



MINUTES
Committee on Public Service
Friday, March 17, 2017 @ 3:30 p.m.
City Hall, Conference Room, 10th Floor

CALL TO ORDER

The meeting called to order at 3:47 p.m.

ROLL CALL

Councilmember Kathie Dunbar, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member-excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Billie O'Berry, Assistant City Attorney
Chris Swope, City Clerk
Chris Mumby, Public Service
Lisa Smith-Addiss, Public Service

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MARCH 13, 2017 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment

No comments.

Council Member Dunbar amended the agenda to address the Ordinance Introduction first.

Discussion/Action:

**RESOLUTION – Set the Public Hearing; Ordinance Introduction;
Special Assessment Notice Requirement Ordinance Amendment**

Mr. Swope outlined the proposed amendments which would change how the notices are mailed and published. Mr. Swope informed the Committee that currently the State law does say the Clerk has to notify property owner, but does not require that it is published in the paper. Therefore the Clerk's office would like to amend the ordinance to reflect the minimum State requirements. This would mean they will continue to mail the notice to the individual. Council Member Dunbar asked what the cost of publication was, and it was noted it could range from \$100-\$200 based on the subject.

The Committee reviewed the proposed amendments and made changes to reflect a longer timeline before the hearing, reflected on page 4 "at least twelve days before the date of such hearing." The original proposed amendments removed details on the publication found on page 2, striking out (c) (1) after "before the roll is confirmed." through (2) on page 3. The details of the notice were then added to the ordinance on 4, at the end of item (2) after "Notice given under this subsection shall comply with any mandatory statutory provision governing the same."

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR APRIL 10, 2017, WITH THE AMENDMENTS TO ADDRESS DETAILS OF THE NOTICE TO ITEM (c) (2) AND CHANGING THE TIME LINE OF NOTIFICATION FROM 10 DAYS TO 12 DAYS. MOTION CARRIED 2-0.

RESOLUTION –Sidewalk Snow Removal Assessment

Mr. Mumby and Ms. Smith-Addiss went through the packet of information which included aerial photos of the appealed cases, along with the compliance timeline for each one. Included in the information was a detail on the weather during the dates of the violations.

2115 Vassar Drive

Mr. Mumby noted the timeline on the property for the violation, which was filed and cleared by the contractor within 3 days, which was 2 days after the notice was left. Council Member Dunbar did ask for the before photos that were requested in previous years. Mr. Mumby confirmed they did not have them at this meeting.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE APPEAL AT 2115 VASSAR DRIVE FOR THE AMOUNT OF \$149.00. MOTION CARRIED 2-0.

Council Member Wood asked if a letter would be sent to inform the claimant it was denied by Committee and voted on at Council on March 27th. After discussions, and information provided by Public Service that two notices have been sent to attend this meeting and the public hearing on March 13th, it was determined a notice would be sent after Council when it is finalized. Ms. Boak and Ms. Smith-Addiss both confirmed emails were sent from both offices on March 14th informing them of this meeting.

606 N Hayford Avenue

The Committee read the claimants email, which stated he saw the notice and cleared the sidewalk. The photos presented by Public Service representing what was done by the contractor.

The Committee discussed with Mr. Mumby when the bill will be sent and when they can appeal to the Tax Tribunal. Mr. Mumby noted that a notice with the amount of the proposed assessment is sent, then a bill after the roll is ratified informing they can appeal to the Tax Tribunal before it goes on their taxes.

Council Member Dunbar asked if they post the property the same day they get the complaint. Mr. Mumby admitted his department makes every attempt to do so, and that the Inspectors do have City Works in their vehicles so they can see when a complaint gets filed.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM AT 606 N HAYFORD AVENUE FOR THE AMOUNT OF \$149.00. MOTION CARRIED 2-0.

120 S. Clemens Avenue

Ms. Smith referred to the weather at the time of the clearing, where the property owner cited something different then what the staff found on Underground Weather site. The Committee reviewed the photos which appeared to show some clearing, but not the complete areas in

question. Council Member Dunbar asked that the dates of the photos be added to the copies of the photos Council receives.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM AT 120 S CLEMENS AVENUE FOR THE AMOUNT OF \$149.00. MOTION CARRIED 2-0.

513 W. Ionia Street

Mr. Mumby detailed the business property, and also referred to the breakdown of the complaint which shows it was cleared 3 days after the complaint. The owner's photos were taken after a second snowfall when they did truly clear the sidewalks.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM AT 513 W IONIA STREET FOR THE AMOUNT OF \$149.00. MOTION CARRIED 2-0.

2119 S. Rundle Avenue

Mr. Mumby went through the timeline on the property from the time the complaint was called in, until it was cleared. Council Member Dunbar referenced an email from the complaint who stated she never saw the notice because she does not live in Lansing. Ms. Smith-Addiss stated the department does offer a program where the property owners can sign up for notifications on all the tagged properties. She would forward that information onto this owner as an option to consider for the future. Mr. Mumby stated he would also inquire into posting that information on the website.

Council Member Wood asked if this property was a repeat offender, and if any of the violations on the roll were. Mr. Mumby confirmed he did not check the entire roll, but out of the appeals, they were not repeat offenders.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM AT 2119 S RUNDLE AVENUE FOR THE AMOUNT OF \$289.00. MOTION CARRIED 2-0.

220 Paris Avenue

The Committee reviewed the timeline from the complaint until it was cleared, checked the weather details and the photos. The Committee reviewed the hand written note by the complaint regarding their situation.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM AT 220 PARIS AVENUE FOR THE AMOUNT OF \$149.00. MOTION CARRIED 2-0.

1116 Poxson Avenue

Mr. Mumby acknowledged that the department reviewed the complaint and the appeal and determined it should not appear on the roll.

ADJOURN

The meeting was adjourned at 4:40 p.m.

Submitted by, Sherrie Boak

Recording Secretary

Lansing City Council

Approved: April 7, 2017