

AGENDA

Committee on City Operations AGENDA FOR NOVEMBER 27, 2023 AT 3:30 PM



Lansing City Hall, City Council Conference Room
124 W. Michigan Avenue, 10th Floor

To provide input or ask questions on any item that is listed on the agenda,
members of the public may contact the City Council at city.council@lansingmi.gov or (517) 483-4177 prior to the meeting.
view on: <https://www.youtube.com/@lansingcitycouncil4446/streams>

Council Member Spadafore, Chairperson
Council Member Hussain, Vice Chairperson
Council Member Kost, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - A. November 13, 2023
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Discussion/Action:**
 - B. RESOLUTION - Claim Appeal; Claim #1986, Willie Hobbs for \$3,622 in code enforcement fees at 1217 Marquette Street
 - C. RESOLUTION - Setting a Public Hearing on Noise Special Permit; Leavitt and Starck Excavating, Inc. to allow for Combined Sewer Overflow (CSO) 015 South Project
 - D. DISCUSSION - Storm Water Flooding; 2115 Cumberland Road
6. **Other**
7. **Adjourn**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TTY 711) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.



MINUTES
Committee on City Operations
Monday, November 13, 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
Emily Linden, Internal Auditor
Lisa Hagen-Lawrence, OCA
Willie Hobbs
Matt Staples, OCA
Sharon Frischman, Assessor
Michael Lynn
Cathleen Edgerly, DLI
Walter Allen, Code Compliance
Jim Knowlton, Representative for Mr. Hobbs
Jason Kildea, Gillespie
Chuck Abraham
Laura Castle, Capital Hottie

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM OCTOBER 16, 2023, WITH THE CHANGE TO THE LAST SENTENCE WHICH SHOULD STATE "NOVEMBER 13TH" NOT "OCTOBER". MOTION CARRIED 3-0.

PUBLIC COMMENT

Mr. Abraham spoke on the special assessment and his two properties in Zone A and C. He requested more evaluations across the area, voicing his concerns on the amount and asked for more proportionate assessments. Lastly, he acknowledged the work the DLI is doing.

Mr. Kildea spoke on the special assessments and appealed to the Committee to table for further discussions.

Mr. Lynn spoke on the proposed Council Rule changes and his concern with the restrictions being proposed. He encouraged them to reach out, outside of the City, speak to East Lansing on their processes that appear to be working.

Discussion/Action

RESOLUTION – Claim Appeal #1991; Sandra Bingley for \$1,135 in brush/tree limb debris fees at 1839 Bradley Avenue

Council Member Spadafore stated that Council staff reached out to the claimant via phone and email with no response.

Mr. Allen stated to the Committee that the violation was written in March and after no clean up the contractor did the work in June, and all items in the photos were still present and cleaned up.

Mr. Staples stated the Claims Review Committee denied based on the information provided to them.

Council Member Hussain asked if the claimant reached out between the notices and clean up, and Mr. Allen could not confirm or deny if they had made contact with his office.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM APPEAL #1991; SANDRA BILINGLEY FOR \$1,135 IN BRUSH/TREE LIMB DEBRIS FEES AT 1839 BRADLEY AVENUE. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1968; Willie Hobbs for \$3,622 in Code enforcement fees at 1217 Marquette Street

Mr. Allen informed the Committee that the violation was written in March, items were still there later in March, 2023 and then submitted to contractor.

Ms. Linden stated the claims reviewed denied it based on there was nothing out of the ordinary.

Mr. Knowlton, representing Mr. Hobbs, stated he delivered additional information to the City but was not part of the documents in front of Committee. Therefore, asked for additional time. The materials were copied, and it was noted the document stated “hand delivered to the City Clerk on 9th Floor”.

The consensus of the Committee was to move discussion and action the next meeting on November 27, 2023 and then Council final action December 11, 2023.

RESOLUTION – Community Funding Request; Capital Hippie, Scare on the Square event

Ms. Castle confirmed the event was held in October and was successful. It brought together local artists and vendors. The request is to defray the fees for street closures.

Council Member Hussain asked if there was a non-profit involved with this, and Ms. Castle stated there was not. Council Member Hussaini asked if community funding has been provided to a business owner that held an event in the past. Ms. Hagen-Lawrence stated she was not able to respond to that, however the application states it must be non-profit, neighborhood or Lansing based organization. Council Member Hussain stated that since they are non-profit can the Council do anything with the application.

Council Member Spadafore tabled the item for clear classification, and if not feasible he advised Ms. Castle that there might be a non-profit to assist her with the application.

RESOLUTION – Special Assessment; Principal Shopping District 2023 Roll

Council Member Spadafore distributed an email and memo from the Chamber of Commerce with their concerns on the assessments. He did respond to the Chamber letter. He then provided information he obtained from the DLI on where the funds go. This included \$1,375,000 in small business grants, building repairs and maintenance improvement grants \$2,500,000; Community Space improvements at \$290,000 and the general admin costs for those projects. Since the hearing, the Assessor has addressed the concerns with the parking lots.

Ms. Frischman explained all exempt properties have a 60% reduction and are now getting 25% reduction. The other change was the cap, which went from \$10,000; which was in place since 1996, and State law allows the CPI, which the City has not done ever. There is only one tax payer that reaches the newer cap of \$17,000. She also confirmed that Zone C did see bigger increases because they have always been assessed at extremely low rates. The first floor in Zone C was \$.01 per sq ft, but Zone A was \$.14 per sq ft. as development has gone out, it was felt that Zone C was starting to feel enough benefit to pay more proportionally.

Council Member Spadafore stated there was a question from Committee on a new public hearing being required due to the changes, and the OCA stated there was no new hearing required. The new roll in front of the Committee is now 15% lower than the initial roll presented. The roll represents a 5% increase, and 3% for 2024, 2025, 2026, 2027, 2028.

Council Member Hussain asked for what the process is to engage with the owners. Ms. Edgerly explained that in 2020 and 2021 the DLI Board discussed if an analysis should be done on the PSD roll and they determined to not do at that time. In 2023 the DLI Board was asked if they wanted to do an analysis, and broke into a subcommittee; evaluated it and took action. They then spoke to the assessor on what the Board recommendation was, and that analysis and roll was taken back to the Board. After the Board action letters were sent out to the property owners.

Council Member Kost has heard that the snow removal service is not being provided, and asked what funds covered that. Ms. Edgerly stated the services and costs cover snow and salting. If someone does not have the results they want, they should call the DLI office.

Council Member Spadafore encouraged them to reach out to some people who do not attend Board meetings on a regular basis to keep everyone informed.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR SPECIAL ASSESSMENT, PRINCIPAL SHOPPING DISTRICT 2023 ROLL. MOTION CARRIED 3-0.

RESOLUTION – Lansing City Council Rules

Council Member Spadafore acknowledged Mr. Lynn on his comments, noting that the technology the City has is different from other municipalities and they do want to give people the ability to comment. The public can contact the City Clerk for Council meetings, and Council staff for Committee of the Whole meetings four (4) hours before each to sign up. For all other Committee meetings, it will have the link at the top of the agendas and they can participate similar to a town hall. The limit on the time to speak will remain was stated in the Council Rules currently at three (3) minutes. Lastly, he noted that Committee and Council members have spoken to City TV and they are being told they will be ready in January.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE LANSING CITY COUNCIL RULE 48 ADDITION.

Council Member Kost raised his concerns on the four (4) hour notice before Committee of the Whole and Council, asking for a change to two (2) hours. The Committee discussed the process involved by Council staff, and the City Clerk in those two (2) hours before meetings. Council Member Kost asked for clarification if the meeting starts at a later time due to an earlier meeting rolling over. Council Member Spadafore confirmed that with discussions with OCA, it is two hours from the start time as published on the agenda, per OMA. Council Member Kost again urged them to change it to two (2) hours, and Council Member Spadafore explained this is a new rule that can be tested and Council can always change their rules if they find this initial process is not accommodating or working. Mr. Lynn asked them to consider something different and what East Lansing is doing. Council Member Kost asked if they could add to the document that Council will revisit it in 3 or 6 months. The Committee considered and determined to introduce at Council tonight, and action cannot be taken tonight anyway, so on December 11, 2023 when Council takes final action Council Member Kost can approach the idea again.

