MINUTES
Committee on General Services
Thursday, August 24, 2017 @ 3:30 p.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER
The meeting called to order at 3:30 p.m.

ROLL CALL
Councilmember Tina Houghton, Chair
Councilmember Jody Washington, Vice Chair- arrived at 3:50 p.m.
Councilmember Carol Wood, Member

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Nicholas Tate, Assistant City Attorney
Jim Smiertka, City Attorney- arrived at 3:47 p.m.
Scott Sanford, Code Compliance- arrived at 3:37 p.m.
Meghan Towner
Kathy Miles
Rev. Kent T. Bowden
Chad M. Guerrant
Ryan Earl
Michael Brown
Kris Elliott
Chris Swope, City Clerk – arrived at 4:28 p.m.

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 27, 2017 AS PRESENTED. MOTION CARRIED 2-0

Public Comment on Agenda Items
No public comment at this time, but during agenda items.

Discussion/Action
RESOLUTION – Appointment of Mark Eagle; 4th Ward Human Relations & Community Services Board; Term Expire June 30, 2020
Council Member Houghton noted for the Committee that all three appointments on the agenda are filling current vacancies or recent vacancies from resignations.

Mr. Eagle acknowledged the Committee for considering his appointment, and provided them with his educational and work experience which includes his current role as CFO/Treasurer for the National Federation for the Blind of Michigan.

Council Member Wood provided Mr. Eagle with information on the Ad Hoc on Diversity Committee and their meeting dates, inviting him to their next meeting on August 25th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF MARK EAGLE TO THE HRCS BOARD WITH A TERM TO EXPIRE ON JUNE 30, 2020.

The Committee and Mr. Eagle spoke briefly on his past work experience with the City through assistance to the HR Department on their applications and also his involvement during the design and installation of the round–about at Michigan Avenue and Washington Avenue.

MOTION CARRIED 2-0.

RESOLUTION – Appointment of Ryan Earl; 3rd Ward Human Relations & Community Services Board; Term Expire June 30, 2019

Mr. Earl acknowledged the Committee for consideration, and informed them of his years of residency and educational background in political science and public management. Mr. Earl currently works for the Michigan Legislation as an aid to House Representatives and works with constituents daily on issues and also drafting legislation. Council Member Wood referenced his application and asked if he sought appointment to any other boards. Mr. Earl stated that with his current job, he would be pleased with the Board appointment so he can continue to help the residents. Council Member Wood then acknowledged her work with Mr. Earl in his neighborhood.

MOTION BY COUNCIL WOOD TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF RYAN EARL TO THE HRCS BOARD WITH AN EXPIRATION DATE OF JUNE 30, 2019. MTOION CARRIED 2-0.

RESOLUTION – Appointment of Chad Guerrant; At-Large Human Relations & Community Services Board; Term Expire June 30, 2021

Mr. Guerrant provided the Committee with an updated resume and acknowledged the Committee for their consideration. He then went through his resume and highlighted his community work, volunteer outreach role and constituent engagement. Council Member Wood pointed out that Mr. Guerrant application did not list the HRCS Board, and which Mr. Guerrant answered that in 2015 when he filled out the application there were not vacancies on the HRCS Board, but he would be pleased and consider it a blessing to serve on the HRCS Board.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE APPOINTMNET OF CHAD GUERRANT TO THE HRCS BOARD WITH A TERM TO EXPIRE JUNE 30, 2021. MOTION CARRIED 2-0.

RESOLUTION – Claim# 1422; K. Bowden; 508 W Grand River; $2,914.00

Mr. Sanford questioned if Mr. Bowden can speak since he sold on a land contract. Council Staff presented details from the Assessing records which show the Land Contract was done on July 21, 2016 and was unrecorded. Mr. Smiertka confirmed both parties are responsible and can speak.

