stated it has been officially made safe by the building official.

Mr. McNamara stated he does not want it demolished.

Council Member Pehlivanoglu asked OCA, if the recommendation is to discharge from Make Safe or Demolish or what does Committee do. Mr. Venker stated, that since comes for recommendation to full council, then it would come out of committee to discharge to make safe or demolish with no resolution for make safe or demolish to the full council.

Council Member Kost stated the Committee heard the plumbing was not done, and with that statement how can the building official state it is safe. Mr. Barry and Ms. Johnson could not provide an answer. Council Member Pehlivanoglu asked if it meets a certain criteria. Mr. Barry state that discussion needs to be held in the EDP office for clarification. Council Member Pehlivanoglu stated the Committee needs all the information to make a thorough decision.

Mr. Venker stated that Council must agree to vote it out to discharge because cause has been shown.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE UNTIL THE MARCH 12, 2025 MEETING WAITING ON CLARIFICATION FROM EDP ON PLUMBING AND IN WRITING FROM THE BUILDING OFFICE ON “DEEMED SAFE” FOR 1616 S CEDAR. MOTION CARRIED 3-0.

RESOLUTION – Set Show Cause Hearing; Orders to Make Safe or Demolish; 1033 Shepard Street
Mr. William Russell was present.

Mr. Barry noted red tag was 2022, water in basement, bathroom remodel no permits, no electrical permit, extension cords, hanging wires, no smoke detectors, re roof no permit, NEAT team in 2011, one permit denied, 8 premise violations since tagged in 2022, 2024 nuisance violation, EDP recommends 30 days make safe or demolish. Court order, suspect red tag property being lived in .

Mr. Russell stated code had not rights to enter, broke law entering, and they are difficult to work with . Office does not return calls, do not answer, 2 weeks to call back. There was a broken water line which was not a flood in basement. It took code 2 years to assist. Admitted took drywall down, but didn't know you needed a permit for that. With permit, worked with one inspector, then a new inspector came in with different point of views.

Council Member Pehlivanoglu noted the property was red tagged and had NEAT monitoring, asking if Mr. Russell was living there and he confirmed he is.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET A SHOW CAUSE HEARING FOR MARCH 24, 2025. MOTION CARRIED 3-0.

RESOLUTION – Orders to Make Safe or Demolish; 1044 Ontario Street

Mr. Creagh was present at the meeting.

Mr. Barry confirmed it was tabled in October and November at Committee, but before that there was progress on 10/17/2024, initial safety hazards addressed, 6- 9 months expected. A home owners permit was issued 11/6/2024 with drawings being approved 11/26/2024, no additional inspections requested. Mechanical 9/27/2024 by contractor, issued 11/26/2024, no inspections yet. Completed depending main plumbing reinspection. There was plan update from the plumber 2/23/2025 and at this time EDP is recommending tabling again.

Mr. Creagh asked the Committee for an extension, understanding he already got 90 days back in November 2024. He then submitted a timeline. He then asked how he could also get the consideration for “discharge” like the earlier applicant for 1616.

Council Member Pehlivanoglu reminded Mr. Creagh he was already given 90 days the last time the Committee tabled it.

Mr. Creagh stated that the inspector and Mr. Van Fossen walked the property before the last meeting and informed him they didn’t see why it was on the demolition list.

Council Member Kost asked if he got the plumbing permit he said he was getting after the November 2024 meeting, and Mr. Creagh stated no. Council Member Kost then read the following from the November 2024 Committee minutes

Mr. Creagh noted the date for plumbing in middle of next week then the rest is mostly finished going forward. Councilmember Kost asked if they tabled for 90 days does he believe he’d be done, Mr. Creagh believes so. Councilmember Kost noted that this pushed into the 2025 year and the Committee members and date/time will be different.

Council Member Kost noted that gave him 120 days from November, and he had already gotten 120 days from the demolition board. Council Member Kost acknowledged enough time had been given and it was reflected in the minutes.

Mr. Creagh stated he wanted more time.

Council Member Pehlivanoglu asked EDP staff that if he was given 60 days would it be deemed safe. Ms. Johnson stated 60 days is realistic. Mr. Creagh could not promise he would be done in 60 days.

MOTION BY COUNCIL MEMBER HUSSAIN TO TABLE ACTION ON THE MASKE SAFE OR DEMOLISH FOR 1044 ONTARIO STREET FOR 60 DAYS. MOTION 2-1.

OTHER

DISCUSSION- 30 Oldest NEAT Properties and their Status – Economic Development and Planning
No discussion at this time; discussion moved to the next meeting.

ADJOURN

Adjourned at 5:34 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

Approved by the Committee on March 11, 2025