MOTION CARRIED 3-0.

DISCUSSION – Andy Kilpatrick, City Street Project 2023 Status Update

Mr. Kilpatrick distributed a construction project map and bullet points which is included in the packet. He highlighted the projects including the outside agencies; MDOT, BWL and Ingham County Drain Commission. In the future he will be able to provide miles and funding sources.

Council Member Kost spoke on areas in Ward 1 that were addressed, and asked when Sheldon would be done. Mr. Kilpatrick stated it is scheduled for spring 2024. He was then asked about the Jenison area, and told that was part of the CSO area, next two construction season. A future map will also list the CSO areas. Council Member Kost asked about their progress on addressing timing on the traffic light at Clemens at Kalamazoo. Mr. Kilpatrick confirmed they had reviewed it, and are considering increasing the time. Council Member Hussain asked about the unique lighting in the signals on Edgewood at Cedar and Pennsylvania. Mr. Kilpatrick stated those are MDOT and considered visor signals that work with turning and impacted timing on the green turns. Council Member Hussain asked about the jurisdiction lines on S. Waverly and walkability funds. Mr. Kilpatrick confirmed it is a unique area with the City from the river to Jolly and then north and south of that is Ingham County. It could be said that there will be no changes until they have their project completed.

Mr. Kilpatrick confirmed that he will provide an updated document in the future with funding and miles.

Other

No other topics.

Adjourn

Adjourned at 4:30 pm

Submitted by Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on

Claim #1986
1217 Marquette Street
\$3,622

Parcel 33-01-01-05-403-002

B. Incident Date (per claim application) –	<u>03-29-2023</u>
C. Incident Date (per code report) –	<u>03-06-2023</u>
D. Taxes –	<u>Not on Taxes</u>
E. Filed Claim –	<u>05-22-2023</u>
F. Claims Review Committee Hearing –	<u>09-20-2023</u>
G. Claims Review Committee Letter –	<u>09-21-2023</u>
H. Referred to City Council –	<u>08-08-2023</u>
I. Referred to Committee on City Operations -	<u>10-30-2023</u>



City of Lansing

OFFICE OF THE CITY ATTORNEY

1986

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Willie Hobbs DATE: 5/22/23
 MAILING ADDRESS: 1217 Marquette St 48906 EMAIL: Natkinson@hase.mi.gov
 CITY: Lansing STATE: MI ZIP CODE: 48906
 TELEPHONE: Home (517) 49-5665 Work ()

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1217 Marquette PARCEL NO. _____
 DATE OF INCIDENT: 3/29/23 AMOUNT YOU WERE BILLED: 3,887.00
 TOTAL AMOUNT YOU ARE CONTESTING: \$3,622
 TYPE OF ASSESSMENT: Code Enforcement

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Notice from Code enforcement was sent to address in Chicago, Mr. Hobbs never recieved it. Mr. Hobbs has a privacy Fence, Items in yard were not visiable from the Road & they cleared his entire yard taking Items like his lawn mower & Seasonal tires which were in great Condition. Mr. Hobbs is almost 80 yrs old & Caring for his mentally disabled son.

A description of the claims review process is available on our website at: <https://www.lansingmi.gov/349/Claims-Review-Process>

To download the claim form: <https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=>

SPECIAL NOTE:
Mr. Hobbs had

assistance from
MI Gov employee

Natasha Atkinson

from Rep Emily Dievendorf's
office. Please email
her when letter sent to
Mr. Hobbs

See email
address.



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

September 21, 2023

Willie Hobbs
1217 Marquette St.
Lansing, MI 48906

Re: Claims Review Committee
Claim for: 1217 Marquette St.

Dear Mr. Hobbs:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$3887.00 for a trash violation for property located at 1217 Marquette Street, Lansing, Michigan, and denied the claims you filed with the City of Lansing.

You do have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Claim: 1986



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

August 30, 2023

Willie Hobbs
1217 Marquette St.
Lansing, MI 48906

Re: Claims Review Committee
Claim for: 1217 Marquette St.

Dear Mr. Hobbs:

Please be advised that your claim is scheduled to be heard by the Claims Review Committee. The Committee is scheduled to hear your claim at **9:30 a.m. on Wednesday, September 20, 2023, via ZOOM audio/video call**. A copy of the appropriate department's recommendation are included for your review.

Please be sure that you are either the registered Owner or the registered Taxpayer of the property. Land Contract owners **must** present a copy of the land contract that has been recorded with the register of deeds, to this office **prior** to the hearing. If the property is owned by an LLC or other business entity, you **must** provide documentation demonstrating such or the Claims Review Committee will not be able to hear your claim. You may also appoint an attorney to appear on your behalf. **If you are not the registered Owner or registered Taxpayer of the property, please make arrangements for that person to attend this meeting with you otherwise your claim will not be heard.**

If you are not able to attend on your scheduled day and time, please contact the Office of the City Attorney to reschedule. If you do not attend this meeting and you do not call prior to the meeting to reschedule, your claim will be heard, and a determination will be made based on the information in this packet.

As mentioned, the committee will meet via **ZOOM audio/video call** and can be accessed electronically using the Zoom meeting website. Please log onto zoom.us and click on **Join a Meeting**, enter the **Meeting ID: 824 7567 2135 and Passcode: 130993** or dial in by calling **1-646-558-8656** using the same Meeting ID and Passcode. If you have technical difficulties, please contact 517-483-4320.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Enclosure
Claim No: **1986**

DATE: 8/04/2023

PPN: 33-01-01-05-403-002
DATE SUBMITTED: 5/22/2023
ADDRESS OF VIOLATION: 1217 Marquette St.
LISTED TAXPAYER OF RECORD: Willie Hobbs & Nathaniel Porter
OTHER TAXPAYER OF RECORD:
CLAIMANT: Hobbs, Willie
CLAIMANT'S ADDRESS: 1217 Marquette St.
Lansing, MI 48906

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 3/06/2023
NOTIFICATION DATE: 3/06/2023
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$3,887.00
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM: \$3,887.00
MEMO DATE – INVOICE NO.:
ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE – INVOICE NO.:

HISTORY:

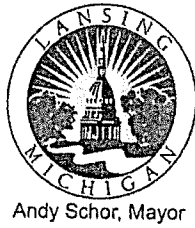
Trash	Failure to
Violation	Register
3/06/2023	5/22/2023

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 3/06/2023 with a compliance due date of 3/13/2023. The Premise Officer rechecked the property on 3/14/2023 the premise was still in violation and was submitted to the trash contractor to abate. The trash contractor arrived on 3/21/2023 the property was still in violation as noted in the pictures a trash removal was performed. This office sends notices to the address that is listed with the City Assessor the owner contacted the Assessor's Office on 5/22/2023 to change the address from 1217 Marquette to Chicago, IL. This office would also like to note a failure to register notice was sent 5/22/2023 as Mr. Hobbs stated he did not reside there it is occupied by his son & daughter-in-law not Nathaniel Porter, the letter was complied on 5/22/2023 when the claimant contacted the Assessor's Office to say this is now his primary residence, he is now claiming 100% homestead. This office recommends denial of the claim we would also like to note an occupant copy was also sent to 1217 Marquette St. letting the occupants know there was a violation.

**Department of Economic
Development and Planning**
Jordan Hankwitz, Director



Code Enforcement Office
316 N. Capitol Avenue, Suite C-1
Lansing, Michigan 48933
PH: 517.483.4361 – FAX: 517.377.0169
www.lansingmi.gov/codeenforcement

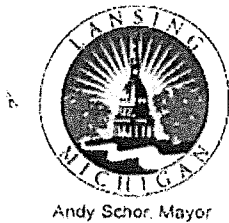
23-T141

5/22/2023 Spoke to Natasha Atkinson (517-373-2277) at the front counter, she stated that she was representing Willie Hobbs, who was also present.