Mr. Sanford then outlined the timeline of the violations beginning with a violation notice of April 8, 2016, and after a request an extension was granted and the property was rechecked April 25, 2017 with violations still present, the contractor arrived on April 29, 2017. Mr. Sanford noted that they believe the occupant was bringing trash to the property, and they also believe that the filing of the claim missed the 30 day deadline so cannot be addressed. Lastly Mr. Sanford informed Mr. Bowden he needed to see the Assessor about a recycling fee. Council Member Wood asked Mr. Smiertka if the appeal can be heard since it is past the 30 day deadline. Mr. Smiertka noted if there is a procedure in place it must be followed. Mr. Bowden informed the Committee that he sent in his claim in January when he paid his taxes, and he offered the canceled checks as evidence. The stated all items were sent in one envelope; however when he arrived home from Arizona and contacted the City Attorney Office he was informed they never received his claim and documents. The Committee reviewed the documents and date, with the Claim letter dated January 26, 2017, the Claim Form stamped by the City Attorney Office May 17, 2017, and the letter to the Mayor's office from the City Attorney Office dated stamped by the City Council on July 10, 2017. Mr. Smiertka asked the Committee to refer it back to his office for determination on the next steps in relationship to the timeline, deadlines and process. Council Member Houghton informed the claimant and the Committee that if it is determined by the City Attorney office it can be reviewed, it will come back to the Committee and Mr. Bowden will be informed of that future meeting. Mr. Smiertka told the Committee that if they saw merit at this point, they could consider it now, but based on the timelines and dates given so far they can send it back to the Attorney office for a determination. He then confirmed Mr. Bowden contact phone numbers and stated he would contact him.

<u>RESOLUTION – Claim Appeal; M. Moore; 1408 Pontiac Street; $2,930.50</u>
Council Staff informed the Committee that Mr. Moore called the office shortly before the meeting to state he would not be able to attend and rescheduled for the next meeting, September 25, 2017.

<u>RESOLUTION – Claim Appeal; M. Towner; 4628 Stafford Avenue; $3,987.00</u>
Mr. Sanford asked that the Committee consider waiving the $75 second notice fee, since it was only the 1st notice in this calendar year. The Committee reviewed the information and photos while Mr. Sanford outlined the time line when Ms. Towner purchased it, June 28, 2016; a previous violation by the previous owner on June 14, 2016 for grass, and then a trash violation on August 16, 2016.

Ms. Towner informed the Committee she never received the first letter, and the second letter was mis-delivered to her neighbor, so when she got the second notice it was too late. The packet of information contained a hand written invoice and agreement with a contractor that Ms. Towner stated she hired, but in the end never did any work. Ms. Towner also noted she cut trees down after she purchased the home, and moved them to her back yard, however was not aware that they could not be anywhere on the property until she met the City contractor on site who asked her about them. Mr. Sanford read from the actual violation notice the standard language that "if any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice."

Ms. Towner's family member spoke in support of all the work Ms. Towner had done on the property thus far, her financial conditions, and her lack of notification and information from the City on the items that were in violation.

Mr. Sanford referred the Committee to the Eric's Refuse Invoice and asked them to consider not charging for the 15 hours totaling $2,250.00 or the 2nd notice fee of $75.00, but charging for the material at $1,222.00 and the $100 for the first hour and not charging.

MOTION BY COUNCIL MEMBER WOOD TO REDUCE THE CLAIM BY THE RECOMMENDATION FROM CODE COMPLIANCE ON REMOVAL OF THE $75 FEE AND 15 HOURS, THEN ONLY CHARGING FOR 3 HOURS, WHICH BROUGHT THE NEW TOTAL TO $1,322.00. THE CLAIM FOR $1,322.00 WAS DENIED. MOTION CARRIED 3-0.

Mr. Sanford informed Ms. Towner that once it goes through Council, a letter will be sent from the Attorney office to Code Compliance asking them to modify the bill, in turn that will be sent to the Treasurer. She was also informed that she can make payment plans with the office also. Mr. Sanford also confirmed that his office will notify Ms. Towner.

<u>RESOLUTION – Claim Appeal; McGill; 211 West Gier Street</u>
Council Staff confirmed that attempts were made to have the claimants present, however messages were not returned.

Mr. Stanford confirmed all interested parties and owners live in Illinois, and the property was a fire damaged home. The Committee reviewed the documents.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM FOR 211 WEST GIER STREET. MOTION CARRIED 3-0.

