MINUTES
Committee on General Services
Monday, June 10, 2019 @ 8:00 a.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER
The meeting called to order at 8:02 a.m.

ROLL CALL
Council Member Jody Washington, Chair
Council Member Brian T. Jackson, Vice Chair- absent/unexcused
Council Member Carol Wood, Member

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Eric Brewer, Internal Auditor
Lisa Hagen, Assistant City Attorney
Scott Sanford, Code Compliance- arrived at 8:05 a.m.
Jim Smiertka, City Attorney – arrived at 8:08 a.m. - left at 8:23 a.m.
Loretta Stanaway
Barry Beltz
Ann Parry, Public Service
Jeff Anszaldus

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MAY 13, 2019 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment on Agenda Items
No comments at this time.

Discussion/Action:
RESOLUTION – Fire Works Display License; Great Lakes Fireworks; City of Lansing Independence Day Celebration

Mr. Beltz confirmed for the Committee that the display will be similar to last year and will be launched from the same location, Oak Park. Last year they received positive input from the Fire Marshall. Lastly, he confirmed the rain date would be July 5th, 2019 and it was confirmed it was stated in the resolution.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE FIRE WORKS DISPLAY FOR GREAT LAKES FIREWORKS FOR THE CITY INDEPENDENCE DAY CELEBRATION. MOTION CARRIED 2-0.

RESOLUTION – Community Funding Application; Friends of Lansing Historic Cemeteries & ENO; 60 Markers

Ms. Stanaway explained that the Friends of Lansing Historic Cemeteries worked with Eastside Neighborhood Association (ENO) on fundraising for 60 markers for the boys that passed from the Boys Training School and are currently buried without markers in the cemetery. To date they have raised $19,137. Council Member Wood asked Mr. Brewer the balance in the Community Promotions account, and was informed he did not have the exact amount but the budget transfer from 2018 recently hit the account and that was $8,000+ so there is plenty of money in the account for their request. Ms. Stanaway informed the Committee that this would be funds for the City Parks department to make the cuts for the markers, they have raised the funds for the markers them self. Therefore she was informed it would be an IDV transfer to Parks. Council Member Washington informed the Committee she is the VP of the Eastside Neighborhood Association, and asked Law if she should recuse herself from the vote. Mr. Smiertka confirmed it would be a conflict so she should recuse herself. Council Member Wood asked if she could vote to move it out of Committee and Mr. Smiertka confirmed, but stated she needed to make sure she disclosed it tonight at Council when the item would be up for final adoption.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR COMMUNITY FUNDING IN THE AMOUNT OF $2,000.00 FOR EASTSIDE NEIGHBORHOOD ASSOCIATION AND THE FRIENDS OF LANSING HISOTRIC CEMETERIES FOR SIXTY (60) CEMETERY MARKERS. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal #1680; Jeffrey Anzaldua; 1737 Robertson Street; $4,172.00

Scott read the staff report in the packet highlighting the dates and concluded by stating their recommendation for denial of the claim. The applicants confirmed that the fines for the violation never appeared on their taxes until winter 2018.

Mr. Anzaldua informed the Committee he was injured in a motorcycle accident shortly before the initial notification, stated why he could not meet the deadline, but also confirmed he contacted the Code officer who granted them another week. They assumed the week deadline was from the date of the conversation, but it was enforced as a week after the initial due date. The claimants then spoke in opposition to the costs that the City contractor charged. Ms. Anzaldua confirmed there were 5 crew members on site for 2 hours, which she believed the fees that were represented as extreme. The claimants also confirmed at the time of the violation there was a tenant (it is a registered rental) and the tenant left abruptly, so they currently have their son living in it. Council Member Washington explained that the City is not a trash removal company, and then asked Mr. Sanford to verify in his documents the number of hours the contractor was on site. He stated 16 hours, but with 5 people that would be 3 hours per person. Mr. Anzaldua appealed for leniency on the cost. The Committee and claimant then heard a breakdown on the fees which included $265 for administrative fees for the City, roughly $150 and hour for five people for 3 hours, then the charges for Granger, metals, and any chipping that had to be done on wood materials.

Council Member Wood suggested writing the resolution to state the claimant should pursue the damages with the tenant for repayment.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM FOR 1737 ROBERTSON STREET IN THE AMOUNT FO $4,172.00.

Council Member Washington again went through the fee breakdown and stated that tonight at Council they can come before the full Council with their appeal during their allotted three (3) minutes. If that appeal does not grant them what they want they can also appeal it in circuit court.

MOTION CARRIED 2-0.

Ms. Anzaldua asked the Committee to consider seeing their medical bills from Mr. Anzaldua accident. Council Member Wood replied that the Committee has to review the claims to determine if there was a violation, if it was addressed and the charges.