Ms. Natasha stated that the owner was contesting the trash clean up and questioning the authority of Code Compliance to clean up the area on the property, behind the fence. She was told that the trash contractor has the right to remove the items that are in violation of the City code anywhere on the property. She was also given a Claim form and told to file it at the Law office. The was complied, it was written in error.

W.Allen

“Equal Opportunity Employer”



Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

HOBBS WILLIE & PORTER NATHANIEL
6521 S WOLCOTT AVE
CHICAGO, IL 60636

Violation Date: 03/06/2023
Violation Location: 1217 MARQUETTE ST
Parcel No: 33-01-01-05-403-002
Compliance Due Date: March 13, 2023

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

Under Section 107.7, any person with a legal interest, who receives or has actual or constructive notice, may appeal the violation and compliance order. Appeals under Section 308 shall be filed in writing to the Office of the City Attorney within 3 days after the compliance due date.

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **Please be advised that moving the items to another area on the property does not bring the violation into compliance. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess graduated fees from \$75.00 to \$300.00 for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM for any questions or extensions.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Jeremy Bliesener (517) 483 7620 Jeremy.Bliesener@lansingmi.gov



Andy Schor, Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant
1217 MARQUETTE ST
LANSING, MI 48906

Violation Date: 03/06/2023
Violation Location: 1217 MARQUETTE ST
Parcel No: 33-01-01-05-403-002
Compliance Due Date: March 13, 2023

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

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Violation: Indoor type furniture in the outdoors

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Code Officer: Jeremy Bliesener (517) 483 7620 Jeremy.Bliesener@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



**Economic Development & Planning
Code Enforcement Office**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form – East Side

Submitted to: Eric Crutcher on 03/14/2023

TAXPAYER: HOBBS WILLIE & PORTER NATHANIEL, 6521 S WOLCOTT AVE CHICAGO, IL 60636

Location of Work:

Enf Num: E23-01906

Address: 1217 MARQUETTE ST

Lot No:

Description:

Parcel No: 33-01-01-05-403-002

Remove Trash and Debris

Work Authorized:

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2-3

Authorized Cubic Yards: unknown, a lot

Warning Comment:

guessing resident maybe a problem, accessible fenced in "junk yard"

Submitted By: Jeremy Bliesener (517) 483 7620

This action is authorized by the Manager of Code Compliance



Nuisance Fees
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Floor
 Lansing, MI 48933
 Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 03/29/2023
 Due Date: 04/28/2023
 Pay Invoice In Full



HOBBS WILLIE & PORTER NATHANIEL
 6521 S WOLCOTT AVE
 CHICAGO IL 60636

Inv Number: 00220756
 Parcel: 33-01-01-05-403-002
 Address: 1217 MARQUETTE ST

Parcel: 33-01-01-05-403-002

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00220756		E23-01906	1217 MARQUETTE ST	\$3,887.00
Fee Details:				Balance
	Quantity	Description		
	1.000	Trash - Admin Fee		\$ 265.00
	3622.000	Trash - Contractor Charge		\$ 3,622.00
Total Amount Due				\$ 3,887.00

Questions regarding this invoice: Contact **CODE ENFORCEMENT** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Fl
 Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail

Eric's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericorefuse@hotmail.com

INVOICE

BILL TO

Economic Development &
Planning Code
Enforcement Office
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 5868
DATE 03/27/2023

PROPERTY ADDRESS
1217 marquette ST

PARCEL NUMBER
33-01-01-05-403-002

DESCRIPTION	UNIT	RATE	AMOUNT
city:1hour 3 yards first hour and 3 cubic yards	1	300.00	300.00
city:add hours any hours after 1	3	300.00	900.00
city:add cy any after 3	21	30.00	630.00
city:class 2 construction material after 3	6	32.00	192.00
city:tire tire removal	64	25.00	1,600.00
3/21/23 30 yards jeremy bliesener 4 man crew 1 20 yard truck 1 15 yard truck			

BALANCE DUE

\$3,622.00



DSC01354

03/06/2023 12:14

JBLIESENER



DSC01450

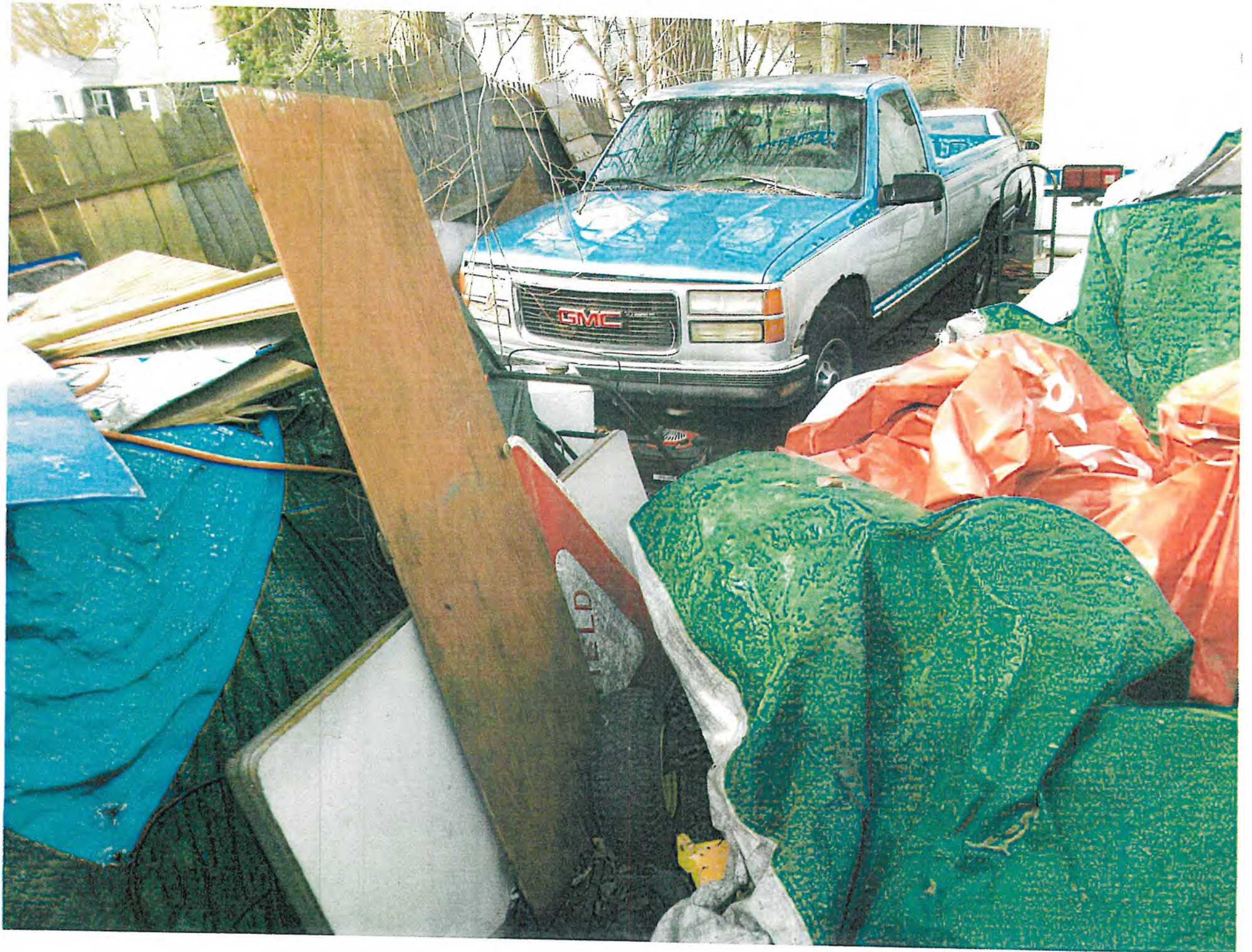
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JBLIESENER

























































