



MINUTES

Committee on General Services

Tuesday, October 23, 2018 @ 4:00 p.m.

City Council Conference Room, City Hall 10th Floor

CALL TO ORDER

The meeting called to order at 4:02 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
Dave Lofton, JC Gemini III-C, LLC
Scott Sandord, Code Compliance
Trisha Pissini
Lisa Hagen, Assistant City Attorney
Terry Gorham

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM OCTOBER 9, 2018 AS PRESENTED. MOTION CARRIED 3-0.

Public Comment on Agenda Items

No public comment at this time.

Discussion/Action:

RESOLUTION – Claim Appeal #1608; 207 Astor Ave; T. Passini; \$7,050.00'

Mr. Sanford read the officers comments on the staff report and the notes from the invoice:

CODE OFFICER'S NOTES: This property was cited for a trash and a grass violation on 6/25/2018 both had a compliance due date of 6/30/2018. The property was rechecked on 7/10/2018 the grass had been mowed but the trash remained. The contractor arrived on 7/12/2018 and due to the large amount of debris it took 3 days for the contractor to remove all of the debris. The contractor noted on their invoice that the owner was present on day two and three of the cleanup and had added more debris to the property than what was there the day prior. Pictures indicate the contractor and the officer followed proper procedures, this office recommends denial of the claim.

We started cleaning up the back yard until the neighbors called and the owner showed up. She was nice but Walter had to come out and explain what was happening. We cleaned up the entire back yard and back porch. There was section in the back behind the shed which was also filled up. On day 2 she made a pile for us in the middle of the backyard to help us out but we think she threw more stuff from out of her house. It also was a good walk from the back to the trucks and there also was a big truck in the driveway so we had to be careful walking past it.

Mr. Brewer confirmed the Claims Review Committee reviewed the invoice and determined it corresponded with the amounts removed.

Ms. Passini clarified she was not disputing that she owed the City money, but regarding the statement of Code stating she added items to the piles, which she claimed she did not. She continued, stating that when she got the violation, it was the holidays and when she called Code was told everything was delayed. When she offered to help and take care of it she was told it was too late because the process was already started. Lastly, Ms. Passini appealed that Code would not provide her details on the bill, backup for the notice or an invoice unless she filed a claim. Council Member Spitzley asked Code if a breakdown is provided to the claimants. Mr. Sanford stated it is not on the invoice but can inquire. Ms. Hagen said that the notes and pictures are not initiated until the claim is filed. In this case, since it did not go to claims review, Ms. Hagen stated they did not send to them. The Committee went through the breakdown on the invoice of yardage and man hours. They then determined, based on the photos the labor costs had merit.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM 1607 FOR 207 ASTOR IN THE AMOUNT OF \$7,050.00. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1607; 2907 Creston Avenue; T. Gorham; \$3,174.00

Mr. Sanford read the staff report:

CODE OFFICER'S NOTES: This property was cited for a trash violation on 6/08/2018 with a compliance due date of 6/15/2018, our office had been receiving complaints from the neighbors as well as LPD regarding the trash and activities at this location. The officer rechecked the property on 6/18/2018 the violations were still present therefore the property was submitted to the trash contractor for removal. The contractor arrived 6/26/2018 and the property was cleaned by the contractor. Pictures indicate this was a large trash removal this office would also like to note the occupants called LPD to the property which delayed the cleanup from taking place, however the contractor is being paid by the hour as they stand by. This office recommends denial of the claim.

Mr. Sanford also spoke about notes he had from the officer that stated the gas meter was removed when they were on site, so they tagged the property for no utility. There was a question on the dates of the violation and notice and Mr. Sanford clarified there was a typo and all occurred in 2018, and the Code officer approved the removal of all the additional items.

Mr. Gorham appealed that he did not receive a notice, and was not aware until the contractors arrived on June 25th, and that is when he stated he started to make phone calls to code compliance, leaving a voicemail with Mr. Odom. He then stated the contractors showed him the complaint and left. They arrive again on June 26th and started cleaning up. Mr. Sanford confirmed the address on the notice was the property address where Mr. Gorham stated he

resided. Council Member Wood asked about no meter, therefore no utilities and still residing there. Mr. Gorham stated he has not gas appliances and therefore when the meter was removed by the gas company it did not affect him.

