MINUTES
Committee on General Services
Wednesday, July 20, 2016 @ 9:30 a.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER
The meeting called to order at 9:53 a.m.

ROLL CALL
Councilmember Tina Houghton, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Patricia Spitzley, Member

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Billie O'Berry, Assistant City Attorney
Betty Draher
Scott Sanford, Code Compliance – arrived at 10:00 a.m.
Ann Conklin, Michigan Parks and Recreation
Clarice Winkler
David Livingston

Public Comment on Agenda Items
No Comment

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JUNE 13, 2016 AS PRESENTED. MOTION CARRED 3-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JUNE 15, 2016 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JUNE 27, 2016 AS PRESENTED. MOTION CARRIED 3-0.

RESOLUTION – TRANSFER OF OWNERSHIP AND LOCATION OF CLASS C LICENSED – LOGG N SAUCE
Council Staff confirmed all the transfers on the agenda were on the "gap" analysis spreadsheet.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FORTHE TRANSFER OF OWNERSHIP OF CLASS C LICENSE FOR LOGG N SAUCE. MOTION CARRIED 3-0.

RESOLUTION – TRANSFER OF OWNERSHIP AND LOCATION OF RESORT CLASS C LICENSED- LOS RANCHEROS MEXICAN GRILL
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION F RTHE TRANSFER OF OWNERSHIP OF RESORT CLASS C LICENSE FOR LOS RANCHEROS MEXICAN GRILL. MOTION CARRIED 3-0.

RESOLUTION – TRANSFER OF OWNERSHIP OF CLASS C LICENSE; SLAINTE VENTURES, INC.
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FORTHE TRANSFER OF OWNERSHIP OF CLASS C LICENSE FOR SLAINTE VENTURES, INC. MOTION CARRIED 3-0.

RESOLUTION – TRANSFER OF OWNERSHIP OF 2014 CLASS C LICENSE BUSINESS WITH SUNDAY SALES (PM) – HOA RESTAURANT HOLDER
Council Staff confirmed the owners of HOA are Hooters on Edgewood.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FO RTHE TRANSFER OF OWNERSHIP OF 2014 CLASS C LICENSE FOR HOA RESTAURANT HOLDER. MOTION CARRIED 3-0.

RESOLUTION – TRANSFER OF LIQUOR LICENSE; TSFR APPLE VENTURE, LLC
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FO RTHE TRANSFER OF OWNERSHIP OF CLASS C LICENSE FOR TSFR APPLE VENTURE, LLC. MOTION CARRIED 3-0.

RESOLUTION – CLAIM APPEAL #1226; MOLEFI BRANSEN; 815 BAKER
Mr. Sanford outlined the time line which started with the citation on 12/11/2015 with compliance deadline of 12/18/2015, code compliance visit on 12/21/2015 with verification of still non-compliance so contractor called with contractor visit on 1/5/2016. Claimant states on 1/13/2016 there was no violation and this because the contractor had already cleaned it up.

Ms. Draher spoke in support of the enforcement.

Council Member Spitzley asked for clarification on whom the home depot receipts in the packet were from and who Leo Cole was. Mr. Sanford stated Mr. Cole is not the City contractor and the receipts were from the claimant.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM APPEAL #1226; M. BRANSEN AT 815 BAKER STREET. MOTION CARRIED 3-0.

RESOLUTION – CLAIM APPEAL #1234
Mr. Sanford outlined the time line which starts with the citation on 1/22/2016 with compliance deadline of 1/29/2016, code compliance visit on 2/1/2016 with verification of still non-compliance so contractor called with contractor visit on 2/18/2016.

Ms. Winkler was present and stated she had not received the letter, and encourage the City to use two forms of contract. Ms. Winkler then detail the items removed, pallets and an old door,

as items she was intending to use for a portable fencing in her back yard as a repurpose project. Ms. O'Berry clarified that Code Compliance follows the ordinance which states they notify the tax payer by letter, and it is not sent certified because it is cost prohibitive and some violators will not sign certified. Ms. Winkler wanted the Committee to know that since she did not get a letter when the items were first taken she report it as a theft to her neighborhood association. Council Member Wood asked Ms. O'Berry what the claims review committee determined. Ms. O'Berry noted they too denied the total claim. Council Member Spitzley asked if the claims review committee can adjust the amount and that as was confirmed by Ms. O'Berry.
Ms. Winkler asked the Committee to reconsider the wording of the ordinance, but Council Member Wood informed her that the ordinance is adopted by the State as it is from the State Property Maintenance Code, and encouraged her to talk to her State Representative, Andy Schor.