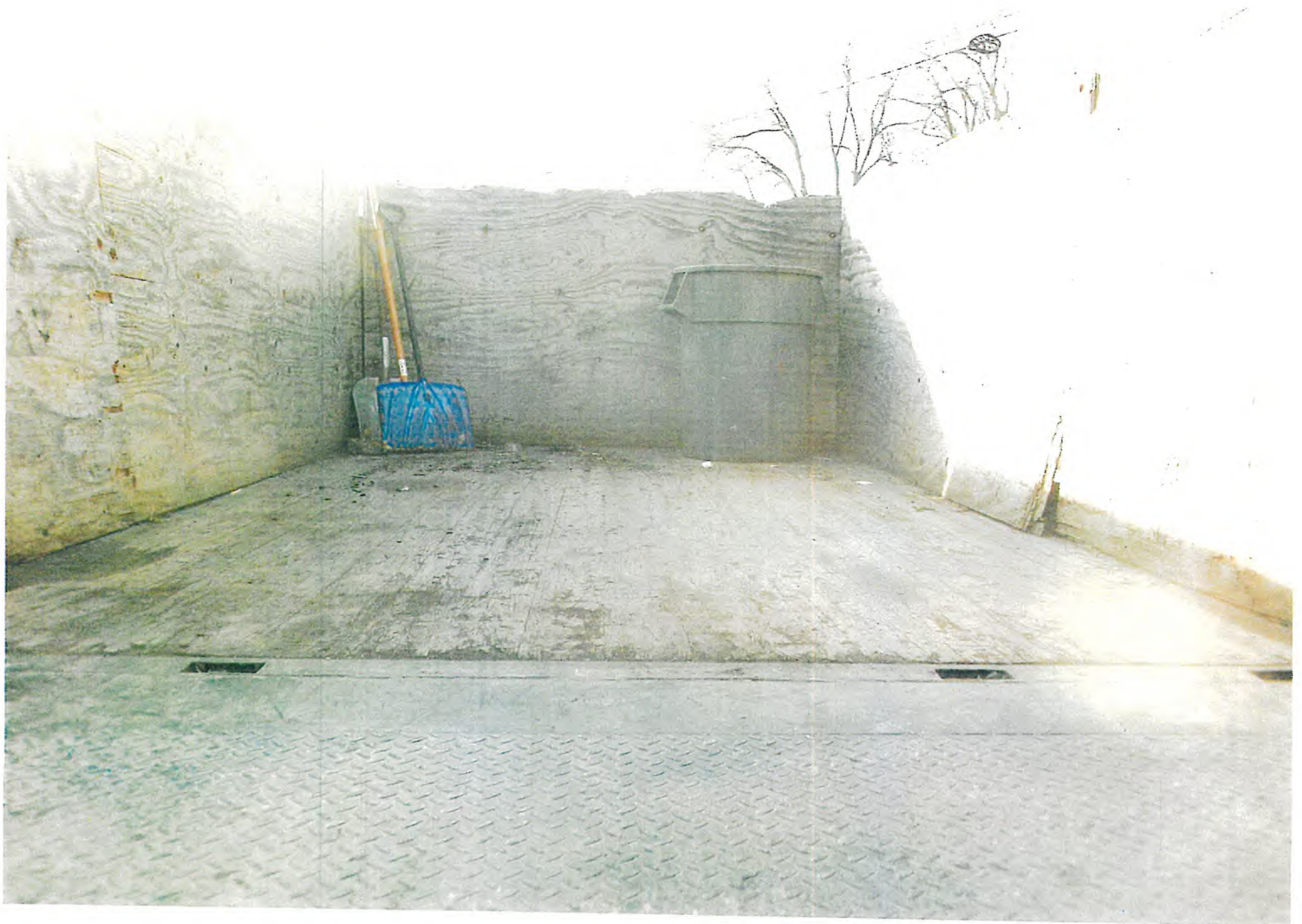


















1217 MARQUETTE ST LANSING, MI 48906 (Property Address)

Parcel Number: 33-01-01-05-403-002



Item 1 of 3

[1 Image / 2 Sketches](#)**Property Owner: HOBBS WILLIE & PORTER NATHANIEL****Summary Information**

- > Residential Building Summary
 - Year Built: 1934
 - Full Baths: 1
 - Sq. Feet: 843
 - Bedrooms: 2
 - Half Baths: 0
 - Acres: 0.131
- > 1 Invoice Found, Amount Due: 0.00
- > Assessed Value: \$38,600 | Taxable Value: \$25,361
- > Property Tax information found
- > 9 Building Department records found

Owner and Taxpayer Information

Owner	HOBBS WILLIE & PORTER NATHANIEL 6521 S WOLCOTT AVE CHICAGO, IL 60636	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	--------------------------

Amount Due

Current Taxes: **\$592.65**
[Pay Now](#)

Legal Description

OUTLOT A M MITSHKUNS OAK GROVE SUB

Other Information**Recalculate amounts using a different Payment Date**

You can change your anticipated payment date in order to recalculate amounts due as of the specified date for this property.

Enter a Payment Date

Tax History

⊕ ****Note:** On March 1 at 12:00 AM, Summer and Winter local taxes become ineligible for payment at the local unit.

Year	Season	Total Amount	Total Paid	Last Paid	Total Due	
2023	Summer	\$1,342.65	\$750.00	08/18/2023	\$592.65	Pay Now

General Information for 2023 Summer Taxes

School District	33020	PRE/MBT	100.0000%
Taxable Value	\$25,361	S.E.V.	\$38,600
Property Class	401 - RESIDENTIAL- IMPROVED	Assessed Value	\$38,600

Tax Bill Number	No Data to Display	Last Receipt Number	00003479
Last Payment Date	08/18/2023	Number of Payments	1

Base Tax	\$1,312.27	Base Paid	\$742.58
Admin Fees	\$13.12	Admin Fees Paid	\$7.42
Interest Fees	\$17.26	Interest Fees Paid	\$0.00
Total Tax & Fees	\$1,342.65	Total Paid	\$750.00

Renaissance Zone	Not Available	Mortgage Code	Not Available
-------------------------	---------------	----------------------	---------------

Tax Bill Breakdown for 2023 SummerBy continuing to use this website you agree to the [BS&A Online Terms of Use](#). ✕

Taxing Authority	Millage Rate	Amount	Amount Paid
LANSING OPER	19.440000	\$493.01	\$278.98
PUBLIC SAFETY	3.500000	\$88.76	\$50.23
LANS COM COLLEGE	3.769200	\$95.59	\$54.09
LANSING SCH DEBT	4.100000	\$103.98	\$58.84
LANSING SCH OPER	17.447800	\$0.00	\$0.00
LANSING SCH SINK	2.957500	\$75.00	\$42.44
INGHAM INTERMED	4.937800	\$125.22	\$70.86
STATE EDUCATION	6.000000	\$152.16	\$86.10
INGHAM CNTY SUM	6.780700	\$171.96	\$97.31
MONTGOMERY DRAIN	0.260000	\$6.59	\$3.73
Admin Fees		\$13.12	\$7.42
Interest Fees		\$17.26	\$0.00
	69.193000	\$1,342.65	\$750.00

[Click here for a printer friendly version of Summer 2023 Tax information](#)

2022	Winter	\$361.48	\$0.00		\$361.48	** Read Note(s) Above
2022	Summer	\$1,593.05	\$400.00	08/03/2022	\$1,193.05	** Read Note(s) Above
2021	Winter	\$362.65	\$0.00		\$362.65	** Read Note(s) Above
2021	Summer	\$1,502.60	\$0.00		\$1,502.60	** Read Note(s) Above
2020	Winter	\$355.72	\$0.00		\$355.72	** Read Note(s) Above
2020	Summer	\$1,496.15	\$0.00		\$1,496.15	** Read Note(s) Above
2019	Winter	\$327.92	\$0.00		\$327.92	** Read Note(s) Above
2019	Summer	\$1,469.82	\$0.00		\$1,469.82	** Read Note(s) Above

Load More Years

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Timothy Sawyer Knowlton
404 S. Jenison Ave.
Lansing, MI 48915
Email: tsk9653@yahoo.com
Phone: (517) 484-1434

10/20/2023

OCT20'23 10AMCLERK

Hand Delivery

Lansing City Clerk
9th Floor, City Hall
Lansing, MI 48933

Re: Appeal of the Claims Review Committee Determination with Respect to
1217 Marquette St., Lansing, MI

Dear Clerk:

I am filing an appeal of the Claims Review Committee Determination for Willie T. Hobbs, owner of the above referenced property. The Committee determined that Mr. Hobbs must pay \$3887.00 due to an alleged violation of the Lansing Housing Code Section 302.

