



MINUTES

Committee on General Services

Monday August 28, 2018 @ 4:00 p.m.

City Council Conference Room, City Hall 10th Floor

CALL TO ORDER

The meeting called to order at 4:01 p.m.

ROLL CALL

Council Member Patricia Spitzley, Chair

Council Member Adam Hussain, Vice Chair- excused

Council Member Carol Wood, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager

Scott Sanford, Code Compliance

Jim Smiertka, City Attorney]

William Fowler

Donn Thomas

Dr. Joan Jackson Johnson, HRCS Director

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 24, 2018 AS PRESENTED. MOTION CARRIED 2-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM AUGUST 6, 2018 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment on Agenda Items

No public comment at this time.

Discussion/Action:

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

Mr. Thomas informed the Committee that the complete remodel was performed along with sidewalk repairs on the street. He went on to provide a brief history on the restaurant and their plans. Council Member Spitzley reviewed the sign offs provided by the Clerk at the meeting, and asked if there were any outstanding taxes. Mr. Thomas stated there were some issues with the name on multiple properties, but it was cleared up and all taxes should be paid. Council Member Wood noted in the past have done a conditional approval pending the verification from

Treasury, and would be willing to consider that. Council Member Wood asked about the outdoor service on the application, and if they have any issues with the grow facility across the street. Mr. Thomas stated it did depend on the wind and they have attempted to buffer the street. He added that as part of the menu the restaurant has a smoker used on a daily basis which puts odors in the air. Council Member Wood suggested that if they have issues or complaints they can file a complaint with the City Attorney office.

MOTION BY COUNCIL MEMBER WOOD TO CONDITIONALLY APPROVE THE RESOLUTION FOR THE LIQUOR LICENSE FOR ARTS PUB LLC AT 809 E KALAMAZOO STREET, PENDING THE TREASURY APPROVAL. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal #1585; Ruby & William Fowler; 713 Shepard Street; \$9,950.50
Mr. Sanford read the following from the claim report:

CODE OFFICER'S NOTES: This property was cited for a trash violation on 10/20/2017 with an original compliance due date of 10/27/2017. The officer worked with this owner for several months to allow them time to remove the debris. On December 13, 2017 the property was submitted to the contractor. The officer notified the owner on 12/11/2017 that due to the lack of progress he was submitting the property to the contractor and he should remove any items that he may want to keep. This was a coordinated effort that required two officer's to be present while the property was being cleaned over the course of several days. This was a hoarding situation that not only consumed this property but his mother's as well who lives next door at 721 Shepard, this office also cleaned the property next door at 721 Shepard (\$11,607.50). This claimant had almost 3 months to come into compliance or make significant progress to continue and the pictures clearly show they did not. This office recommends denial of the claim.

Council Member Spitzley asked Mr. Fowler if the list and letter in his claim spoke to the items he deemed not being trash. Mr. Fowler stated to the Committee that he believed Code Compliance was harassing him and had been for 42 years, providing examples. He then referenced a few items in the photos that the contractor took that he deemed as not trash.

Council Member Spitzley referred to the Eric's Refuse Invoice and the large number items removed. Mr. Fowler again stated in his opinion that Code Compliance violated his rights. Council Member Wood asked if the amount in this violation also included the Code Officers time, and Mr. Sanford stated it was just the contractor which consisted of two crews of 6-8 people. Mr. Brewer provided to the Committee his breakdown of the invoice.

Mr. Fowler went on to appeal the removal of all the stacked fire wood.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM FOR 713 SHEPARD IN THE AMOUNT OF \$9,950.50, BASED ON THE PHOTOS AND STATEMENTS FROM CODE COMPLIANCE. MOTION CARRIED 2-0.

Council Member Spitzley clearly stated to Mr. Fowler that the Committee determination will be taken to Council on September 10, 2018 for the full Council action. If he is not satisfied with that decision his next step would be Circuit Court, and that was confirmed by the City Attorney.

RESOLUTION – Claim Appeal # 1586; Ruby & William Fowler; 721 Shepard Street; \$11,607.50
Council Member Spitzley asked if Mr. Fowler was the legal owner, and Mr. Smiertka confirmed after his review that the deed and transfers confirm he is.

Mr. Sanford read the following from the claim report:

CODE OFFICER'S NOTES: This property was cited for a trash violation on 10/20/2017 with an original compliance due date of 10/27/2017. The officer worked with this owner for several months to allow them time to remove the debris. On December 13, 2017 the property was submitted to the contractor. The officer notified the owner on 12/11/2017 that due to the lack of progress he was submitting the property to the contractor and he should remove any items that he may want to keep. This was a coordinated effort that required two officer's to be present while the property was being cleaned over the course of several days. This was a hoarding situation that not only consumed this property but his mother's as well who lives next door at 721 Shepard, this office also cleaned the property next door at 721 Shepard (\$11,607.50). This claimant had almost 3 months to come into compliance or make significant progress to continue and the pictures clearly show they did not. This office recommends denial of the claim.

Mr. Fowler appealed that items in the photos were removed by him not the contractor. Mr. Sanford went through the process his office follow in determining trash and what can be removed.

Mr. Brewer provided his breakdown on the contractor invoice.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM FOR 721 SHEPARD IN THE AMOUNT OF \$11,607.50, BASED ON THE PHOTOS AND CODE COMPLIANCE. MOTION CARRIED 2-0.

Mr. Fowler was informed that this item will be on the Council agenda September 10th as well.

FY2019/2020 Budget Policies and Priorities

No comments at this time.

RESOLUTION – Request for Recognition of Non-Profit Status; Connect 4 Kids

Dr. Jackson Johnson informed the Committee that the HRCS City Department applied for their non-profit and 501C3 so that they can obtain donors for their programs. The intent is not to hold a raffle or event, but to have it for better opportunities for donors. She added that BWL has already contacted them to use it. Mr. Smiertka added that with a 501C3 and Non-Profit Status, donors can write it off their taxes. The Committee spoke briefly with Dr. Jackson Johnson on the recent Connect 4 Kids event.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE REQUEST FOR RECOGNITION OF NON PROFIT STATUS FOR CONNECT 4 KIDS. MOTION CARRIED 2-0.

The Treasury Department provided the sign off regarding the liquor license for Arts Bar.

Adjourned

Adjourned at 4:51 p.m.

Submitted by Sherrie Boak,

Office Manager, Lansing City Council

Approved by the Committee on September 24, 2018