



**MINUTES**  
**Committee on General Services**  
**Thursday, November 21, 2019 @ 2:30 p.m.**  
**City Council Conference Room, City Hall 10<sup>th</sup> Floor**

**CALL TO ORDER**

The meeting called to order at 2:30 p.m.

**ROLL CALL**

Council Member Jody Washington, Chair  
Council Member Brian T. Jackson, Vice Chair- unexcused  
Council Member Carol Wood, Member

**OTHERS PRESENT**

Sherrie Boak, Council Office Manager  
Amanda O'Boyle, Assistant City Attorney  
Eric Brewer, Council Internal Auditor  
Scott Sanford, Code Compliance- left at 3:16 p.m.  
Matt Nozewicz  
George Grof, Reid Machinery  
Debra Fast  
Bob Pena  
Lewis Hanft  
Collin Smith

**Minutes**

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM OCTOBER 28, 2019. MOTION CARRIED 2-0.

**Public Comment on Agenda Items**

Comments held during the agenda item.

**Discussion/Action:**

**RESOLUTION – Recognition of Non-Profit Status; One Starfish**

Ms. Fast introduced herself and out lined her non-profit which assists with support to indigenous people in Guatemala for food, education and medical needs. The group is working on taking over the bingo night at Carousal Bingo Hall. Council Member Wood asked Ms. O'Boyle if the OCA had review and signed off on the By Laws and dissolution clause. Ms. O'Boyle confirmed stating they found no legal issues.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE NON-PROFIT STATUS FOR ONE STARFISH. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal # 1740; Lewis Hanft; 214 Lathrop; \$3,140.00

Council Member Washington clarified for the record that the claim had been to Committee on October 28, 2019 and sent to Council with a recommendation of denial, but Council referred it back to Committee for further discussion and determination if the tree was cut by BWL. Mr. Sanford outlined the staff report on the dates of violation, etc. He also noted that their search in September showed that taxes from winter 2018 and summer 2019 still owed. He stated in his opinion being that the owner owned a tree cutting service they would know a tree trunk cannot be left on the property.

Mr. Hanft first stated his taxes were paid on August 17, 2019 and he could provide the receipt. Council Member Wood clarified that Mr. Sanford referenced the taxes; however, the Committee was here to only review his appeal of the claim. Mr. Hanft stated he has investigated where the material came from and it was not from him or his business. His property at 210 had a tree by the power line in the back yard and the tenant informed him that she asked BWL crews who were working on the street to cut the tree and place the trunk in the back yard of the vacant lot. Council Member Wood asked the Chairperson to table the request until the December 2, 2019 meeting so Council Staff could contact BWL to see if they have a record of cutting the tree. Mr. Sanford stated in his experience, when BWL cuts a tree, they remove branches and leave the trunk. There was a brief discussion with the applicant and the Committee on the addressing of a vacant lot, and the owners desire to combine the parcels once the claim is resolved.

RESOLUTION – Claim Appeal #1720; Ruben Montes III; 510 N Hayford Ave; \$518.00

There were no applicants present.

Council Member Wood asked why the claim was submitted by a tenant and being reviewed since the direction from OCA has been a claim can only be heard by the Owner. Council Staff deferred to Mr. Brewer who sits on the Claims Review Committee where it initiated. Mr. Brewer referenced his notes from that Committee stating it was noted that Committee received documentation of verification from the owner. He was then asked what the documentation was and he stated utility bills and OCA also researched it. Council Member Wood then asked Ms. O'Boyle if the policy to only acknowledge the claim from the owner. Ms. O'Boyle stated that they have required anyone speaking on behalf of the owner have authorization to do so. Council Member Wood asked if there was authorization, and Ms. O'Boyle stated she would check with her office and Mr. Brewer noted the claimant brought documentation from BAM, LLC that is the owners.

Council Staff was directed to contact the owners to see if they disputed the claim, and if so they will need to attend the December 2, 2019 meeting.

RESOLUTION – Claim Appeal #1737; Collin Smith; 723 Orchard Glen Ave.; \$2,800.00

Mr. Sanford began by reading the staff report in the packet, noting it was cited on 8/27/2019, and the inspector extend multiple extensions, however after the end of September the contractor was contacted and arrived on 10/9/2019. He added that their permit expired on 12/18/2018 and the City did cite them for working without a permit.

Mr. Smith and his father, Dean Smith, stated they did request one extension, but after that was granted never heard again from Code or even knew about the additional extensions. Mr. Collin Smith added that he had dumpsters on site, and after the citation was issued, he removed  $\frac{3}{4}$  of the material equally 80-90% of the material. A 4<sup>th</sup> dumpster was on site when the City contractor arrived. He added that regarding the permits, the inspections were done 11/21/2019 and the building permit was extended. Council Member Washington referenced the photos in