The Committee reviewed the invoice regarding yardage and labor costs, noting that \$1,950.00 of the \$3,174.00 was labor.

Mr. Gorham suggested the City consider a door hanger or sticker placard when they cite people.

Council Member Hussain

Adam – always look to see if appropriate notice goes out, if timeline was followed, abatement costs, reauthorization,

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM 1607 FOR 2907 CRESTON FOR THE AMOUNT OF \$3,174.00. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1584; 1824 Davis Avenue; JC Gemini III-C, LLC; \$2,529.00

Mr. Lofton provided a letter from the owners stating he was authorized to speak on the claim and property.

Ms. Hagen informed the Committee that the Claims Review Committee did review the claim because when it was submitted Law obtained the backup material and Code admitted some items were invoiced, but not in the photos and recommended a reduction which brought it under \$2,500.

Mr. Sanford read the code officer notes from the staff report:

CODE OFFICER'S NOTES: This property was cited for a trash violation on 4/16/2018 with a compliance due date of 4/23/2018. The officer returned on 5/01/2018 the violations were still present as noted in the submittal photo. When the contractor arrived on violations were still present and they were removed. Notice was sent to the claimant and this office would like to note this property has been Red Tagged since 2/09/2017 and they are claiming they had to evict tenant, these tenants should not have been there the property needs to remain vacant. This owner has not complied with the repairs from the last two rental inspections and has a history of not complying with premise violations. When processing the claim the charges did not reflect what was in the photo's this office made contact with the contractor who went thru his records and spoke with the crew responsible for cleaning the property. The invoice lists Freon removal but no appliances are in the photos. There is a large brush pile, mattresses, broken furniture, misc. garbage, deteriorated lumber that was removed. The trash crew did not photograph the other items and the contractor agrees that this invoice needs to be reduced and that he will be charged back the difference. This office recommends denial of the claim and also recommends that the claims review board make an adjustment on the invoice amount.

Mr. Lofton was asked why the property was red tagged, and he stated they did not have permits for electrical and mechanical work at the time, but have pulled the permits since then and the red tagged removed. Mr. Sanford noted that the listed stated there were appliances and also Freon was removed, but there are no photos of those, so he agreed to make an adjustment.

Mr. Brewer informed the Committee that Claims Review did see the claim, and based on the photos reduced it by \$2,067 leaving a new balance owing of \$462.00. Mr. Lofton referenced the letter from Law and from his company there it was interpreted that the balance owing was the \$2,067.00. Ms. Hagen confirmed they did reduce by \$2,067.00 but the letter was not specific so they will add a sentence to all letters in the future to state what portion was granted and what the remaining balance was. Mr. Lofton stated they are fine with the new amount owing of \$462.

MOTION BY COUNCIL MEMBER HUSSAIN TO AGREE WITH THE CLAIMS REVIEW DECISION AND GRANT THE CLAIM IN THE AMOUNT OF \$2,067.00 WITH A REMANING BALANCE OWING OF \$462.00. MOTION CARRIED 3-0.

RESOLUTION- Claim Appeal #1611; 600 Jessop; M. Sdao; \$2,537.00

Item was moved to the next meeting.

Other – Liquor Licenses and the Liquor Control Commission

- Michigan Liquor Control Commission; Transfer Location; Class C & SDM License from 5100 Marsh Rd., Ste C Okemos to 1620 E Michigan; Tannin LLC (Pending application)
- Michigan Liquor Control Commission; Transfer Location; Escrowed 2018 SDD & SDM License w/Sunday Sales; Motor Vehicle Pumps; from 2900 Dunckel to 3000 Dunckel, Suite A (Pending Application)

Adjourned

Adjourned at 4:48 p.m.

Submitted by Sherrie Boak, Office Manager, Lansing City Council

Approved by the Committee on November 13, 2018