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

CALL TO ORDER
The meeting called to order at 8:07 a.m.

ROLL CALL
Council Member Jody Washington, Chair
Council Member Brian T. Jackson, Vice Chair- left the meeting at 8:35 a.m.
Council Member Carol Wood, Member

OTHERS PRESENT
Sherrie Boak, Council Office Manager
Eric Brewer, Internal Auditor
Lisa Hagen, Council Legal Analyst
Scott Sanford, Code Compliance
Edgar Rivera-Perez

Minutes
MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JUNE 24, 2019 AS PRESENTED. MOTION CARRIED 3-0.

Public Comment on Agenda Items
No comments at this time.

Discussion/Action:
Department Withdrawal- 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
MOTION BY COUNCIL MEMBER WOOD TO RECEIVE AND PLACE ON FILE.

RESOLUTION – Claim Appeal; Claim #1695; 1412 N Jenison; Edgar Rivera-Perez; $489
Mr. Sanford informed the Committee that the property was cited on 2/25/2019 with a compliance date of 3/4/2019, and when it was rechecked the violations were still present. The contractor arrived on 3/8/2019 and removed the couch from the porch. It was noted that the couch was outside for 14 days, and referred to the photos. Mr. Brewer confirmed the Claims Review Committee did review it and did adjust the amount down to 1 yard, taking the amount to $460. Now that the owners have appealed to Council the Claims Review Committee determination is no longer an offer.

Mr. Rivera- Perez informed the Committee that they were returning the couch back to the store under warranty and were waiting the company to pick it up. When it was removed, he assumed it was that company. Mr. Rivera- Perez also appealed that they never got the notice, a knock on the door or a sticker so they had no clue it was a violation. Mr. Sanford stated it was mailed to the residence and the land contractor holder. Council Member Jackson referred to a letter from the claimant and asked when he left town. Mr. Rivera-Perez stated he was out of town February 25th, but his step son was at the house during that time and did not receive any notification or knock on the door. Council Member Jackson encouraged Mr. Sanford to have his staff knock on the doors. Council Member Washington asked if it was under warranty why they put it on the porch, and Mr. Rivera-Perez stated they didn't have any room in the house because they had already purchased replacement couches, and if the warranty did not cover it they were going to put at the curb. Mr. Smiertka was asked what steps the City is required in notifications, and Mr. Smiertka stated it is service of process via the assessor records for ownership which is also the process used in courts.

Council Member Washington asked for a breakdown on the fees and Mr. Sanford stated it was $265 Administrative Fee, $224 from contractor for base fee on hours and yardage along with an additional charge by Granger. Mr. Rivera-Perez questioned that it would take an hour to remove a couch, and Mr. Sanford stated it is a minimum time. Mr. Rivera-Perez appealed again that he did not get the notice. Council Member Wood asked what date the warranty company gave on when they would pick up the couch and was told no date was given, they were supposed to call and state if they would even pick up or if it could be thrown away.

MOTION BY COUNCIL MEMBER WOOD TO REDUCE THE CLAIM TO $460 IN CONCURRANCE WITH THE CLAIMS REVIEW COMMITTEE, AND RECOMMEND THE PEREZ FAMILY PURSUE A CLAIM WITH THE WARRANTY COMPANY SINCE THERE ARE PHOTOS OF THE COUCH ON THE PORCH.

Council Member Jackson stated in his opinion a clause in the resolution would not help the claimants, and the $20 reduction was too small. He then went onto state his thoughts on the Eric Refuse extreme fees and what he thought was an extreme administrative fee for one person. Lastly, he again appealed that they being knocking on doors when they see a violation, then leave a sticker if they are not home, followed by the notification they are already mailing. Council Member Jackson also noted he believed that there should be consideration for residents' struggles and now the loss of their warranty. Council Member Jackson then asked Council Member Wood to consider an amendment to her motion to reduce the administrative fees and/or Eric's Refuse charges to make the final amount $200. Council Member Washington stated her belief that the Council cannot take socio-economics into determining the fees; it has to be the same for every resident, in addition the City is not a trash removal business. She continued by stating that based on information Code Compliance has provided in the past, with 1,000 complaints they cannot knock on every door, and their fees cover their expenses because they have to be self-supporting.

Mr. Rivera-Perez informed the Committee and Mr. Sanford there are other homes with junk in his neighborhood and felt they discriminated against him, at which Council Member Washington encouraged him to report all those properties to Code Compliance.

Council Member Wood spoke briefly on historical practices where Public Service picked up the items but it was not cost effective, and Code Compliance has informed Council in the past Eric's Refuse is the only company that ever submits a proposal when the RFP goes out. Regarding notices, there is an understanding they go out, and there might be a delay in the mail, and some of his neighbors might have also gotten notices and they are in the process of compliance also.

