



Date: July 19, 2023

Roll Call: James Slayton, Police Chief
Mark Fritz, Fire Chief
Jeff Dygert, City Manager

Minutes: No corrections at this time.

Motion to approve June 20, 2023 Nuisance Abatement Committee Minutes: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief. All approved.

If you have an item you would like to speak about related to a particular address you will have an opportunity to do so by coming up to the podium. The Committee adopted the City Council Rules of Public Speaking which has a limit of 3 minutes on a topic.

Complaints:

1. **126 Osborne St.:** Rachel Bailey, 128 Osborne St. Ms. Bailey owns the house next door and after her tenant moved out she noticed the abundance of garbage and multiple tents in the backyard of 126, so she filed a Nuisance Complaint. Within the next week, the landlord or manager was there and evicted the tenants and had dumpsters there cleaning the property up. The tents had moved to city property and this has helped with the number of people coming and going. In the past couple of weeks, the people in the tents left and there are no tents erected but there are remnants of people who had lived there. At this time it doesn't look like anyone is living there.

The Auburn Police Department had four calls for service, two for arrest warrants and prior to that, it has been mostly juvenile complaints. The Auburn Fire Department and EMS were there once on May 21st this year for a medical call.

The City Manager explained the city crews inspected the city-owned right of way behind the residence and they did find the tents but no occupants. The Code Enforcement did identify that the Certificate of Occupancy has expired and a trash letter was sent. This will be handled by code enforcement going forward. There have been some changes at this property.

Communication will continue with the owner and codes regarding clean-up going forward: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief.

Hearings: None at this time.

Other Business:

We have had several properties over the last few months that we have agreed to keep an eye on for the next six months. We do not need to discuss each one but we do have an update on some of these.

1. **Administrative Due Process:** This will give individuals a right to appeal a fine or citations from codes to this committee. We put this in place to exhaust the administrative remedies so that there is a stopgap between issuing a fine or citation and that they do have a right to appeal this to satisfy due process. It would be a preponderance of evidence this board would hear what that aggrieved party's position is on and they can modify that decision any way they would like to modify it based on the vote of the Committee. If they were happy with the decision the decision would stand but if they are not happy with the decision they would still have the right to proceed in a courtroom and file an Article 78 and receive an appeal. As for the City's position, the City would have exhausted its administrative remedies before the City at that time.

The City Manager explained we have only run one case through this process. The process that was utilized is what is outlined. The documentation for the scope of the authority of the committee doesn't change the authority of the committee. The City will still need to operate within the powers given to the committee but you also will have the appellate issue that you can hear from the aggrieved parties. We don't have a lot of hearings due to cooperation through the legal representation of the property owners.

Adopting the Rules and Procedures: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief. All approved.

2. **11-13 Lafayette Pl.:** The Auburn Police Department had an assist with the Fire Department. The Auburn Fire Department responded to a fire on June 21, 2023 and the following day the entire building was condemned. The City Manager is concerned this property is continuing to be occupied. Brian Hicks, Code Enforcement states it is condemned and will follow up to be sure it is vacated at this time.
3. **108 Ross Pl. (property is owned by 202-206 Genesee St.):** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. Recently received more complaints on this property and related to overoccupancy, housekeeping issues, unregistered vehicles and conduct related to the occupants of the building. This is a Code Enforcement issue and has been passed along to the local law enforcement to look after. The legal representative of the owner and the Corp Counsel will follow up with the owner's legal representative.
4. **20-22 Foote St.:** The Auburn Police Department has had three calls for service to check the welfare and unconscious person, Auburn Fire Department and EMS had one call for the unconscious call.

The owner showed up at the last meeting to explain the situation at this address. After the meeting, we received complaints from neighbors disputing these claims. Our activity record is showing it is relatively quiet in this area at this time. Will continue to review through December 2023.

5. **11 Madison Ave.:** The Auburn Police Department has had an uptick in calls. Check the welfare, trespass and someone working on the apartment at this location. The last call was July 2, 2023. Auburn Fire Department and EMS had no calls for service.