Although I am no longer actively practicing law, I remain a member in good standing of the State Bar of Michigan. Occasionally, when I believe an injustice has been done, I do pro bono work for people I know.

Willie T. Hobbs has done my grounds maintenance and snow removal for many years. He is also a friend. Thus, I am submitting this letter on his behalf. Notice of a hearing on this appeal should be directed to Mr. Hobbs at his Marquette St. address.

Mr. Hobbs is alleged to have had "paper/glass/plastic/metal/cardboard debris" on his premises in violation of Lansing Housing Code Section 302. We offer three points in rebuttal: (1) over 90% of the items taken were tires and rims in good condition and fully functional; (2) these items were used in rotation by Mr. Hobbs on his business and personal vehicles; (3) the vast majority of items that were in Mr. Hobbs' yard were not removed, and, thus, not deemed in violation of the Housing Code.

1217 Marquette St., Ownership and the Trash Correction Notice

The property at 1217 Marquette St. is owned by Willie Hobbs and Nathaniel Porter, his son. Mr. Porter suffers from severe mental disorder has required multiple institutionalizations.

Although Mr. Porter has not paid anything for the property, Mr. Hobbs showed him as a co-owner of the property to ensure that his son would continue to have a place to live once he (Hobbs) died.

Mr. Hobbs is an elderly man who recently underwent hip replacement surgery on his left side. He also needs this surgery on his right side which is currently scheduled for November. Despite his hip problems, which cause him significant pain, Mr. Hobbs has continued working in his grounds maintenance and snow removal business.

The Code Enforcement Office sent two similar Trash and Debris Correction Notices with respect to 1217 Marquette St. on or about March 6, 2023. One was sent to an address in Chicago Illinois; the other was sent to Mr. Hobbs home in Lansing addressed to "Occupant." (Exhibit 1, Notice sent to 1217 Marquette St.) Mr. Hobbs never received either Notice. (He speculates that his son saw "Occupant" on the one sent to the Marquette address, and simply threw it out.) In any event, this Notice identified the alleged violation as follows:

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY [actually a reference to the 2015 International Property Maintenance Code which Lansing has adopted as its ordinance] at the above referenced location.

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

This notice said nothing about tires/rims constituting a violation of Section 302, and they did not constitute debris since they were not broken or discarded.

Since Mr. Hobbs had not received the Notice, he did not do anything in response to it. That said, Mr. Hobbs knew from personal knowledge that the City prohibited indoor furniture being kept outside, and he knew his son had placed an inside couch outside. It remained outside for three or four days because Mr. Hobbs was experiencing intense hip pain. After the pain subsided somewhat, he moved the couch before the City's contractor, apparently Eric's Refuse LLC, came to his property to "clean" it.

Code Enforcement and Eric's Refuse Come to 1217 Marquette

On or about March 21, 2023, Mr. Hobbs was aware that somebody was knocking on his door. When he answered, a City employee (based on documents on which his name appears, Mr. Hobbs believes it was Jeremy Bliesener, but is not certain) told Mr. Hobbs he was from Code Compliance or Enforcement. Mr. Hobbs, thinking this visit must be about the couch that had been outdoors in front of his house, told the employee he had moved the couch. The employee said that they were there to "clean" his yard. The yard in issue is fenced in, and Mr. Hobbs told the City representative that they could not enter the yard. The City employee then told Mr. Hobbs that he had a "warrant" permitting his entry. No such warrant was shown to Mr. Hobbs, although he was shown the Trash Correction Notice at that time. Mr. Hobbs told the City representative he would move whatever the agent wanted him to move, but was told that it was "too late."

At this point, Mr. Hobbs called the Lansing Police Department to keep the Eric's Refuse crew and the Code Officer from trespassing on his property. The police arrived, but ultimately told Mr. Hobbs that they would arrest *him* if he did not let the people onto his property! The police also told Mr. Hobbs that the City had a "warrant" to enter his property; again no warrant was shown to Mr. Hobbs. Nonetheless, rather than be arrested, Mr. Hobbs acquiesced to the entry of his yard.

Eric's Refuse ultimately went to where Mr. Hobbs had stacked the tires and rims for his various vehicles that constituted the vast majority of items taken away. To get to the tires/rims, the City's agents had to remove the tarp covering them; they then carried them off. Although a little bit of other "trash" was removed, some 80% to 90% of what was taken were tires and rims. Although the Correction Notice refers to violations related to "indoor type furniture" and "deteriorated furniture," no furniture was taken from his yard.

Attached as Exhibit 2 is an invoice Eric's Refuse sent to the City for what it did on Mr. Hobbs property. The charges were mostly related to the tires, which were placed in the larger of the two trucks on the scene, constituting most of the "cubic yardage" allegedly removed. In addition, Mr. Hobbs was charged \$25 per tire for the removal of 64 tires.

Attached as Exhibit 3 is a photo of the larger truck which held the stacked tires/rims when the crew was done. The attached Exhibit 4 shows the relatively minimal amount of other material taken from the site in the smaller truck. These exhibits are copies of photos taken for the City and finally given to Mr. Hobbs at the request of his representative.

The Tires and Rims Removed from the Property Were Not Trash as Defined in Lansing Ordinance

As noted above, the Correction Notice issued in this matter did not specifically refer to "tires"; indeed, it does not even list "trash" as a violation, although the Notice does refer to the City's right to remove additional trash and/or debris on the premises by the contractor without additional notice. The simple fact is that the fully functional tires and rims that were removed do not constitute trash and were improperly taken from Mr. Hobbs.

Section 1460.01 of the Lansing Codified Ordinances ("LCO"), adds a definition to Section 202 of the 2015 International Property Maintenance Code ("IPMC") of trash, as follows: "Any accumulation of junk, debris, or rubbish as defined in Section 202 [of the IPMC]." "Junk" is a definition added by the City to 1460.01 of the LCO which modifies Section 202 of the IPMC for application in Lansing.

It provides:

Junk. Any object that is worn-out, unusable because it is deteriorated, broken or incomplete, or that has been discarded or is inoperable, and any parts thereof, including, but not limited to, items such as stoves, refrigerators, appliances, fixtures, boats, campers, inoperable or unregistered motor vehicles as defined in this Subsection (u) of this section, household goods, furniture, tires, mattresses, batteries, machinery, broken toys and bicycles, broken lawn furniture, remnants of wood and building materials, and equipment.

While the definition of "junk" includes examples of items that may be deemed "junk," including "tires," all of these items are subject to the qualification that the item is "worn out, unusable because it is deteriorated, broken or incomplete, or that has been discarded." As noted above and supported by the photo of the tires stacked on the truck in Exhibit 4, the tires (and rims to which many of the tires were attached) were in good shape and were not worn out or unusable. The tires had not been discarded by Mr. Hobbs. In fact, they were carefully stacked and covered by tarps that had been removed by the City.

The tires that were removed also did not constitute trash within the meaning of Section 202 of the IPMC. That definition provides in pertinent part that "trash" constitutes "combustible and noncombustible waste materials." The tires and rims were not "waste materials" and as such do not constitute "trash." As an example of the type of material that could constitute "trash," Section 202 of the IPMC mentions "rubber." Rubber is a component of tires, but the tires taken from Mr. Hobbs were usable, and indeed, were switched out from time to time with other tires on the vehicles he and his family owns. Thus, the "rubber" in the tires did not constitute "waste materials" under the Lansing Code. Mr. Hobbs suspects that the tires and

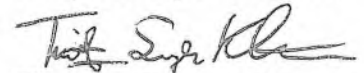
rims were sold once they were removed from his property. This seems very plausible given the replacement cost of the items. Mr. Hobbs received quotes from Discount Tire for like replacement tires and rims that were used on his vehicles. For just 22 replacement tires and 20 rims, Discount Tire's price would be almost \$5600. (See group Exhibit 5.) Of course, according to the City's contractor, 64 tires were removed.

