



MINUTES
Committee on City Operations
Tuesday, September 6, 2022 @ 4:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Spitzley called the meeting to order at 4:30 p.m.

PRESENT

Council Member Spitzley, Chair
Council Member Daniels, Vice-Chair- unexcused
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Lisa Hagen, OCA
Mary Bowen, OCA – left the meeting at 5:10 p.m.
Scott Sanford, Code Compliance
Karl Dorshimer, EDC
Andy Kilpatrick, Public Service
Joan Brooks
Rachel Kheni
Hameed Katawazi
Mark Farrell
Rosa Brown
Mark Quinn
Lee Taylor
Sharon Dade

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JULY 19, 2022, AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment at this time.

Discussion/Action

RESOLUTION – Social Districts; amend to include Lansing Hotel Investors, LLC in the Downtown Social District

Ms. Hagen stated that due to new ownership of the Radisson, it was amended to add the new license holder to the Downtown Social District.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR SOCIAL DISTRICTS; AMEND TO INCLUDE LANSING HOTEL INVESTORS, LLC IN THE DOWNTOWN SOCIAL DISTRICT. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal; Claim #1900, Joan Brooks for \$493.40 board-up fee at 4904 Richmond Street

Mr. Sanford went through process, and originally recommended denial, but confirmed it was a board up request by LPD, and is now recommending voiding the \$265 fee, or if the Committee considered waiving. Council Member Spitzley acknowledged it was a welfare check, and it was not something she did herself. Council Member Hussain also concurred with the statements.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO GRANT THE CLAIM APPEAL; CLAIM #1900, JOAN BROOKS FOR \$493.40 BOARD UP FEE AT 4904 RICHMOND STREET.

Ms. Brooks pointed out her other claim on door replacement. Ms. Hagen recommended she file a property damage claim, which is different from this form, and OCA will review that. Ms. Brooks stated she was also advised to obtain a police report and file a claim with her homeowners' insurance. Council Member Spitzley advised them that the resolution once adopted from Council on 9/12/2022 can be used as documentation to the City Treasurer for the taxes.

MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal; Claim #1894, Paul Khai/Rachel Kheni for \$610 in trash fees at 5736 LaPorte Drive

Mr. Sanford outlined the timeline of the violation, the contractor status for removal, with the code compliance recommendation for denial of this claim.

Ms. Khai, with assistance from interpreter, acknowledged the Committee. She noted she did receive the letter and appealed the Claims Review Committee.

Ms. Bowen confirmed it was before the Claims Review Committee, and they denied in full. Council Member Spitzley explained the Committee gets recommendations from the Claims Review Committee, and they suggested it be denied. This now an opportunity for the owner to appeal to this Committee.

Council Member Hussain asked why Claims Review denied. Ms. Bowen confirmed proper notice was given, photos were taken, and contractor did the work. Council Member Spitzley acknowledged proper notice was given.

Ms. Kheni acknowledged the letter she received but was not aware of what the notice was for. Council Member Spitzley acknowledged the language barrier, but with the proof of all steps being taken, the Committee at this time cannot grant the claim.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE RESOLUTION FOR CLAIM APPEAL; CLAIM #1894, PAUL KHAI FOR \$610 IN TRASH FEES AT 5736 LAPORTE DRIVE.

Council Member Spitzley advised Ms. Kheni that the recommendation will be sent to the Council on September 12, 2022, to appeal one last time.
MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal; Claim #1901, Hameed Katawazi for \$2,215 in trash fees at 1017 West Hillsdale Street

Mr. Sanford outlined the violations, notifications and recommended denial. He added the property is red tagged. Council Member Spitzley asked why it was red tagged, and Mr. Sanford stated it was the items inside the building.

Mr. Katawazi confirmed the red tag was issues with the inside and the tenants. He then explained issues he had with tenants, the current eviction process.

Council Member Spitzley asked why people were still there if red tagged on April 2022. Mr. Sanford stated he does not work 24 hours and he cannot throw people out but acknowledged no one should be there.

Ms. Bowen confirmed Claims Review Committee recommended denying in full, based on pictures, notifications, etc. Council Member Spitzley asked when the contractor has to ask for additional hours, and the Committee was referred to the billing.

Mr. Katawazi stated he is still having issues with trash and the tenant until the eviction.

Council Member Spitzley noted he is the landowner, and these are tenants behaving badly, and there is no provision to provide granting the claim because of bad tenants. She then asked Mr. Sanford about the red tag and asked who inspects those. Mr. Sanford stated that since they are not being allowed in, they do not have options.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE RESOLUTION FOR CLAIM APPEAL; CLAIM #1901, HAMEED KATAWAZI FOR \$2,215 IN TRASH FEES AT 1017 WEST HILLSDALE STREET. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal; Claim #1916, Estate of Irene McKay for \$3,272 in trash fees at 1351 Robertson Street

Mr. Sanford outlined the violation and timelines. Code Compliance recommends denial of the claim and wanted the Committee to know it was an unregistered rental.

