



MINUTES

Committee on General Services

Tuesday, March 27, 2018 @ 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

Council Member Patricia Spitzley, Chair

Council Member Adam Hussain, Vice Chair

Council Member Carol Wood, Member

Eric Brewer, Internal Auditor

Scott Sanford, Code Compliance

Amanda O'Boyle, Assistant City Attorney- arrived at 3:40 p.m.

Edward Zeineh

Alvino Trevino

Rafaela Trevino

Jasmine Trevino-Stinson

Suzy Carter, Lansing Area Safety Council

Mark Sutton, Michigan American Legion Foundation

Brian Jackson, Deputy City Clerk

Chris Swope, City Clerk

OTHERS PRESENT

Sherrie Boak, Council Office Manager

Public Comment on Agenda Items

No public comment at this time.

Approval of Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM FEBRUARY 27, 2018 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MARCH 13, 2018 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MARCH 23, 2018 AS PRESENTED. MOTION CARRIED 3-0.

Discussion/Action**RESOLUTION – Non-Profit Recognition Request; Lansing Area Safety Council**

Ms. Carter informed the Committee their request was to renew because earlier they were a Chapter of the National Safety Council, and now need one in the Lansing Area Safety Council named for the renewal of their bingo license. The Committee reviewed the application, Articles of Incorporation and By Laws and confirmed the dissolution clause was incorporated into the documents.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE NON-PROFIT RECOGNITION REQUEST FOR LANSING AREA SAFETY COUNCIL. MOTION CARRIED 3-0.

RESOLUTION – Non-Profit Recognition Request; Michigan American Legion Foundation

Mr. Sutton, as the Public Relations and Foundation President, informed the Committee that they were requesting the status for a raffle license. It was confirmed they are in Lansing, but their State Headquarters are in Grand Rapids, which is what is noted on the application. The Committee reviewed the application, Articles of Incorporation and By Laws and confirmed the dissolution clause was incorporated into the documents.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE NON-PROFIT RECOGNITION REQUEST FOR THE MICHIGAN AMERICAN LEGION FOUNDATION. MOTION CARRIED 3-0.

The meeting was in recess until Law arrived at 3:30 p.m.

RESOLUTION – Claim Appeal; # 1497; Alvino and Rafaela Trevino; 1012 N. Cedar Street; \$675.00

Mr. Sanford provided an overview of the claim which included a board up. Mr. Sanford confirmed for the Committee notices were sent to the owners address and noted the claim was for the 2nd notice of trash and grass, which was found when they were on site for the board up. Mr. Brewer confirmed the Claims Review reviewed the information and did grant \$75 for one of the trash violation notice, but the claimant chose to appeal the decision with the Committee. Council Member Spitzley asked when the owner was cited, at which Mr. Sanford stated September 11, 2017 and the second notice fee was done on September 13, 2017.

Ms. Trevino provided details to the Committee on the home, that she stated they had received back from the bank from a foreclosure. When on site to clean it they placed the trash outside and paid someone to pick it up. When they arrived again to clean and put locks on the doors that they had bought, they noticed the sticker and immediately called the office since it said there is a \$500 fine if they entered. They were instructed they could go in, at which point that is when they put locks on the doors.

Council Member Wood asked Ms. O'Boyle about the correct amount. Ms. O'Boyle stated the claim was for \$675.00 and the Claims Review Committee granted a claim at \$75, leaving \$600. Ms. Trevino-Stinson stated they thought the balance was \$75, so they mailed that in, but it was returned with clarification the balance was \$600.

Mr. Sanford stated that based on the details given, his office was willing to take the \$525 for the board up, \$75 for one notice and \$75 for another notice, totaling \$675, and waive one of the notices, reducing it back down to \$600.

Council Member Wood stated to the claimant that she understood the process, and it can be confusing with the exchange when the banks are involved. At which, she then asked Ms. O'Boyle if the new owner is responsible because it runs with the property and Ms. O'Boyle confirmed.

Council Member Spitzley asked how long the owner has between a notice and a board up. Mr. Sanford stated it is done in 24 hours because of safety. In this case, when they did the notice for the board up they noticed the grass and trash. Per code, any time there is a second notice on a violation in one year, it is a \$75 fee.