MOTION BY COUNCIL MEMBER WOOD TO REDUCE THE TOTAL FEE BY $100 FROM THE ADMINISTRATIVE FEE, WITH A NEW TOTAL OF $620.00. MOTION CARRIED 3-0.

Council Member Houghton stated that the claim will be in front of the whole Council on Monday, July 25th and Ms. Winkler can speak then also.

RESOLUTION – CLAIM APPEAL #1260
Mr. Sanford outlined the time line which started with the citation on 1/27/2016, with a due date 2/3/2016, and a Code Compliance second visit on 2/4/2016 where the violation was still present. The contractor arrived on 2/22/2016 for the cleanup of 35 yards of debris. The records also reflected a communication on 3/17/2016 where the owner of record Erin Lemke called Code Compliance and stated neither she nor her parents physically checked on property, and admitted they had not been to property in years. She also noted she wasn't even sure if there even was a garage. Mr. Sanford wanted it noted that the photos reflect that the damage to the garage door was not done by the contractor.

Mr. Livingston introduced himself as the owner of records father, and stated he takes care of the property and deals with the tenants. He state he had checked on the property and offered to clean it up but the tenant stated she would. Mr. Livingston concluded his opinion that the garage door was damaged by the City contractor. Lastly Mr. Livingston provided his opinion that Eric's Refuse, the City Code Compliance Contractor has fabricated their invoices for the City. Council Member Spitzley asked how long Mr. Livingston thought the door was off the tracks, and Mr. Livingston stated 1 week before the cleanup, and also believe it should not have been taken by the contractor as trash because he had intentions of fixing it. Mr. Sanford clarified for Mr. Livingston when a contractor is hired by the City it is different than a quote they would give to a resident. They must carry a $1 million indemnity clause for public work and they also have the expense of sorting and pay commercial charge.
Council Member Houghton asked for clarification that Mr. Livingston was listed as the agent on the rental registration, then asked Mr. Livingston if he contacted the City when he to the letter. Mr. Livingston asked why he would call the City. When he got the notice he went to the property and offered to clean up but the tenant stated she would. Council Member Wood reminded Mr. Livingston that as agent and his daughter as owner are responsible.

Ms. O'Berry referred to the letter from Law after Claims Review where it was noted they had agreed to lower the amount by $410.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM IN THE SAME AMOUNT AS CLAIMS REVIEW.

After discussion of the calculations of the invoice it was determined to adjust the bill by $450 with the new amount of $2,084. Council Member Wood adjusted her motion and added to her motion that the resolution should include the clause that that owner is advised to see compensation from the tenants on the damages.

Mr. Livingston was advised to register as the agent for the rental property; however Mr. Livingston informed the Committee they recently sold.

MOTION CARRIED 3-0.

Council Member Wood advised Law that if the resolution passed on Monday, July 25, they should send a letter to the new owner of this claim and resolution.

Council Member Wood asked Law to contact the Ingham County Treasurer and work with them on their property auctions to provide new owners with information. Ms. O'Berry stated she would contact Mr. Schertzing.

The Committee discussed options of the notifications, and Ms. O'Berry stated it would not be an amendment to the notice but a department policy to adopt.

RESOLUTION – RECOGNITION OF NON-PROFIT; MICHIGAN RECREATION AND PARK ASSOCIATION

Ms. Conklin provided information on the organization that has been in existence for 40 years. They planned to apply for raffle license for an event to be held January 2017. The Committee reviewed the documents and asked for a dissolution clause. Council staff was asked to provide the wording to Ms. Conklin and she confirmed she would take it to her Board to be added to the By-Laws.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR RECOGNITION OF NON-PROFIT FOR MICHIGAN RECREATION AND PARK ASSOCIATION CONTINGENT THAT THEY UPDATE THEIR BY LAWS TO INCLUDE A DISSOLUTOIN CLAUSE BEFORE IT IS PRESENTED TO THE WHOLE COUNCIL. MOTION CARRIED 3-0.

PLACE ON FILE

Application for Transfer of Ownership of SDM License, Family Market, LLC, 5224 South Martin Luther King Jr. Blvd.

MOTION BY COUNCIL MEMBER WOOD TO PLACE ON FILE. MOTION CARRIED 3-0.

Council Member Wood asked if Eric's Refuse had been brought in to discuss their overall policy and invoicing. Ms. O'Berry stated would address that with the Claims Review Committee when they met on July 22, 2016. Council Member Houghton asked that they look at the bidding process and Council Member Spitzley asked that Claims Review also address the break down on their invoices.

Adjourned at 11:09 a.m.
Submitted by Sherrie Boak, Office Manager,
Lansing City Council
Approved by the Committee on August 17, 2016