<u>RESOLUTION – Application for Brewpub License in Conjunction with Class C/SDM License for Restaurant at 2101 E. Michigan Avenue</u>
Mr. Elliott and Mr. Brown introduced themselves and made themselves available for any questions on the request for the Brewpub License for the future Arcadia Smoke House. Council Member Wood asked how much of the funds from the endeavor will come from food and Mr. Elliott stated 75%. Council Member Washington asked when they would be open, and it was stated the end of September. The Committee reviewed the application verifying the department sign offs, and asked if the license would be a transfer from another location. Mr. Brown verified that the Class C was a transfer but this request for the SDM and Brew Pub License is new. The MMLC is requesting a local municipality resolution.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE BREWPUB LICENSE IN CONJUNCTION WITH THE CLASS C/SDM LICENSE FOR A RESTAURANT AT 2102 E. MICHIGAN AVENUE. MOTION CARRIED 3-0.

<u>DISCUSSION – Council Rules</u>
Council Member Houghton asked for Council Staff to work with Law staff on coordination of a meeting between her and the City Attorney to discuss suggestions to the Council Rules. Those suggestions will be brought back to the Committee.

<u>Other/Place on File</u>

- Transfer Ownership of escrowed 2017 Class C and SDM licensed business with Sunday Sales Permit (PM), Specific Purpose Permit (Food), Dance-Entertainment Permit, Outdoor Service (1 Area), Catering Permit, and (2) Bars from Excellent Entertainment, LLC, to be held in escrow; New Living Quarters Permit, Seems Like A Good Idea, LLC, 601 E. Michigan Avenue

- Notice from the Michigan Liquor Control Commission regarding the Transfer of all membership interest through merger from existing member Pizza Hut, Inc. to Pizza Hut, LLC; and by dropping existing member Pizza Hut, LLC and adding new member Pizza Hut Holdings, LLC 6200 S. Cedar Street
- Transfer of Ownership Escrowed 2017 Class C License; Transfer Location from 601 E. Michigan to 313 N. Cedar; New SDM, Non-Transferable, Sunday Sales Permit (PM), Sunday Sales Permit (AM), Dance-Entertainment Permit, Outdoor Service Area and Catering Permit for CUL, LLC.

Mr. Brown spoke as a representative for CUL, LLC and outlined the specifics that "Seems Like A Good Idea LLC" purchased the former Rum Runner which included the license, however had no need for it, so put it in escrow and sold it to CUL, LLC, which is now going to use it for the New Marketplace Development at 313 S. Cedar.

Council Member Wood asked if Law could make a determination on what Council are authorized to do resolutions on in support of or opposed to, noting that the current Ordinance states that Council can hold a hearing to remove a license, however if they don't vote to approve it they can't take it away later. She concluded by pointing out that in the past, anything with on premise requested a resolution. Mr. Tate confirmed he would look into it, and Council Staff stated they would forward the procedures created in 2016 by this Committee onto Mr. Tate and Mr. Smiertka.

Mr. Swope arrived and after reviewing the procedures mentioned above, and being asked about the applications for the above three items to be placed on file, confirmed that they follow the procedure in the Ordinance that states if they are putting it in escrow they place it on file. Mr. Brown stated he nor would his client have any problem filing an application for the CUL, LLC at 313 N. Cedar, so Mr. Swope stated he would forward them an application. Mr. Swope stated he would also forward a letter and application to Pizza Hut, LLC at 6200 S Cedar.

Council Staff was asked to move those two items to future agendas under "Pending" until the applications have been submitted. The escrowed license for 601 E Michigan was placed on file.

<u>OTHER</u>
Council Member Wood submitted a claim from Reverend Parker for the Eastside Community Center who was appealing a grass removal and trash removal violation and fee. Council Staff was directed to forward the claim to the City Attorney office for the Claims Review Committee.

Mr. Smiertka referred the Committee back to Liquor Licenses noting the City Ordinance does speak to objections and agreeing to transfers. Council Member Wood also inquired that the ordinance should also address allowing Council to approve or deny when a license is transferred outside of the City.

Adjourned at 4:35 p.m.
Submitted by Sherrie Boak, Office Manager,
Lansing City Council
Approved by the Committee on September 25, 2017