Mr. Sanford then offered to waive the administrative fee for the board up which was \$340.00 in addition to the earlier waived fee of \$75, taking the original \$675 down \$75 for a waived notice, and \$340 for waived administrative fees, leaving a balance of \$260.00.

MOTION BY COUNCIL MEMBER HUSSAIN TO GRANT THE CLAIM APPEAL IN THE AMOUNT \$340.00 AND DENY THE BALANCE OF THE CLAIM IN THE AMOUNT OF \$260.00 FOR CLAIM #1497 FOR 1012 N. CEDAR STREET. MOTION CARRIED 3-0.

Council Member Spitzley informed the claimants that the new balance owing by them would be \$260.00.

RESOLUTION – Claim Appeal; # 1536; Kodeen Sowers; 528 Lincoln; \$150.00

Claimant was not present, and after confirmation from Council Staff that the claimant was notified and confirmed attendance, Council Member Spitzley moved the item to the next meeting.

RESOLUTION – Claim #1525; Hard Rock LLC; 424 S. Hayford Avenue; \$3,652.00

Mr. Sanford provided the details on the claim. The property was cited for trash on November 8, 2017, with a compliance date of November 15, 2017. He assured the Committee that multiple notices were sent to all the addresses of record, and one was sent to the property itself. The property was rechecked on November 16, 2017 and the violations were still present, so the contactor was contacted. The contractor arrived on December 4, 2017 and the violations were still present, in addition to other violations. The Committee reviewed the photos. Mr. Brewer was asked for comments from the Claims Review Committee, but Council Member Spitzley clarified for the group that the claim exceeded \$2,500 so it never would have gone to Claims Review Committee.

Mr. Zeineh asked how many multiple notices were sent, as stated by Mr. Sanford earlier. Mr. Sanford clarified that it was four (4) notices to multiple addresses. Those included 2800 E. Grand River Avenue address, 424 S Hayford and 1908 E Michigan. Mr. Zeineh informed the Committee that he had a written communication and email with the Assessor when the property transfer occurred, but still did not get the notices. Council Member Spitzley reiterated the statement from Mr. Sanford where it was clear a notice was also sent to the property. Mr. Zeineh stated the property is vacant and red tagged so he doesn't get mail there. He then went onto dispute the billing from Eric's Refuse, with his appeal that they over bill for time spent and yards of removal. Mr. Zeineh asked for clarification on the Charter and recodification of the City Ordinances and how that affects his claims. Ms. O'Boyle clarified that the Charter was never affected in the recent codification, and the ordinances and fines that were affected were criminal offenses, but the housing code was adopted prior and was not affected by the lapse in ordinances. Mr. Zeineh again appealed that he wanted the fines decreased because the home was actively being worked on, and as they put that material out in trash bags they were hauling it away, but since it is under construction there is always new work and new trash.

Council Member Spitzley asked Mr. Sanford of the notice process. Mr. Sanford stated they post on the premise, then mail to all addresses that show up on the assessing records as the owner, owner's agenda, registered agent and property. If it is a registered rental, he stated they also send to the rental agent. Council Member Spitzley asked for confirmation on when the first violation was, and was provided the date of November 8, 2017. Council Member Hussain asked Mr. Sanford for confirmation that 16 hours of work could be 4 people at 4 hours, and it was confirmed. Council Member Wood pointed out to the Committee that the cleanup also involved trees, which they have been told many times before cannot just be removed but have to be mulched before taken to the dump.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM #1525 FOR 424 S. HAYFORD IN THE AMOUNT OF \$3,652.00. MOTION CARRIED 3-0.

Discussion on Liquor Licenses Letters and Process

Council Member Wood pointed out to the Committee that the Council can not recommend a revocation of a license if they have not approved a recommendation.

Mr. Swope then outlined the process from the Clerk's office. This includes forwarding all notices from the Michigan Liquor Control Commission to the Council, even those that do not require approval from Council, so that the Council can make a written communication if they wish. If there is an approval required, the City Council Committee will see an application from the Clerk's office, once it has been vetted. To designate the differences in licenses, Mr. Swope clarified to the Committee that "SDM- Special Designated Merchant" which is for the sale of beer and wine over the counter. The "SDD – Special Designated Distributor" represents a vendor who can also sell bottle liquor. Both represent the sale of not the serving on premises, and therefore no permission by the City. Any "Class C" or "Resort License" does require a license from the City. The Committee then went through the list in the packet.