Conclusion

With the exception of a small amount of material, the City took perfectly good tires/rims from Mr. Hobbs property with a value well in excess of the \$3622 Eric's refuse billed the City for the removal, which the City seeks to recover from Mr. Hobbs. The vast majority of the property characterized as "trash" by the Code Compliance Office, was, in fact, perfectly usable tires and rims that were anything but "trash" within the meaning of the LCO. The City should not profit off the backs of its hardworking citizens like Mr. Hobbs by saddling him with a debt he does not have the means to pay.

Under the circumstances, Mr. Hobbs requests that the \$3622 sought by the City be abated, and that it be determined that none of this assessment is owed. Mr. Hobbs intends to appear at the City Council when this appeal is placed on Council's agenda.

Respectfully submitted,



Timothy Sawyer Knowlton

pc: Willie T. Hobbs

Exhibit 1

2

Exhibit 2



Andy Schor Mayor

Economic Development & Planning Code Enforcement Office

316 N. Capitol, Ste C 1, Lansing, MI 48933 1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant:
1217 MARQUETTE ST
LANSING, MI 48906

Violation Date: 03/06/2023
Violation Location: 1217 MARQUETTE ST
Parcel No: 33-01-01-05-403-002
Compliance Due Date: March 13, 2023

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

Under Section 107.7, any person with a legal interest, who receives or has actual or constructive notice, may appeal the violation and compliance order. Appeals under Section 308 shall be filed in writing to the Office of the City Attorney within 3 days after the compliance due date.

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. Please be advised that moving the items to another area on the property does not bring the violation into compliance. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess graduated fees from \$75.00 to \$300.00 for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM for any questions or extensions.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Jeremy Bliesener (517) 483 7620 Jeremy.Bliesener@lansingmi.gov

Eric's Refuse LLC
P.O. Box 16015
Lansing, MI 48201-0015
eric'srefuse@hotmail.com

INVOICE

BILL TO
Economic Development &
Planning Code
Enforcement Office
316 W Capitol, Ste C-1
Lansing, MI 48201-1238

INVOICE # 5868
DATE 03/27/2023

PROPERTY ADDRESS	PARCEL NUMBER		
1217 marquette ST	33-01-01-05-403-002		
city:hour 3 yards	1	300.00	300.00
first hour and 1 cubic yards			
city:add hours	1	300.00	900.00
any hours after 1			
city:add cy	21	30.00	630.00
any after 3			
city: class 2	6	32.00	192.00
construction material after 3			
city: tire	64	25.00	1,600.00
tire removal			
3/21/23			
30 yards			
jeremy bliesener			
4 man crew			
1 20 yard truck			
1 15 yard truck			

BALANCE DUE

\$3,622.00

Exhibit 3

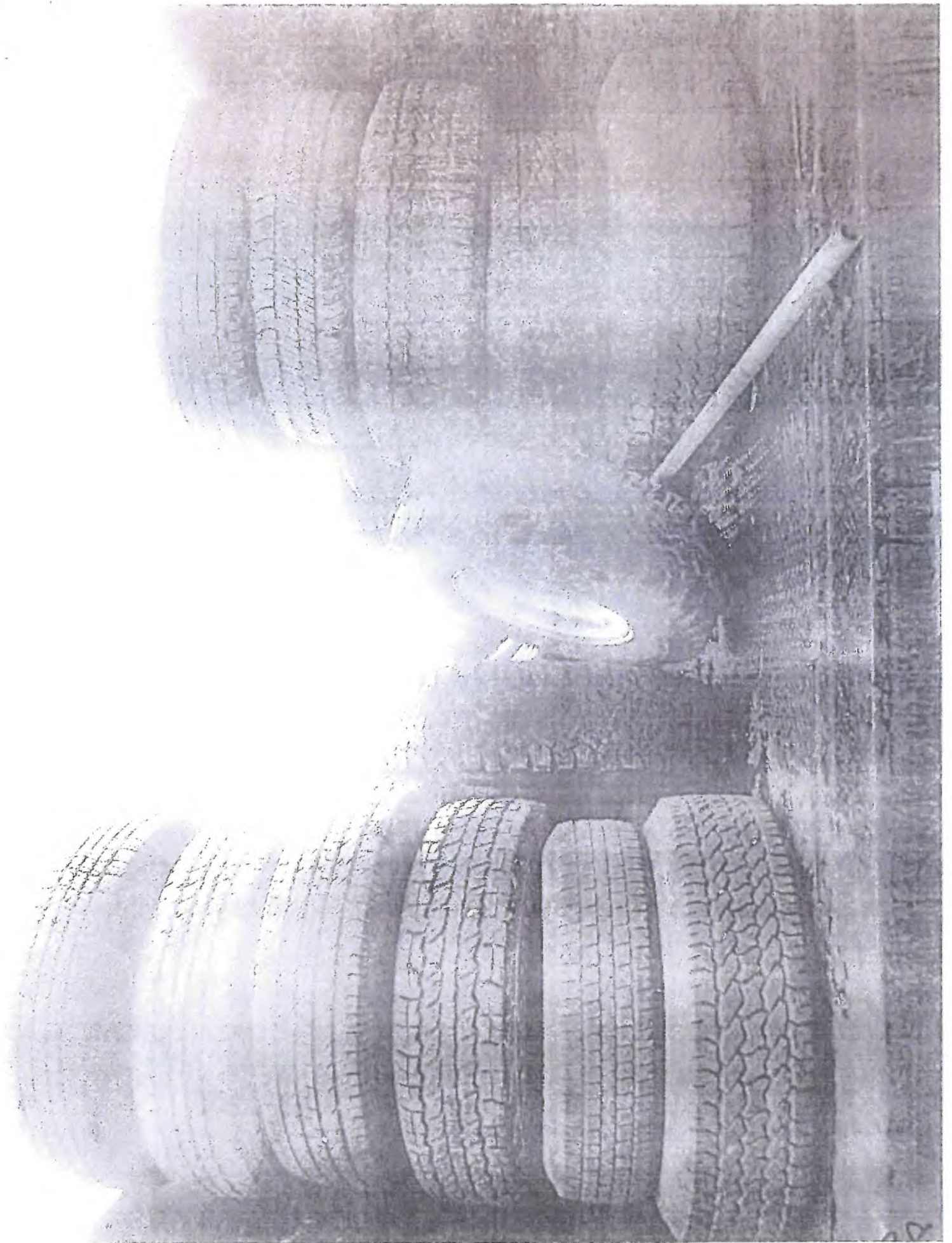


Exhibit 4



Exhibit 5

QUOTE # 12250

CUSTOMER INFORMATION

VEHICLE INFORMATION

STORE LOCATION

WILLIE HOBBS
5017 W CONNERS AVE

2009 FORD
F-150 XL
17"BASE REGULARCAB

MIL 28
650 N MARKETPLACE BLVD
LANSING MI 48917-7730
PHONE: 517-622-8700

LANSING MI 48912
(H) 517-974-1494
(W) 517-749-5665

PLATE # UNKNOWN
MILEAGE: UNKNOWN
TORQUE SPECS: 150

250 TRAVIS A S

CODE	CC	QTY	SIZE/DESCRIPTION	F.B.T.	PRICE	AMOUNT
72314	NRM	4	17 X8.5 6-135.00 25 BKGLXX VIS WARRIOR	<i>RIMS WHEELS</i> .00	169.00	676.00
WARRANTY: LIFETIME STRUCTURAL AND 1 YEAR FINISH						
COMMENT: BOLT PATTERN: 6-135						
85845	NRM	1	GOR 14X2.00 SD USE 80551, 80388	.00	83.00	83.00
HWARE LUG LUG KIT 26105BCD						
88115	NRM	4	265 /70 R17 115T SL OWL COP DISCOVERER HTP II	<i>TIRES</i> .00	201.00	804.00
WARRANTY: MILEAGE- 65,000 WORKMANSHIP/MATERIALS-LIFETIME ROAD HAZARD-LIFETIME						
COMMENT: INFLATION F:35 R:35						
80017	NRM	4	CERTIFICATES FOR REFUND, REPLACEMENT	.00	37.70	150.80
80224	NRM	4	WASTE TIRE DISPOSAL FEE	.00	2.50	10.00
80219	NRM	4	INSTALLATION & LIFE OF TIRE MAINTENANCE	.00	22.00	88.00
86607	NRM	4	D1L VS950 TQ12 T10 SNAP-IN TPMS RBK VALVE KIT VS950	.00	.00	.00

TAX: 94.38
TOTAL: 1,906.18

FREE CUSTOMER FLAT REPAIR AND ROTATION
This quote is good for 30 days
THANK YOU FOR SHOPPING DISCOUNT TIRE CO.