The City Manager explained that based on some communication from staff regarding this address there is a change in the property manager who is doing the rehabilitation to the property and things should be quieting down. This is on the list to monitor through July 2023 and will keep it on the list through December 2023.

11 Madison Ave. will be monitored through December 2023: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief.

6. **33 Jefferson St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. A couple of months ago there were some evictions of tenants that seemed to be the source of the problem and it seems to have quieted down. Will monitor through September 2023.
7. **33 Columbus St.:** The Auburn Police Department had three calls for service in June for alarms and a custody dispute. The Auburn Fire Department and EMS had no calls for service. This is one of the local smoke shops that Corporation Counsel is working on some of the matters with some of the complaints but not directly through this committee.
8. **104 Grant Ave.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This falls under the same category Smoke Shop as 33 Columbus St.

The Auburn Police Department did go into all the Smoke Shops to advise them of the rules of the variances and time frames. The City Manager asked if there seems to be cooperation, especially with one shop in particular and the Police Chief has requested the officers to keep an eye out for it and write it up but so far he has received nothing.

9. **44 Wallace Ave:** The Police Department had some arrest warrant attempts, trespassing and suspicious incidences. Part of this residence is partly condemned or possibly fully condemned. The Auburn Fire Department and EMS had no calls for service. The City Manager's Office has received some additional complaints on this property and Corporation Counsel has not been able to connect with the owner. Code Enforcement will follow up with other staff in the office on the condemnation status. The City Manager's concern is not being able to reach the property owner and that all of our notices are being returned with no real communication with the owner. In the past, we have dealt with this owner and he was very good with his communication. At this time we will step up our efforts to reach the owner.

- 10. 9-11 Case Ave:** Karen Walter, 15 Case Ave. At the last meeting, Ms. Walter indicated there seemed to be an escalation and that is continuing. For the record when the police were called to her home based on a complaint from the owner of 9-11 Case Ave., that complaint was unfounded. Secondly, the number of cats held at 9-11 Case Ave. is being treated as a kennel as the owner indicated in May and that she does take in cats while they heal and this is after the October 22nd Ordinance was passed. This has continued and it's not the number of cats it is the number of cats on Ms. Walter's property and not being able to enjoy her home. This morning four cats came through her front property and it's the defecation, destruction of property, that the dogs don't come into contact with the waste, and the spraying in front of the living room windows that cause the dogs to get excited. Ms. Walter's thanked the board for their patience.

The Auburn Police Department had one call for service. Auburn Fire Department and EMS had no calls for service. The property owner of 9-11 Case Ave. did apply for a fence permit and there are some issues that are being worked on with code enforcement regarding conformity.

- 11. 255 Grant Ave.:** The Auburn Police Department had three calls for service and continues to monitor the number of people that are there and feels it is under control. Auburn Fire Department and EMS had no calls for services. There were a few code enforcement issues outside that have not been addressed yet.
- 12. 25 Lafayette Pl.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is a property that is under a tax foreclosure process with the city as well as another property on this list. We may have more information in September.
- 13. 9 E. Genesee St.:** The Auburn Police Department had some parking complaints in this area. Auburn Fire Department and EMS had no calls for service. We have some Code Enforcement issues as well as ongoing discussions regarding the business that is at this address. Working with colleagues to appropriately addresses the issues.
- 14. 87-89 Frances St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. No additional issues. This is a code enforcement issue and will monitor through August 2023.
- 15. 39 Cayuga St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. Ongoing issues related to the use and zoning of the property in this neighborhood. There is a code enforcement issue regarding a pool. This is also working through a process through Corporation Counsel Office.
- 16. 45 Columbus St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. Continue to have complaints come in from neighbors. This property is in court and no update on this yet.

Motion to adjourn the meeting: Mark Fritz, Fire Chief, seconded by James Slayton, Police Chief. All approved.

Adjourned: 9:32 am

The next Meeting will be held on August 16, 2023, at 9:00 a.m.