



AGENDA
Special Committee on General Services
Monday, June 25, 2018 @ 4:45 p.m. (note time)
City Council Conference Room, City Hall 10th Floor

Councilmember Patricia Spitzley, Chair
Councilmember Adam Hussain, Vice Chair
Councilmember Carol Wood, Member

- 1. Call to Order**
- 2. Approval of Minutes:**
 - June 5, 2018
- 3. Public Comment on Agenda Items**
- 4. Discussion/Action:**
 - A.) RESOLUTION - Noise Waiver; Public Service Department; Combined Sewer Overflow Project; Sub-area 034C; Martin Luther King Jr. Blvd. and W. Mt. Hope Avenue
- 5. Adjourn**



MINUTES

Committee on General Services

Tuesday, June 5, 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

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Eric Brewer, Internal Auditor
Scott Sanford, Code Compliance
Amanda O'Boyle, Assistant City Attorney
Lisa Hagen, Assistant City Attorney
Joseph Abood, Chief Deputy City Attorney
Kathy Tobe
Kent Bowden
Emily Stevens
Bruce Tyree
Larry Grudt
Peggy Vaughn-Payne
Kathy Miles
Elaine Womboldt
Mike Redding
Rob Sutton
Jayne Sutton
Ahsa Sumbal

Public Comment on Agenda Items

No public comment at this time.

Approval of Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 22, 2018 AS PRESENTED. MOTION CARRIED 3-0.

Discussion/Action:

RESOLUTION- Fireworks Display License; Great Lakes Fireworks; City of Lansing Independence Day Celebration

Bruce Tyree with Great Lakes Fireworks was present to answer questions. The Committee asked for Attorney sign off on the application since they had not done so, and were told they had not seen the application. The Committee asked if there were declaration to the insurance, and Mr. Tyree stated he could provide whatever the attorney needed. Council Member Wood asked if they had provided the route into town to the Fire Marshall, and Mr. Tyree confirmed he had just come from a meeting with the Fire Marshall and could provide that. Due to the fact the Attorney office stated they had not seen the application yet, the action was tabled until the special Committee meeting on June 25th at 5:15 p.m.

RESOLUTION – Community Funding Request- Keys to Creativity; Lansing’s Harmony Celebration

Mr. Grudt stated that the event will be held at Benjamin Davis Park in conjunction with the City and neighborhood group free events.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE COMMUNITY FUNDING IN THE AMOUNT OF \$1,000.00 FOR KEYS TO CREATIVITY.

Council Member Hussain recused himself from the discussion and vote due to the fact he was part of the event steering committee.

MOTION CARRIED 2-0.

RESOLUTION – Community Funding Request – South Lansing Farmers Market

Ms. Tobe outlined the event and stated the funds were to offset the City rental cost for an obstacle course.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE COMMUNITY FUNDING IN THE AMOUNT OF \$250.00 FOR SOUTH LANSING FARMERS MARKET. MOTION CARRIED 3-0.

RESOLUTION – Community Funding Request – Northwest Initiative

Ms. Vaughn Payne first informed the Committee that the Northwest Initiative is a community resource for low to moderate income households. This event is in conjunction with the Cherry Hill Neighborhood and all events are free. After determining that there is a \$200 park rental fee, the Committee increased the request.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE COMMUNITY FUNDING IN THE AMOUNT OF \$700.00 FOR NORTHWEST INITIATIVE. MOTION CARRIED 3-0.

RESOLUTION – Community Funding Request – Churchill Downs

Mr. Redding asked the Committee to consider the funding to assist at their CDCA Annual Picnic to offset the City rental of an obstacle course.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE COMMUNITY FUNDING IN THE AMOUNT OF \$ 250.00 FOR CHURCHILL DOWNS. MOTION CARRIED 3-0.

RESOLUTION- Fireworks Display License; Great Lakes Fireworks; City of Lansing
Independence Day Celebration- CONTINUED

Deputy City Clerk Jackson returned to the meeting with a complete application signed off by the City Attorney.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE FIREWORKS DISPLAY FOR THE CITY OF LANSING INDEPENDENCE DAY CELEBRATION.
MOTION CARRIED 3-0.

Council Staff was directed to contact the applicant and inform them it did pass in this meeting, plan for final action on June 11th, and to still provide a route for delivery of the fireworks as mentioned earlier in the meeting.

RESOLUTION – Claim Appeal #1535; S Hernandez; 3100 Ingham; \$3,939.50

The applicant was not present and Staff was asked to contact again for attendance on June 26th.

RESOLUTION – Claim Appeal #1480; K Bowden; 1207 N Chestnut; \$630.00

Mr. Sanford stated to the Committee that the red tags began in 2016 with no successful attempts for permits. At the time of this meeting, Mr. Sanford stated there were no requests for inspections, in addition the owner needs a licensed contractor to pull the permits. Mr. Brewer stated the Claims Review Committee reviewed the claim on 4/19/2018, and determined to deny the claim based on the information in the packet.