Mr. Farrell explained that the property was purchased in Ms. McKay name, and had family living there, and she has been deceased in 2015. There was a potential lawsuit, attorney stated they would do probate, and after 3 years the attorney quit. It is not homestead, Ms. Brown was notified and has been paying homestead taxes. He added that Ms. McKay had no will, and the plan is to put in the correct ownership. He then referenced the photos of the trash, noting in his opinion was a small pile of junk that could have fit in a pickup. There is no objection to administrative fee, and again appealed the large fee for the trash, and what claim from Eric Refuse says 8 hours and 32 cubic yards.

Council Member Spitzley asked Mr. Sanford to explain the process for when the contractor asks for more time. Mr. Sanford outlined the initial assessment by code officer is 3 yards 1 hour and 2 men. If Eric's sees more, they have to call that code officer and he approved additional yardage. He then referenced the photos and timelines. He then stated the trucks are 18 sq. foot per truck.

Ms. Brown stated she has been paying the taxes, and the mother of Irene McKay. She added she was there when the contractor arrived, and they were not out there for 8 hours. Mr. Farrell noted 12 pickup loads will fill a 30-yard dumpster and questioned if this was 30 yards.

Council Member Spitzley asked what connection Ms. McKay had to Mr. Farrell, and he stated he lived with her, and is her attorney. The title and probate were never done by the attorney who said they took the case. It is not a rental because it is family in the property. Ms. Hagen explained that anytime someone lives in the house is not the legal owner, qualifies as a rental in the City ordinance. She then referenced the letter and probate court filings in the claim that allows him to file the claim.

Council Member Hussain asked Mr. Sanford what happens when code sees the first time, and what they see the second time when the contractor calls them out and asked for confirmation the code officer went on site. Mr. Sanford confirmed the first view is from public view and then for the second review they go on property. Council Member Hussain admitted he struggled with the photo evidence and the amount of trash. Council Member Spitzley asked Mr. Sanford how much space the trash cans take up in the trailer. Mr. Sanford stated they are 55 gallon trash cans and Ms. Spitzley stated in one photo there are 10-11 cans. Mr. Sanford stated one would take up .327 cubic yards in a trailer, and the trailer will hold 16 cubic yards.

Council Member Spitzley noted that if they deduct the trash cans in the trailer, it is \$238, acknowledging the construction material and tires are separate. She then reviewed the photos, and the smaller amount was what originated the complaint, and once they got on site they saw more items which increased the trash.

Council Member Hussain asked for confirmation that the hourly rate is per person, with two people on site, and Mr. Sanford confirmed.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY IN THE AMOUNT OF \$3034.00 AND GRANT THE CLAIM IN THE AMOUNT OF FOR \$238.00 CLAIM APPEAL; CLAIM #1916, ESTATE OF IRENE MCKAY FOR RASH FEES AT 1351 ROBERTSON STREET. MOTION CARRIED 2-0.

RESOLUTION – Claim Appeal; Claim #1910, Mark Quinn for \$9,440 in trash fees at 735 Chicago Avenue

Mr. Sanford outlined the timeline and violations. It was extended on 2/22/2022 due to weather and the ground was frozen and they could not get the material. It was cited again March 30, 2022, violations noticed, and contractor removed. The claimant states they were given an extension, but Code confirmed no extension on the March 2022 violation. Mr. Sanford then referred to the photos and recommended denial. With a request for an extension, they get 7 days at a time, depending on size of the project. Once that time is up, the code officer goes out and does another re-check.

Mr. Quinn stated notices were sent to previous owner, but also questioned how they saw the yard, because the fence is 10 ft tall. The contractor took everything from the trailer in back yard which included tools and opened the gate of the fence. Council Member Spitzley asked Mr. Sanford if contractor to enter the shed to remove items. Mr. Sanford stated the sheds were not locked structures but canopies, and contractor is allowed to enter. Mr. Quinn stated the last owner had 90 days, and when Mr. Quinn obtained the property, he put up a 10 ft fence.

Council Member Spitzley asked Mr. Quinn to show her the layout of the property in the photos. The front property shows the cars. Ms. Dade stated Mr. Quinn was not the owner until this year, Mr. Quinn was renting it. Council Member Spitzley asked if when the property was cited, Mr. Quinn was not the owner. Ms. Hagen saw in assessing the quit claim was January 25, 2022, and the violations ran with the property. Council Member Spitzley noted it was cited January 14, 2022, how was it his responsibility. Mr. Sanford stated that one was compiled then cited again.

