



MINUTES
Committee on City Operations
Monday, August 14, 2023 @ 3:30 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Spadafore called the meeting to order at 3:30 p.m.

PRESENT

Council Member Spadafore, Chair
Council Member Hussain, Vice-Chair
Council Member Kost, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Matt Staples, OCA
Officer Andrew Watkeys, LPD
Dan Danke, Public Service Dept.
Hameed Katawazi
Rodolfo Perez
Michael Arafat
Eugenio Trujillo
Stan Schuck
Mark Jones, Public Service
Nicole McPherson, Public Service

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JULY 24, 2023, AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

Mr. Schuck spoke on the agenda item for the Public Service update and chip sealing. Mr. Schuck spoke in opposition to the time frame of chip sealing provided by the Department on Public Service.

Discussion/Action

RESOLUTION – Accepting jurisdiction and control of a portion of the Bolter Drain

Mr. Danke explained the location in the southern part of the city when it was annexed in 1960. During that time there was a lot of development, and the drain code has changed since then. The City owns a portion and the County owns a portion, and over the last 20 years there has been multiple attempts for a resolution to the issue. The best method of cleaning up the

situation is to give the portion north of I-96 to the city. If the county Drain Commissioner keeps it, they will have to bring it up to code, which would be a project similar to the Montgomery Drain. This action being requested would help development in the area because if the city responsibility the city allows parking lots to be put over.

Council Member Spadafore asked about City requirements for bringing it up to code, and Mr. Danke stated they would bring it up to code with meeting all federal and state standards, and not immediate but maintain the standards the city has. This will cost the city less if the City takes it over.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR ACCEPTING JURISDICTION AND CONTROL OF A PORTION OF THE BOLTER DRAIN.
MOTION CARRIED 3-0.

RESOLUTION – Sewer Easement Acceptance; 6250 S. Cedar Street and E. Edgewood Boulevard

Mr. Danke provided a copy of the survey which outlined the location along Edgewood Blvd, the Cedar Edge Plaza and when constructed in the 1980's was constructed to City standards for sewer. At that time, they wanted it to remain private, which at the time it was legal. Then in the 2000's the city adopted the Michigan plumbing code, that requires buildings on separate parcels to have separate connections to a public main, not a private main. When the developer started to do lot splits on the parcel the city determined it was time to start the process in making this a public sewer. This is the first step in the easement, they will then do necessary repairs to bring up to standards, and once obtaining the easements they can accept.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR SEWER EASEMENT ACCEPTANCE; 6250 S. CEDAR STREET AND E. EDGEWOOD BOULEVARD.
MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal; Claim #1963 Hameed Katawazi for \$493.40 in board up fees at 1017 West Hillsdale Street

MOTION BY COUNCIL MEMBER HUSSAIN TO REMOVE FROM THE TABLE THE RESOLUTION FOR THE CLAIM APPEAL; CLAIM #1963, HAMEED KATAWAZI FOR \$493.40 IN BOARD UP FEES AT 1017 WEST HILLSDALE STREET. MOTION CARRIED 3-0.

It was clarified that it was tabled at the last meeting due to the request for the claimant to obtain a receipt.

Mr. Allen stated the officer arrived during a tag monitoring inspection and the front window was missing. The property was then secured, and the department recommends denial.

Ms. Linden stated the Claims Review did review it, but even though the new window was not replaced yet, it was denied.

Mr. Katawazi confirmed he had the new window, and it was located on the property. They had left the property to get more material and as soon as they returned it was boarded up. They did purchase from the Habitat for Humanity and have attempted to get a receipt last week.

Council Member Spadafore asked for the date of the inspection and Mr. Allen stated it was February 15, 2023, and it was boarded up the same day. Council Member Spadafore stated the receipt was requested at the last meeting, and since it has been weeks, it will now move out of

Committee and action at Council on however it will move out of Committee today with Council action 8/28/2023. He encouraged Mr. Katawazi to contact the Council offices if he gets the receipt before the Council meeting on 8/28/2023.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM APPEAL; CLAIM #1963 HAMEED KATAWAZI FOR \$493.40 IN BOARD UP FEES AT 1017 WEST HILLSDALE STREET. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal; Claim #1972 Rodolfo Perez for \$640 in trash fees at 810 McKinley Street

Mr. Allen stated it was cited 3/7/2023 with compliance of 3/14/2023. It was rechecked on 3/23/2023 and violations were still present, he then referred to the photos. The contractor arrived on 3/27/2023 and violations were present. The office noted this was also an unregistered rental and not owner occupied.

Ms. Linden referenced the photos and the Claims Review determined to deny based on the photos.

Mr. Perez said the AC unit was functional admitting it was removed and placed on a retaining wall. It is replaced in and out based on the weather. He then referenced the photos noting he does not recognize any of the items, but he does live next door at 808 McKinley and some of the landscaping materials belong to his residence next door at 808 McKinley. He added that 810 is not a rental because he has not rented it for over 15 years, and he uses both houses since they are neighboring.