Mr. Bowden provided his history of the claims, first appealing that he never got notice of the Claims Review Committee until after it was over. Therefore, he asked this Committee to send his claims back to the Claim Review. Council Member Spitzley confirmed that the step with Claims Review was done, and the Committee would now review the case. She then asked Mr. Sanford to detail the fees. Mr. Sanford noted that the fine is \$150 a month, then after 30 days there is an additional \$7.50 overdue fee. This total of \$630.00 is for four (4) months of red tags and late fees. The properties are tagged at 90 days, they then go to the NEAT team, which then has a monthly monitoring. The notices are then sent to the owner and tax payer of record. Mr. Brewer then distributed a spreadsheet of information on the claims. Mr. Bowden appealed that when he was made aware of the red tag, he asked for an extension and provided proof it was not a rental. He then stated his understanding that if work is being done the red tags should have ceased. Council Member Spitzley reminded Mr. Bowden that he did not have permits since he was not a licensed contractor. With Mr. Bowden's statement that Mr. Wheaton was the owner via a land contract the Committee questioned if they could hear the claim from Mr. Bowden. Mr. O'Boyle stated that even if the ownership has changed, Mr. Bowden is the current tax payer and can file the claim. Council Member Wood reminded Law that in the past the Committee was told it had to be the property owner to have standing on a claim. Mr. Sanford referred to the ownership information noting it was transferred to Mr. Wheaton and the transferred back to Mr. Bowden at a later date. Council Member Spitzley stated to Mr. Bowden she could not explain why he was not notified before the Claims Review meeting and why the decision was made with him not there, but the Committee needs to address the claim itself. After a discussion on the procedure for the land contracts, and Mr. Bowden's statement he was present with Mr. Wheaton when attempting to pull permits, the Committee decided to continue with the review. Council Member Wood asked Mr. Sanford to confirm red tag dates:

12/6/2016 – yes

1/5/2017 – yes

3/7/2017 – yes

4/6/2017 – yes

Mr. Sanford then stated an officer visited the site monthly and did not see any action, and no permits were pulled until June 2017. If there are outstanding permits they cannot “un-tag”. They cannot live in a red tagged house and they cannot remove the tags if there are no issued permits.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM #1480 FOR 1207 CHESTNUT IN THE AMOUNT OF \$630.00. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1541; K Bowden; 1207 N Chestnut; \$750.00

Mr. Brewer noted that this claim also was before Claims Review and was a continuation of tag monitoring fees reflected on the 2017 winter taxes. The Claims Review Committee denied the claim on 4/19/2018. Council Member Spitzley asked if Mr. Bowden was provided a notice of that meeting date, at which Mr. Brewer stated it was originally set and rescheduled for that date and the expected him to attend. When he didn't they based their decision on the information in the packet. Council Member Spitzley asked Mr. Sanford to confirm if there were red tags placed on the following dates:

5/2/2017 – yes

6/8/2017 –yes

7/5/17 – yes

8/4/2017 – yes

After providing confirmation, Mr. Sanford stated that the code officer visits the site, inspects the house to verify it is cleaned up and if not places a tag. Mr. Bowden appealed that work was being done, and they should have also seen there were people occupying it that he was trying to evict.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM #1541 FOR 1207 N CHESTNUT IN THE AMOUNT OF \$750.00. MOTION CARRIED 3-0.

Council Member Spitzley informed Mr. Bowden the claim would be before Council on June 11th and if after that he wants a different decision he would need to appeal to Circuit Court. Ms. O'Boyle stated it would be Small Claims Court for anything under \$500.

Council Member Hussain stepped away at 4:42 p.m.

RESOLUTION – Claim Appeal #1414; A. Sumbal; 1718 Inverness Avenue; \$2,502.50

Mr. Sanford informed the Committee that the property was tagged since 2014, and the current owner purchased it 7/27/2015 at a tax auction. There were no permits applied for until 2/2/2016.

Council Member Hussain returned to the meeting at 4:43 p.m.

He continued, that work must be performed to have the tag removed, and in this case no inspections were not done. The red tags were not billed when they did see progress. Once receiving the red tags, the owner made 19 payments, but never made contact with the office.

Mr. Sumbal confirmed he had purchased the property at a County foreclosure and then started work on it cleaning it out. Once they found out they had pull permits they did so, and in turn thought the red tag fee should have stopped. He stated it wasn't until the project was complete was he told if he pulled permits and had inspections the red tags would stop. Therefore that is when he filed the claim for all the red tag fees and fines.

Council Member Wood questioned that the date of the claim was 4/11/2017. Council Staff confirmed it was not referred to Committee until April 23, 2018 with a cover memo dated April 11, 2018.

