MINUTES
Committee on General Services
Monday, December 5, 2016 @ 3:00 p.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER
The meeting called to order at 3:00 p.m.

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

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Billie O'Berry, Assistant City Attorney
Scott Sanford, Code Compliance
Dominic Korzecke
Tracy Wallace

MINUTES
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM NOVEMBER 14, 2016 AS PRESENTED. MOTION CARRIED 2-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM NOVEMBER 16, 2016 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment on Agenda Items
No Public Comment

RESOLUTION – Claim Appeal #1287; 525 N Hayford
Mr. Sanford outlined the incident stated the violation was cited and given a compliance date of April 17, 2016, and with a re-inspection on April 20, 2016 the was still present. The location was submitted to the contractor who arrived on May 12, 2016 and violations were still present. There were no notes that there was contact by the claimant on the violation until items were removed.

Mr. Korzecke admitted he was aware of the got violation notice in April which stated "indoor furniture outdoors and deteriorate. He stated he researched the porch and found a dining room

chair on the porch and so brought that in. Mr. Korzecke acknowledged the other furniture on the porch were wicker and a weather resistant material loveseat. He continued by stating when the loveseat was taken, he did contact the Inspector Klein who defined the loveseat as “indoor furniture” and when asked how he found the violation, Mr. Klein informed him “it was not necessary for him to know that information.” Mr. Korzecke appealed to the Committee because his violation notice had a vague description of the violation, however the notice to the contractor was specific and they took more than what was listed. He appealed, stating if his violation notice would have said “loveseat” he would have removed it when he removed the dining room chair.

Council Member Wood asked Ms. O’Berry about the Claims Review determination. Ms. O’Berry admitted she did not recall every seeing a photo of the loveseat. She noted the Review Committee verifies that proper notice was given, and all materials match the claim. Ms. O’Berry confirmed, it appeared the contractor took the loveseat and the end table, which would be common to remove with this type of violation. Even though the love seat was not listed on the contractor required removal list, the do leave it at the discretion of the contract.

The Committee reviewed photos, notifications, and invoices from the contractor, and questioned the subjective nature of the violation notification and contractor removal order.

Mr. Sanford pointed out that this was a second violation, however the first violation in 2015 was complied with.

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE CLAIM BY $84, AND DENY THE CLAIM FOR THE AMOUNT OF $400. MOTION CARRIED 2-0.

RESOLUTION – Claim for 3101 W. Jolly Road

Mr. Sanford informed the Committee the tenant and owner were notified on July 26, 2016 and after a request for extension was given until August 1, 2016. The Code Officer returned with the trash contractor on August 4, 2016 and gave the tenant another extension through the weekend to work on. After another re-inspection on August 8, 2016, they found large brush pile in the pallets, so the contractor arrived on August 9, 2016 for removal. Mr. Sanford did add additional information of incidents with the tenant, LFD and LPD where was denied a burning permit because of illegal burning.

Ms. Wallace confirmed she was out of town during the incidents and violations but had been in communication with the tenant, and the pictures he had provided her showed the yard waste in bags, and curb side. She admitted the photos from Code enforcement the Committee had were new to her also, and admitted she was shocked at all the violations. The tenant had not been a problem over all the years they had rented from them. Ms. Wallace did question the time and amount of work, since the removal direction was “2 hours and 15 yards” but the contractor took 16 hours and 147 yards. Mr. Sanford could not speak to why the inspector only authorized 2 hours after seeing the photos himself, noting the hours also need to be considered for taking off site, chipping, and then reloading to take to the landfill.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM IN THE AMOUNT OF $6,000.00. FOR 3101 WEST JOLLY.

Ms. Wallace asked what her next steps would be, and options she had.

MOTION CARRIED 2-0.

Council Member Houghton informed Ms. Wallace that Council will have the appeal and this Committees recommendation for denial on 12/12/2016 where she could speak again. Council Member Wood provided Ms. Wallace with copies of what the Committee had to offer to the tenant when she spoke to him, and since it is not on the taxes yet, she could pursue with him for payment. Council Member Houghton concluded that if Council denies the claim on 12/12/2016 could appeal through the court systems.

RESOLUTION – Non-Profit Status; Mid Michigan Massage Therapy Institute, Inc.
No applicant was present, the Committee moved to the next Committee meeting and aske Council staff to invite the applicant.

Adjourned at 3:54 p.m.
Submitted by Sherrie Boak, Office Manager,
Lansing City Council
Approved by the Committee on February 23, 2017