Council Member Washington stated she would support a reduction in the Eric's Refuse fee from $224 to $112. Council Member Jackson supported a reduction also, but noted that according to Mr. Sanford 99% of the people comply and 1% appeal, so knocking on the door might reduce that more. Council Member Washington noted that could be addressed in their policy, however it would address this case and Council cannot determine or write the department policies.
COUNCIL MEMBER WOOD WITHDREW HER EARLIER MOTION.

MOTION BY COUNCIL MEMBER WOOD TO REDUCE THE CLAIM BY $112 AND DENY THE BALANCE OF THE CLAIM IN THE AMOUNT OF $377, AND RECOMMEND THE CLAIMANTS APPEAL WITH THE WARRANTY COMPANY USING THIS RESOLUTION AND PHOTOS IN SMALL CLAIMS COURT. MOTION CARRIED 2-1.

Council Member Jackson left the meeting at 8:35 a.m.

Mr. Rivera-Sanchez spoke to Mr. Sanford on other neighbors who have issues and violations. Mr. Sanford stated he would have his staff check the whole 1400 block on Jenison.

Council Member Washington informed the claimant that they could make payment arrangements with the City Treasurer on the first floor of City Hall. Mr. Rivera-Sanchez asked if the Council would reduce it more. Council Member Washington stated that the motion is a recommendation from this Committee to the complete Council.

Council Member Wood asked Mr. Smiertka if the Council can dictate policy, and Mr. Smiertka confirmed the ordinance speaks to trash and cost removal, the administration of that is up to the Executive branch. Mr. Sanford admitted that the Code Enforcement office does have a hang tag they could put out if they find a violation, and then noted that his understanding as of recently is that Public Service has eliminated the use of a large item sticker.

DISCUSSION – Ordinance Chapter 288 – Employee Qualifications
Council Staff detailed the items in the packet which included the current ordinance and the requested contract for the Neighborhood and Citizen Engagement Director.

Council Member Wood noted to Law and the Committee that some positions were created by executive order, and could be defined differently then what currently is there, so Law was asked to look at these and additional information. Mr. Smiertka stated the executive orders in 2018 and 2019 were for consolidation during transitions. Therefore, the terminology of the previous office was carried into to the new, so it would just be a cleanup. Council Member Wood asked if any Executive Orders done under the previous Administration would still be in effect. Mr. Smiertka stated the executive orders were reorganization under the Charter. If it was a temporary action, it would go away. Council Member Wood then asked for a Law to provide a copy of the resolution that established Mr. Tate as the Chief Labor Negotiator.

Ms. Hagen acknowledged she had a list of positions to begin work on and there will be an ordinance to amend and an ordinance for any repeals that have to occur.

Council Member Washington asked Law if the OCA was doing a complete cleanup of the ordinances to make them current. Mr. Smiertka stated they have not, but it could start at Committee.

Council Member Wood began a discussion on if the Committee should have a code compliance and claim training in the future before any future claims. Mr. Brewer stated there is a handout that is provided to Council Members when they become part of the Committee on what steps are taken at the Claims Review Committee. Council Member Wood asked for a “cheat –sheet” on what can be considered. Mr. Smiertka asked Mr. Sanford if they send out their letters certified mail and was told they only send certified for demolitions.

OTHER

Michigan Liquor Control Commission; Transfer License with Sunday Sales, Outdoor Service, Catering Bars and Dance-Entertainment from 7786 E. US 10, Walhalla to 419 Spring Street, Lansing. Transfer Governmental Unit from Branch Twp., Mason County to Lansing City, Ingham County **(Pending Application)**

Michigan Liquor Control Commission; Transfer Ownership of a 2018 Class C and SDM Licensed Business w/Sunday Sales, Dance-Entertainment Permit and Outdoor Service from Leo's Outpost, Inc. located at 600 S. Pennsylvania, Lansing, MI 48912 **(Pending Application)**

Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2018 Class C Licensed Business w/Dance Entertainment Permit from Tini Bikinis-Lansing, LLC; transfer location from 511 East Hazel., Lansing; cancel existing Outdoor Service and request new Sunday Sale to Bar Mitena, LLC 2001 East Michigan Avenue **(Pending Application)**

Michigan Liquor Control Commission; Transfer Stock Interest through Transfer of Stock from Corporation to New & Existing Stockholders for Mash Mavericks at 523 E. Shiawassee Street**(Pending Application)**

Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2019 with Sunday Sales Permit (PM) Only from Elioun, Inc., transfer location from 1908 E Michigan Avenue Suite A to 600 E. Michigan, Lansing to be held with SDM License**(Pending Application)**

Adjourned

Adjourned at 9:04 a.m.
Submitted by Sherrie Boak,
Office Manager,
Lansing City Council
Approved by the Committee on July 22, 2019