Mr. Sanford admitted the first red tag was in 2014 when the County owned it, but they do not bill the County.

Mr. Sumbal appealed again that once the permit were pulled and inspections performed the red tags should have stopped and he should not have the fees. Mr. Sanford stated a window was also boarded up in that time frame, but they also do not stop the red tags until the house is habitable.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM \$1414 FOR 1718 INVERNESS IN THE AMOUNT OF \$2,502.50. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1530; J. Sutton; 3428 Lowcroft; \$3,912.00

Mr. Sanford noted that trash was cited on 6/15/2017, with a compliance date of 6/22/2017. The officer re-inspected 6/26/2017 and submitted to the contractor with a yardage estimate. The contractor arrived and cleaned everything from the area and tree line.

Mr. Sutton confirmed they got the notice on 6/15/17 and 30 yards of trash, however the rest of the property was flooded. He submitted photos to the Committee of the flooding in the rear of his property. Mr. Sutton noted that in June the area was flooded and they could not have gotten anything else. Ms. Sutton added that after they cleaned it up they contact Code on 6/22/02017 and told them as much and asked them to call them back if they needed to do anything else. No call from Code compliance was ever returned. Mr. Sanford stated the contractor arrived on 7/5/2017 and 7/7/2017 and removed the debris which took 15 hours and two trucks. Mr. Sutton asked for a photo of the dump trailer taking the items, disputing what he called an elevated cost.

Council Member Wood stepped away from the meeting at 5:13 p.m.

Council Member Spitzley informed the claimants that the contractor cannot remove more than what is estimated, unless they call and get approval from Code.

Council Member Wood returned to the meeting at 5:17 p.m.

Ms. Sutton again stated that they called the Code inspector, and informed him if he was not satisfied with what they did to call them back and they never received a call so thought they were okay. She stated that if they would have called, once the water receded, they could have done the remaining clean up themselves.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM \$1530 FOR 3428 LOWCROFT IN THE AMOUNT OF \$3,912.00. MOTION CARRIED 3-0.

Council Member Wood asked Code to follow up on what policies there are on calling people back so that this does not happen again in the future.

DISCUSSION – Eric's Refuse

Discussion moved to a later date.

Council Member Wood asked Law why the claim for 1718 Inverness was date stamped in their office 4/11/2017, but the cover memo from them was 4/11/2018 and just referred. The Committee admitted they were advised in the past the claimant has 30 days to file the claim or the Committee can discharge it. Ms. O'Boyle stated the date was correct; it was an automatic fill on the memo. Mr. Abood stated he would look into the situation for clarity.

Council Member Spitzley asked Mr. Brewer to start reviewing all claims, not just the ones from Claims Review Committee.

The Committee determined that when claims are on the Council agenda, the photos will be sent to City TV to show on the screens, and also paper copies in the red folders.

Ms. Womboldt stated she was still waiting for the owners name for 930 W. Holmes, at which Council Member Wood stated she was working on that information.

Pending:

- Michigan Liquor Control Commission; Transfer of Ownership Class C & SDM license from RYJT, Ltd to Art's Pub, LLC at 809 Kalamazoo Street.-**Pending Application**

Remain Pending until the application is submitted.

Adjourned

Adjourned at 5:33 p.m.