Place on File:

- 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
- Conditional Liquor License; 320 E Michigan LAF Fine Dining, Inc; Transfer Ownership 2017 Class C and SDM Licensed Business with Sunday Sales Permit (PM) and Outdoor Services
- Michigan Liquor Control Commission; Transfer of Ownership of Escrowed 2017 SDM Licensed Business from K & M Market Inc.; New Sunday Sales Permit (AM)
- Michigan Liquor Control Commission; New SDM License for Great Giant of Lansing, Inc., 3222 S MLK

MOTION BY COUNCIL MEMBER WOOD TO PLACE THE FOLLOWING ON FILE:

- 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
- Conditional Liquor License; 320 E Michigan LAF Fine Dining, Inc; Transfer Ownership 2017 Class C and SDM Licensed Business with Sunday Sales Permit (PM) and Outdoor Services

- Michigan Liquor Control Commission; Transfer of Ownership of Escrowed 2017 SDM Licensed Business from K & M Market Inc.; New Sunday Sales Permit (AM)
- Michigan Liquor Control Commission; New SDM License for Great Giant of Lansing, Inc., 3222 S MLK

MOTION CARRIED 3-0.

Pending:

- Michigan Liquor Control Commission; Transfer of Ownership of Class C and SDM License; 320 E. Michigan Holdings, LLC to Bowdies's LLC, 320 E. Michigan Avenue-**Pending Application**
- Michigan Liquor Control Commission; Transfer of Ownership Class C & SDM license from RYJT, Ltd to Art's Pub, LLC at 809 E Kalamazoo Street.-**Pending Application**
- Michigan Liquor Control Commission; Transfer Ownership Class C & SDM License from Singh Pub and Grill, Inc. to Binni's Bar & Grill, Inc. @ 820 W Miller Rd.-**Pending Application**
- Michigan Liquor Control Commission; Transfer of Ownership 2017 Class C and SDM License with (2) bars, Sunday Sales, entertainment permit, outdoor service and specific purpose permit(golf) from MJE3202, INC to LPT Holdings LLC at 1149 S Washington Avenue-**Escrow-Pending Application**
- Michigan Liquor Control Commission; Issue a New SDM License under MCL 436.1533(5) and Sunday Sales Permit (AM) at 400 E. Saginaw by New Lansing 333, Inc.-**Escrow-Pending Application**

Council Member Spitzley removed the following items from the agenda due the information provided by the Clerk that once the applications go into "escrow" they can be in "escrow" indefinitely:

- Michigan Liquor Control Commission; Transfer of Ownership 2017 Class C and SDM License with (2) bars, Sunday Sales, entertainment permit, outdoor service and specific purpose permit(golf) from MJE3202, INC to LPT Holdings LLC at 1149 S Washington Avenue-**Escrow-Pending Application**
- Michigan Liquor Control Commission; Issue a New SDM License under MCL 436.1533(5) and Sunday Sales Permit (AM) at 400 E. Saginaw by New Lansing 333, Inc.-**Escrow-Pending Application**

Council Member Spitzley stated the following documents will remain on the agenda until the applications are submitted or the Clerk's office provides another update:

- Michigan Liquor Control Commission; Transfer of Ownership of Class C and SDM License; 320 E. Michigan Holdings, LLC to Bowdies's LLC, 320 E. Michigan Avenue-**Pending Application**
- Michigan Liquor Control Commission; Transfer of Ownership Class C & SDM license from RYJT, Ltd to Art's Pub, LLC at 809 E Kalamazoo Street.-**Pending Application**
- Michigan Liquor Control Commission; Transfer Ownership Class C & SDM License from Singh Pub and Grill, Inc. to Binni's Bar & Grill, Inc. @ 820 W Miller Rd.-**Pending Application**

Adjourned

Adjourned at 4:29 p.m.

Submitted by Sherrie Boak,

Office Manager, Lansing City Council

Approved by the Committee on April 10, 2018