the packet and Mr. Collin Smith stated he could provide video surveillance showing he removed the material, not the contractor. Council Member Washington asked Mr. Sanford to explain why the citation was 8/27/2017 but they did not pursue compliance until 9/3/2019. Mr. Sanford stated that was an error in their report. Mr. Collin Smith stated that they might not have cited them every time they came back, but he was making weekly progress on the materials from the construction project so it was not always the same material. He appealed that the contractor did not spend four hours cleaning it up. He confirmed that when he arrived on the property Eric's Refuse was asked to leave and they left the property and watch the owner clean up the property. Council Member Wood asked Mr. Sanford if the contractor follow that practice. Council Member Washington asked Mr. Sanford what the specific charges were from the contractor, and Mr. Brewer stated it was 16 hours, which is four staff each for 4 hours. Council Member Wood noted she understood the claim and had an issue with Eric's Refuse leaving the property when the owner offered to clean the site, and told Mr. Smith if he had issues with the contractor and inspector to file that with the Department Manager or the Mayor's office because Council does not have the purview to direct employees in other departments in the City. Mr. Smith stated he was only seeking a claim was for \$2,800 even though the amount billed was \$3,864 because of the actual cost of a dumpster and what the employees of Eric's Refuse actually make during their work which is minimum wage compared to the \$150/hr. that Eric's Refuse charged the City. Mr. Sanford noted that the City administrative fee is \$265.00 and the contractor was already paid by the City. Council Member Wood asked Mr. Sanford to provide a recommendation since Eric's Refuse walked off the job. Mr. Sanford stated he did not have any notes from the inspector that they walked off the site and he was not aware of the property. Mr. Smith again appealed that he could provide receipts for all his dumpsters and the video when he cleaned the property. Mr. Sanford stated that his notes show the material was on the property for 42 days, and Mr. Smith stated that with a construction site, there is material on the property but during those 42 days, it was not the same material.

Based on the materials provided Council Member Wood determined that the contractor charged for removing \$910 worth of construction material, therefore she would recommend a reduction and asked Mr. Sanford to investigate why Eric's Refuse left the job site.

**MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM 1737 IN THE AMOUNT OF \$1,890.00 AND GRANT IT FOR \$910.00 AT 723 ORCHARD GLEN.**

Mr. Collin Smith appealed stating he was making progress on the construction weekly and asked how someone can work on a house without debris. Council Member Wood encouraged them to work with Code Compliance and the building department in the future.

**MOTION CARRIED 2-0.**

Mr. Smith was advised of the Council meeting on 12/2/2019 and his time limits at that meeting. He asked if it can be pursued in court and was told that if he is not happy with the full Council decision on 12/2/2019 he does have that option.

RESOLUTION – Claim Appeal #1723; Reid Machinery, Inc.; S. MLK Vacant Parcel; \$1,601  
Mr. Brewer confirmed the claim was before the Claims Review Committee and after obtaining additional information, they reviewed photos and determined the material that was picked up was from the owners; Reid Machinery. The Claims Review Committee did recommend a reduction of half the hours and yardage for a new total, however by appealing to the Committee on General Services; they did not accept the reduction. Mr. Sanford did not offer any

comments, stated he would concur with the Committee and stated he needed to leave the meeting to go to the Mayor's office.

Mr. Grof provided a survey from 2016 along with aerial photos that represented his appeal that the material was not coming from his property. He confirmed he had hired a contractor in the past when this started to have the material removed to Granger, however Logan Square tenants continue to put the material on his property and he referenced the drawings, which he pointed to tire tracks along the property line coming from the neighboring property. Council Member Washington asked Mr. Brewer what correspondence they had in Claim Review to make their determination. Mr. Brewer confirmed they used the correspondence from Code Compliance and were told that a City Attorney had walked the site. The Committee reviewed the photos in the packet for the claim along with the maps from the claimant and determined that the material was not on their property.

MOTION BY COUNCIL MEMBER WOOD TO GRANT THE CLAIM 1723 IN THE AMOUNT OF \$1,601.00 FOR REID MACHINERY ON S. MLK VACANT PARCEL. MOTION CARRIED 2-0.

Mr. Grof stated the neighboring property, Logan Square, is still dumping and even going into the wood to do so. He noted that Mr. Abood, Chief Deputy City Attorney walked the site with him and stated to him that there was no way the material was coming from the Reid Machinery site.

ORDINANCE –Amendments to Chapter 288, Section 288-10, Section 288-14 and Section 288.20; Employee Qualifications

The Committee received clarification from OCA after the last meeting that Ms. Crawford's job title in this ordinance did not need to be amended because the changes that occurred in her role were job duty changes, not part of the title of her position.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE ORDINANCE TO AMEND CHAPTER 288 SECTIONS 288.10, 288.14 AND 288.20. MOTION CARRIED 2-0.

**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; RID#RZ-1908-14021; Board of Trustees, Michigan State University, request to transfer of ownership of Escrowed 2019 Class C Licensed Business with Sunday Sales Permit (P.M.), Entertainment Permit and Sunday Sales Permit (A.M.) from HOA Restaurant Holder; transfer location from 172 E Edgewood Blvd., new Additional Bar Permit for a total of 2 bars, new outdoor service area; new specific purpose permit (golf), transfer classification from Class C License issued under MCL 436.1531 to Class C License issued under MCL436.1513(4) (non-transferable) at 3535 Forest Road, Suite C88A (**Pending Application**)

**Adjourned**

Adjourned at 3:25 p.m.

Submitted by Sherrie Boak, Office Manager, Lansing City Council

Approved by the Committee on December 2, 2019