(Salesman's Signature)

QUOTE # 12248

CUSTOMER INFORMATION

VEHICLE INFORMATION

STORE LOCATION

WILLIE HOBBS
5017 W CONNERS AVE1988 GMC
C3500
ALL CABS 2WDMIL 28
650 N MARKETPLACE BLVD
LANSING MI 48917-7730
PHONE: 517-622-8700

LANSING MI 48912

(H) 517-974-1494

(W) 517-749-5665

PLATE # UNKNOWN

MILEAGE: UNKNOWN

TORQUE SPECS: 140

501 SCOTT W M

CODE	CC	QTY	SIZE/DESCRIPTION	F.E.T.	PRICE	AMOUNT
------	----	-----	------------------	--------	-------	--------

88117	NRM	4	LT245 /75 R16 120R E1 BSW	.00	189.00	756.00
-------	-----	---	---------------------------	-----	--------	--------

COP DISCOVERER HTP II

TIRES

WARRANTY: MILEAGE- 55,000 WORKMANSHIP/MATERIALS-LIFETIME ROAD HAZARD-LIFETIME

COMMENT: BOLT PATTERN: 8-165.1

COMMENT: INFLATION F:65 R:80

80017	NRM	4	CERTIFICATES FOR	.00	35.43	141.72
-------	-----	---	------------------	-----	-------	--------

REFUND, REPLACEMENT

80224	NRM	4	WASTE TIRE	.00	2.50	10.00
-------	-----	---	------------	-----	------	-------

DISPOSAL FEE

80219	NRM	4	INSTALLATION &	.00	22.00	88.00
-------	-----	---	----------------	-----	-------	-------

LIFE OF TIRE MAINTENANCE

72686	NRM	4	16 X7 8-165.10 0 BKGLRS	.00	120.00	480.00
-------	-----	---	-------------------------	-----	--------	--------

UNQ 42

RIMS WHEELS
130.81

WARRANTY: LIFETIME STRUCTURAL AND 1 YEAR FINISH

80546	NRM	1	BIM 14X1.50 SD 2.16 CL SL 8L	.00	65.00	65.00
-------	-----	---	------------------------------	-----	-------	-------

HDWARE LUG LUG KIT BETN23D55

TAX: 78.66

TOTAL: 1,619.38

FREE CUSTOMER FLAT REPAIR AND ROTATION

This quote is good for 30 days

THANK YOU FOR SHOPPING DISCOUNT TIRE CO.

(Salesman's Signature)

18

DISCOUNT TIRE

10:54 AM

WILLIE HOBBS
5017 W CONNERS AVE

LANSING, MI 48912
517.974.1494 (H)

1980 CADILLAC
DEVILLE
FLEETWOOD

Mileage Unknown

MIL 28
650 N MARKETPLACE BLVD
LANSING, MI 48917
517.622.8700

Invoice #
6474487

Salesperson 908
JOSHUA M B

Layaway Acct
1531089555

Article	Qty	Description	FET	Price	Amount
---------	-----	-------------	-----	-------	--------

* THIS IS NOT A SALES INVOICE! - LAYAWAY DEPOSIT

TIRES

41836	4	235 /75 R15 109T XL OWL		125.00	500.00
NRM		PTF PATHFINDER HT			
		TIRE MILEAGE WARRANTY: 60000			
80017	4	CERTIFICATES FOR		23.83	95.32
NRM		REFUND, REPLACEMENT			
		For tire certificate details, see			
		www.discounttire.com/customer - service/certificates			
80224	4	WASTE TIRE		2.50	10.00
NRM		DISPOSAL FEE			
91121	4	INSTALLATION &		22.00	88.00
NRM		LIFE OF TIRE MAINTENANCE			
7777	4	15X6 5-127		147.83	591.32
NRM		OE OE CADILLAC WHEEL			
		WARRANTY - Lifetime structural, 1 year finish			
80219	0	INSTALLATION &		22.00	.00
NRM		LIFE OF TIRE MAINTENANCE			
		Terms and Conditions can be found at			
		www.discounttire.com/customer - service/invoice - terms			
80083	0	SHIPPING &		.00	.00
NRM		HANDLING			
80300	1	GOR MISCELLANEOUS WHL INSTALL KIT		.00	.00
NRM		HDWARE LUG LUG KIT			

WHEELS
RIMS

Sub Total: 1,284.64
Sales Tax: 66.08
Sales Total: 1,350.72

Tendered Today: .00

Tendered Total: .00

Balance Due: 1,350.72

www.discounttire.com/tire - registration



14

WILLIE HOBBS
5017 W CONNERS AVE

5

LANSING, MI 48912
517.974.1494 (H)

1988 CHEVROLET
C1500
PICK-UP 235/75R15

Plate#: CFS7899
Mileage Unknown
Torque Specs: 90

MIL 28
650 N MARKETPLACE BLVD
LANSING, MI 48917
517.622.8700

Invoice #
6474485

Salesperson 908
JOSHUA M B

Layaway Acct
1531089554

Article	Qty	Description	FFT	Price	Amount
---------	-----	-------------	-----	-------	--------

* THIS IS NOT A SALES INVOICE! - LAYAWAY DEPOSIT *

RIMS
WHEELS

52185	4	16 X7 8-165.10 0 BKGLBA		123.00	492.00
NRM		UNQ 297		130.81	
WARRANTY - Lifetime structural, 1 year finish					
BOLT PATTERN: 5-127					

80219	0	INSTALLATION & LIFE OF TIRE MAINTENANCE		22.00	.00
NRM					

Terms and Conditions can be found at
www.discounttire.com/customer-service/invoice-terms

80083	0	SHIPPING & HANDLING		.00	.00
NRM					

80300	1	GOR MISCELLANEOUS WHL INSTALL KIT		.00	.00
NRM					

TIRES

30646	6	LT225 /75 R16 115Q E1 BSW FO		200.00	1,200.00
NRM		GDY WRANGLER HT			

INFLATION F:45 R:45					
80017	6	CERTIFICATES FOR		37.50	225.00
NRM		REFUND, REPLACEMENT			

For tire certificate details, see
www.discounttire.com/customer-service/certificates

80224	6	WASTE TIRE		2.50	15.00
NRM		DISPOSAL FEE			

80219	6	INSTALLATION & LIFE OF TIRE MAINTENANCE		22.00	132.00
NRM					

Terms and Conditions can be found at
www.discounttire.com/customer-service/invoice-terms

80381	1	WCA 9/16" BLG 3/4 1.9" CL ZN 8L		65.00	65.00
NRM		HOWARE LUG LUG KIT WZ58096L			

The tire and/or wheel you have chosen is different from the original equipment provided with your vehicle and may change its handling or stability characteristics.
Further information is available from your Discount Tire salesperson.