RESOLUTION – Set Public Hearing; Noise Waiver 8:00 a.m. – 8:00 p.m.; Miller Road (Cedar to Aurelius) July 8, 2019 – August 4, 2019; Turner Street (Douglas to Randolph) July 15, 2019 – August 18, 2019

Ms. Parry explained the request was made by the contractor so they could begin working on Saturdays for flexibility in their scheduled to complete the project. Council Member Wood asked for confirmation that the waiver would not need to be approved the night of the hearing (6/24) but can wait until July 8th, and Ms. Parry acknowledged it would not be a problem.

BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JUNE 24, 2019 FOR THE NOISE WAIVER FOR MILLER ROAD AND TURNER STREET. MOTION CARRIED 2-0.

RESOLUTION – Re-Set Public Hearing; Noise Waiver; MODT Rehab of Martin Luther King Jr. Blvd. from Pleasant Grove north to 550 ft. south of Victor Avenue; Weekends and Weekdays during 2019 Construction Season

Ms. Boak explained that the Council office received word from the Department on Public Service the last week of May that MDOT had not done the notification they wanted to do on the project, even though the City had done their notification, and so MDOT was asking for a delay in the hearing. It was explained to Public Service that the earliest Council meeting they could amend the hearing date would be June 10th, which is the date the original hearing was already set for. Therefore the original hearing will continue to take place, and this is a resolution to coincide with the MDOT notification information they distributed to the property owners. Therefore this noise waiver will hold a public hearing tonight, June 10th, another hearing June 24th and passage on June 24th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO RESET THE PUBLIC HEARING FOR JUEN 24, 2019 FOR THE NOISE WAIVER FOR THE MDOT PROJECT ON MLK. MOTION CARRIED 2-0.

DISCUSSION/ORDINANCE AMENDMENT – Fireworks Regulations and PA 256

Ms. Hagen informed the Committee that in order to enforce the City Ordinance on fireworks, they need to amend their current ordinance to reflect what was changed in 2018 with the State law. Council Member Wood and Washington both spoke in opposition to the changes in State law for the July 4th holiday which allows displays from July 29th – July 5th.

For enforcement of this ordinance over the July 4th, 2019 holiday, the OCA requested the hearing and adoption all occur the same night of June 24th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR JUNE 24, 2019 FOR THE ORDINANCE AMENDMENTS TO THE CITY ORDINANCE REGULATING FIREWORKS. MOTION CARRIED 2-0.

DISCUSSION – Code Compliance Refuse Contractor

Council Member Washington informed the Committee that she spoke to Brian McGrain about obtaining the last date of the RFP, what were the bids and who bid, and since she did not have it she hoped Mr. Sanford brought with him. She noted in her opinion that the current contractor is extremely high and she wondered if it has been a long period of time when it was unchecked. Mr. Sanford stated that he believed that in the last seven (7) years they have done the bid 2-3 times and just gotten one bid. However he did not have any information on any of that to provide to the Committee, but spoke in support of Eric's Refuse as the contractor. Council Member Washington again asked when the last RFP was done and he stated 2-3 years ago but did not have any details to present on that. Council Member Washington suggested an RFP be done again soon. She then asked if trash is contracted out, and was told yes; if tall grass was contracted out and was told yes; asked if snow and ice clearing on sidewalks was contracted out and was told yes. She then asked for clarity on what the Code Enforcement Officers do, referencing properties she has filed complaints on but nothing appears to be done, and one in particular is 53 weeks hold "still in progress". Mr. Sanford detailed their day to day tasks, and confirmed they have clerical staff as well to do the paperwork. Council Member Wood asked for clarification on the turn-around time on a claimant and was told by Mr. Sanford it was two (2) days.

Council Member Wood asked Mr. Sanford to explain the status of the Eyde property on MLK and why it has not been addressed yet. Mr. Sanford stated he was not sure why not and when it would get done. He then explained the two programs used for complaints and the issues his department and IT have been working on getting the programs (BSA and City Source) to speak to each other when people file a complaint. He did confirm however that if someone does file a complaint in City Source he personally gets an email.

Other

Council Member Washington asked Mr. Sanford for any update on a sump pump pumping the water in the front yard and sidewalk at a property in Groesbeck. Mr. Sanford stated he would speak to the Chief Plumbing Inspector.

Council Member Wood asked that this Committee review, address and amend the current City ordinance to address the requirements for each department since Economic Development and Planning were formed in 2018, along with Citizen Engagement and even Information Technology. Ms. Hagen was asked to pull the ordinances and submit to Ms. Boak for the next meeting.

Council Member Washington asked for the Committee to discuss the chicken ordinance and she was informed by Council Member Wood the City does not have one, but it is enforced by the County. Council Member Washington stated she would begin a discussion with the County Commissioner.

Adjourned
Adjourned at 8:50 a.m.
Submitted by Sherrie Boak,
Office Manager,
Lansing City Council
Approved by the Committee on June 24, 2019