Mr. Quinn appealed that they took over \$10,000 from his property. Mr. Sanford stated the first citation was rescinded because of weather, but then they came back in March for the citation. This notice was mailed after the March date. Ms. Dade stated owner was in hospital when contractor did the work, and Council Member Spitzley stated they do not have to be there. In regard to the March violation, Mr. Quinn did own when the property was cited in March, 2022. Mr. Quinn appealed again that the items could not

be seen from the road and asked why they took everything from inside the trailers, but took responsibility for items on the ground. Ms. Dade asked if there are no trespassing signs can they still enter if owner not there, and it was noted they can. Mr. Quinn then referenced photos where items were left behind a tree but they took items from his trailer.

Council Member Spitzley spoke on her concerns with items in a trailer and encouraged them to file a claim, but then corrected herself that there was not damaged property here so no other claim can be filed. Ms. Dade then asked if someone files a complaint for debris, and the fence is 10' tall and can't be seen, what is the process. Mr. Sanford if there is access from anywhere the public can see it, and if code was in a neighboring property they could have seen over the fence. Council Member Spitzley stated if someone looks from neighbor property and can see it, and the Committee never knows who files the complaint. Mr. Sanford stated it does not matter who files the complaint, they verify the complaint. Ms. Dade noted that on March 30, 2022, Mr. Quinn was not in condition to clean up when it was issued. Council Member Hussain then that is the point when they call and ask for an extension. He then gave his opinion that this was a health and safety issue.

Ms. Dade spoke briefly on what Mr. Quinn has been doing in the neighborhood to help clean it up and maintain their homes.

Council Member Hussain spoke about the amount of trash and encouraged him to work with the Treasurer's office on payment.

Mr. Quinn appealed that they took everything from his shed, trailers and equipment he uses for work. Council Members stated after Council if it is denied it can go to circuit court. Ms. Hagen spoke on a process to file a complaint if the contractor took tools and items improperly taken, which was this claims process and if not satisfied a file a claim in circuit court for damages. Council Member Spitzley noted helpful in his case it would help if there was a list, and Mr. Sanford state they do not make a list.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE RESOLUTION FOR CLAIM APPEAL; CLAIM #1910, MARK QUINN FOR \$9,440 IN TRASH FEES AT 735 CHICAGO AVENUE. MOTION CARRIED 2-0.

DISCUSSION – Fiscal Year 2023/2024 Budget Priorities
Continued discussion at the next meeting.

DISCUSSION – Board of Public Service Budget Priorities for FY 2023-2024
The Committee reviewed the recommendations. Mr. Kilpatrick confirmed they do represent items that they have recommended in the past. They spoke briefly on some of the items. Specifically on the first two items on reserving neighborhood streets and sidewalk repairs.

MOTION BY COUNCIL MEMBER HUSSAIN TO ADD THESE PRIORITIES TO THE COMMITTEE ON CITY OPERATIONS BUDGET PRIORITIES. MOTION CARRIED 2-0.

Mr. Kilpatrick noted the Sustainability Commission is looking to propose some priorities to Council as well, and Mr. Kilpatrick was advised to have those before the Committee at their next meeting.

Other

PENDING UPDATE – Notice from the Michigan Liquor Control Commission; LE&O Mansion LLC request for transfer ownership 2021 Resort Class C License issued under MCL 436.1531(2), and SDM licensed business with Sunday Sales Permit (PM) for Class C License – Spirits and Mixed Spirit Drink and Dance-Entertainment Permit from Gus's LLC; Transfer location to 6810 Cedar St, Ste A, Lansing; transfer governmental unit under MCL 436.1531(1) from Lansing Township to Lansing City; New

Sunday Sales Permit (AM); new Sunday Sales Permit (PM) for SDM License – Mixed Spirit Drink at 6810 S Cedar St Suite A, (RID #RQ-2111-19427) **Original Agenda 01/18/2022*

Notice from the Michigan Liquor Control Commission; GG Holding Co., LLC request for transfer location of escrowed 2021 Class C licensed business from 501-503-505 E Shiawassee St, Lansing to 3131 E Michigan Avenue, Lansing; new SDM licensed issued under MCL 436.1533(5)(a), non-transferable, in conjunction; New Sunday Sales Permit (AM/PM) for Class C License – spirits and mixed spirit drink; conditional license, (RID #RQ-2205-04499) **Original Agenda 08/16/2022*

Notice from the Michigan Liquor Control Commission; Harry's Lounge Inc. request for a New Add Bar Permit for a total of 2 bars (RID #RQ-2205-05637) **Original Agenda 08/16/2022*

Notice from the Michigan Liquor Control Commission; Old Bag of Nails Pub – Lansing, LLC request for New SDM License issued Under MCL 436.1533(5)(a), Non-Transferable, In Conjunction; New Class C License Issued Under MCL 436.1521a(a)(A), non-Transferable, Redevelopment (RDA) License; New Sunday Sales Permit (AM/PM) For Class C License – Spirits And Mixed Spirit Drink, New Outdoor Services Area; New Dance-Entertainment Permit. (RID #RQ-2205-05637) **Original Agenda 08/16/2022*

Adjourn

Adjourned at 6:14 pm

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on September 20, 2022