Council Member Spadafore asked if he got the letters and if he attempted to remove it. Mr. Perez stated he did get the notice, and he does move the unit around when the weather changes and cleaning. The photos show snow and there was no reason to replace. Council Member Spadafore outlined the timeline that was complied with it was a violation of the ordinance.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM APPEAL; CLAIM #1972 RODOLFO PEREZ FOR \$640 IN TRASH FEES AT 810 MCKINLEY STREET. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal; Claim #1941, Michael Arafat on behalf of AFT Realty LLC for \$810.20 in board up fees at 3700 S. Waverly Road

Mr. Allen informed the Committee that the on-call code officer was contacted by LPD due to it being open and accessible. They made attempts to reach the owner but were not able to reach them. It was boarded up and the staff followed the proper procedures and recommend to denial.

Ms. Linden stated Claims Review did review and recommended denial.

Mr. Arafat confirmed he has paid the charges which appeared on his taxes. He explained the cost of his repair and disputed the charges from the city.

MOTION BY COUNCILMEMBER HUSSAIN TO DENY THE CLAIM APPEAL; CLAIM #1941 MICHAEL ARAFAT ON BEHALF OF AFT REALTY LLC FOR \$810.20 IN BOARD UP FEES AT 3700 S. WAVERLY ROAD. MOTION CARRIED 3-0.

RESOLUTION – Business License Appeal; Eugenio Trujillo for a Transient Merchant License at 2200 South Cedar Street

Officer Watkeys briefly outlined his tasks with LPD and the applications which address background checks. He explained that according to the application where it speaks to violations and the applicant stated he did not and it was found to be false. He had a criminal history in Florida back to 2013, 2014 and 2017 and outlined the report in the packet. Officer Watkeys then went through the Wayne County Metro report where he was detained at the airport because he had a loaded weapon and was attempting to board the plane, did not have a valid CPL at the time, and carrying a large sum of money. The CPL is part of the CCW charge he was arrested for in 2023. With the report and investigation, the LPD has denied the application based on criminal history and being under investigation for a possible narcotics investigation. Officer Watkeys spoke briefly on the interpretation of a radius violation within the proposed location.

Mr. Trujillo spoke in his defense of the violations in the LPD report and history in Florida and Metro. He stated that there was a settlement with Metro and appealed he is a businessperson and travels multiple times. He applied to the State and got it approved, and also went to the City Clerk and was made aware of the setbacks from the other similar uses.

Council Member Spadafore asked why he stated no on the application for arrests, and Mr. Watkeys stated those violations were in Florida and again appealed. Council Member Spadafore stated it was denied due to false statements on the application. Mr. Trujillo stated his opinion on the process that was performed by LPD.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE RESOLUTION FOR THE APPEAL ON THE DENIED BUSINESS LICENSE APPEAL; EUGENIO TRUJILLO FOR A TRANSIENT MERCHANT LICENSE AT 2200 SOUTH CEDAR STREET. MOTION CARRIED 3-0.

Council Member Spadafore stated he would recommend speaking to the City Clerk if there is a process to reapply.

Other

DISCUSSION – Public Service Update

Mr. Jones and Ms. McPherson spoke on the chip sealing projects. Over the last year in 2022 the City did 11 miles in chip seal and ran into issues in the fall of 2022. The contractor was stretched thin and there was a loss of the material. The city has been in discussions with the contractor since it was happened. There are tentatively scheduled to come in August 28, but the department will be meeting with them next week in preparation. They are planning micro surface in other areas which is a chip seal with a micro surface that provides a layer on top that seals in the chip seal surface. The micro surface should seal all the areas and allow no issues with the chips coming up or going off the road. There are other areas the contractor is addressing as well, where there was a “wash board” effect, areas that a loss of material, so they will be putting another layer in that area. This is set to occur August – September and will do chip sealing near Miller/Penn and Holmes area. Council Member Spadafore asked if they are set to start or assess on August 28th, and Mr. Jones stated they will come in with contractors to start that date and the city will not be paying, this is all part of their work. This is Pavement Maintenance Systems, their projects have been scaled back to 2 miles, and everyone is learning as they go on the project. The city could go out for a new bid with updated

specifications with better quality control. Council Member Hussain asked if this was the same contractor from 2019-2020, and Mr. Jones stated it was not, but this is the one from 2021. Council Member Hussain asked what roto milling was, and Mr. Jones stated your grind off 1-2" of asphalt and come back and pave over. Council Member Hussain asked what will be sealing, and what happens to the integrity of it. Mr. Jones said it is not a good idea to re-chip seal, but a micro surface is sealer that looks like a paved road, costs 10% of a regular pave road, but does not have the life expectancy. Ms. McPherson stated for the new roads, the city did tighten their specifications, there are liquidated damages, etc.

Adjourn

Adjourned at 4:20 pm

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on August 28, 2023