Submitted by Sherrie Boak,

Office Manager, Lansing City Council

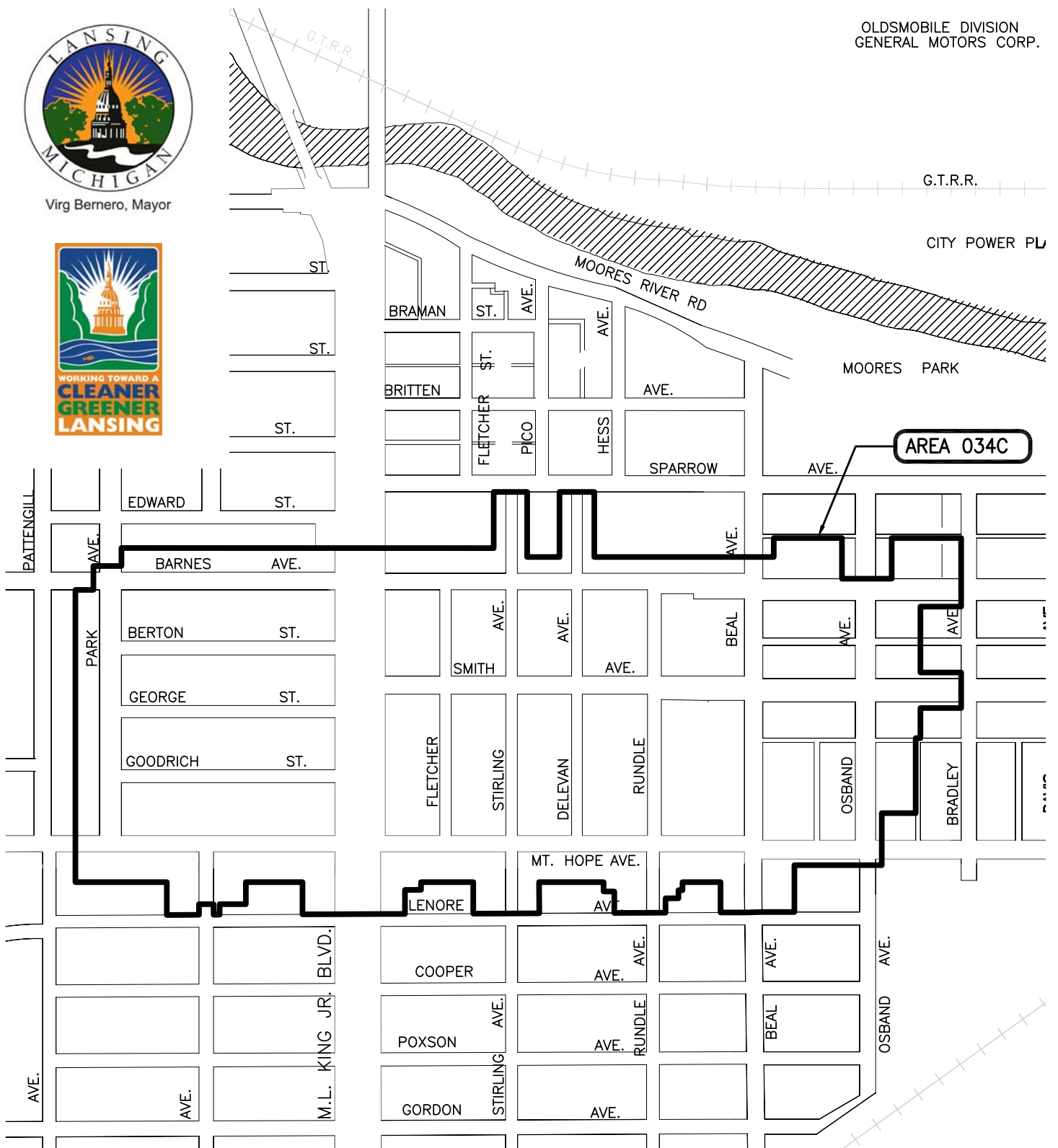
Approved by the Committee on _____



Virg Bernero, Mayor

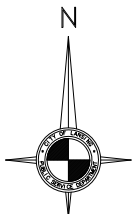


OLDSMOBILE DIVISION
GENERAL MOTORS CORP.



LEGEND

— PROJECT AREA BOUNDARY



NO SCALE

LANSING CSO CONTROL PROGRAM PHASE V SEGMENT 2 AREA 034C SEPARATION

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a public hearing was held on Monday, June 11, 2108, in consideration of the request by Hoffman Bros., Inc., the construction contractor for the Combined Sewer Overflow (CSO) Sub-area 034C Project, for issuance of a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM for the period June 16, 2018, through November 24, 2018, and for the period, April 20, 2019, through November 23, 2019; and

WHEREAS, this construction project involves underground utility construction and road reconstruction for approximately 180 acres of the City of Lansing's service area; and

WHEREAS, a tremendous amount of work must be completed by the end of each of the two construction seasons, respectively, and prior to the onset of winter; and

WHEREAS, this construction project includes underground utility work and road reconstruction on two highly traversed major streets within the City of Lansing, State Highway M-99 (i.e., Martin Luther King, Jr. Blvd.) and W. Mt. Hope Avenue; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to keep the project on-schedule; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that the City Council grant a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM for the period June 16, 2018, through November 24, 2018, and for the period, April 20, 2019, through November 23, 2019.

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service will be constructing the Combined Sewer Overflow (CSO) Sub-area 034C Project during the 2018 and 2019 construction seasons; and

WHEREAS, this construction project involves underground utility construction and road reconstruction for approximately 180 acres of the City of Lansing's service area; and

WHEREAS, a tremendous amount of work must be completed by the end of each of the two construction seasons, respectively, and prior to the onset of winter; and

WHEREAS, this construction project includes underground utility work and road reconstruction on two highly traversed major streets within the City of Lansing, State Highway M-99 (i.e., Martin Luther King, Jr. Blvd.) and W. Mt. Hope Avenue; and

WHEREAS, for the period June 16, 2018, through November 24, 2018, and for the period, April 20, 2019, through November 23, 2019, the construction contractor, Hoffman Bros., Inc., has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to keep the project on-schedule.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, June 11, 2018, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for granting a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM for the periods June 16, 2018, through November 24, 2018, and April 20, 2019, through November 23, 2019.