Sub Total: 2,129.00
Sales Tax: 106.32
Sales Total: 2,235.32

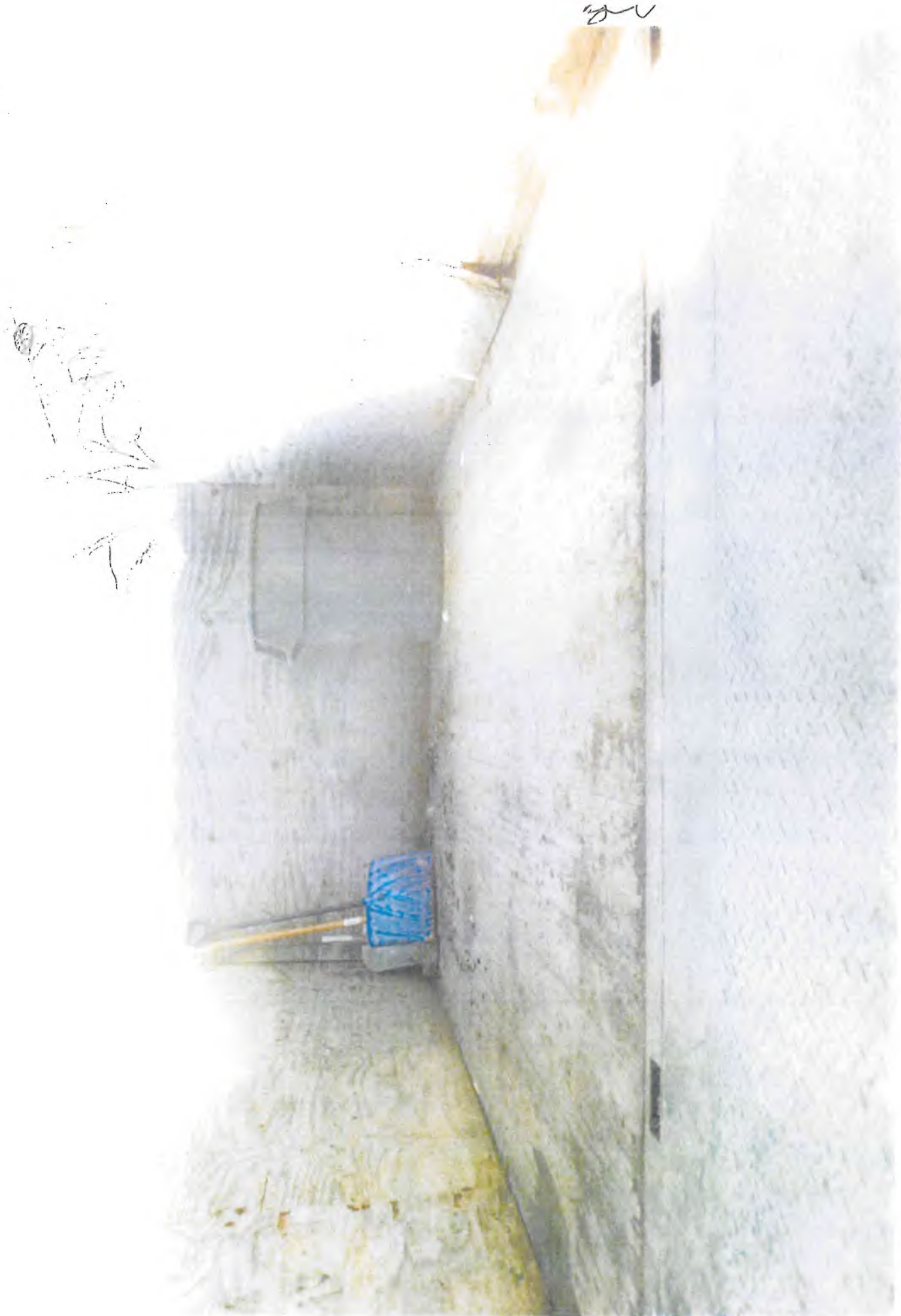
Tendered Today: .00

Tendered Total: .00

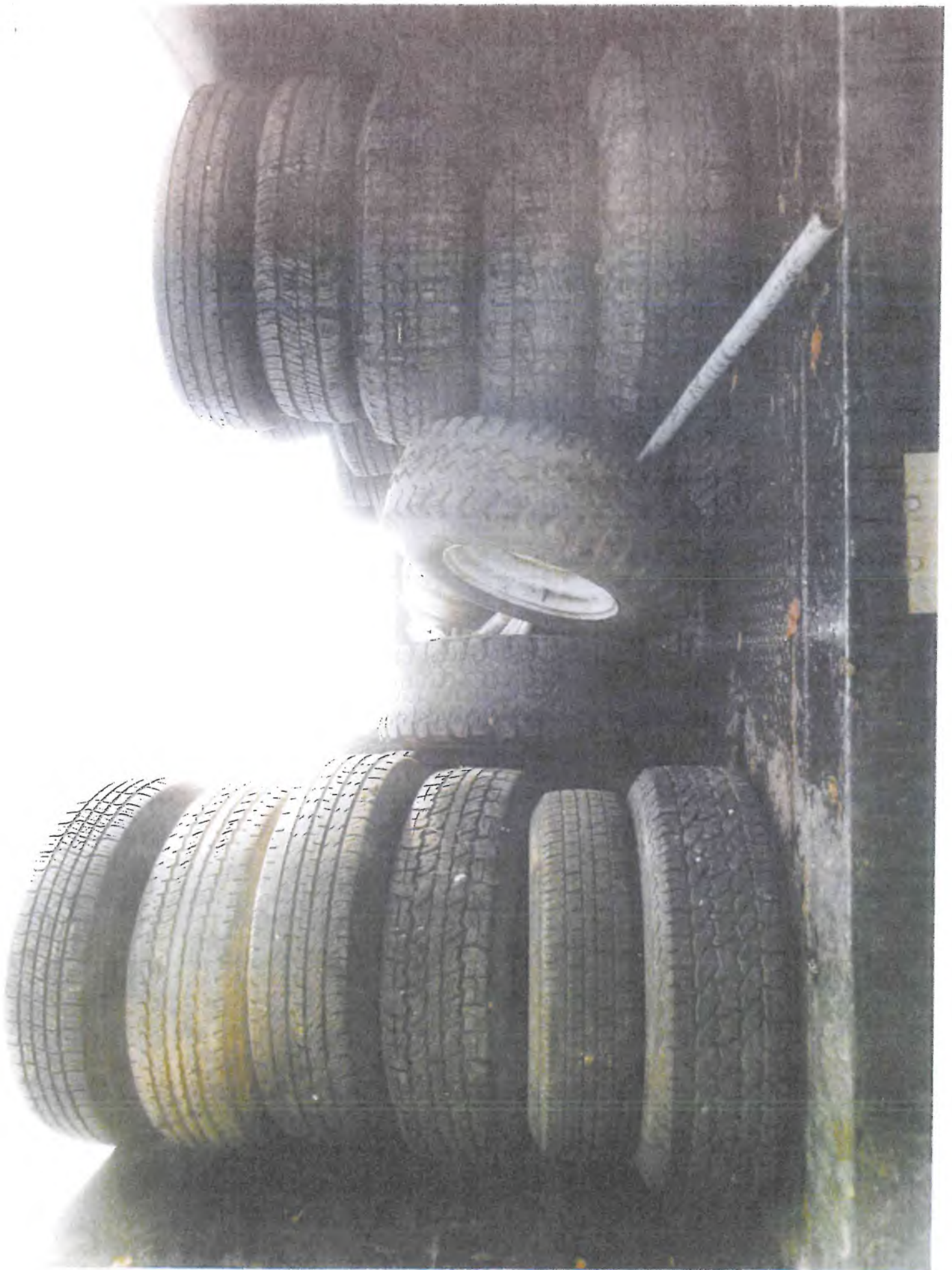
Balance Due: 2,235.32

www.discounttire.com/tire-registration

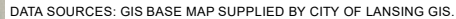












PROJECT NO.
180593

FIGURE NO.
1

BY THE COMMITTEE CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service and the Lansing Board of Water & Light are partnering to construct the utility and infrastructure improvements associated with the Combined Sewer Overflow (CSO) 015South Project, a project area generally bounded by Lapeer St. on the northside, Sycamore St. on the eastside, Ottawa St. on the southside, and Verlinden St. on the westside; and

WHEREAS, timely completion of this project is specifically required by Administrative Consent Order #ACO-05153, entered Dec. 19, 2019; and

WHEREAS, the large amount of construction required for this project will encompass all of the 2024 construction season, all the 2025 construction season and a portion of the 2026 construction season; and

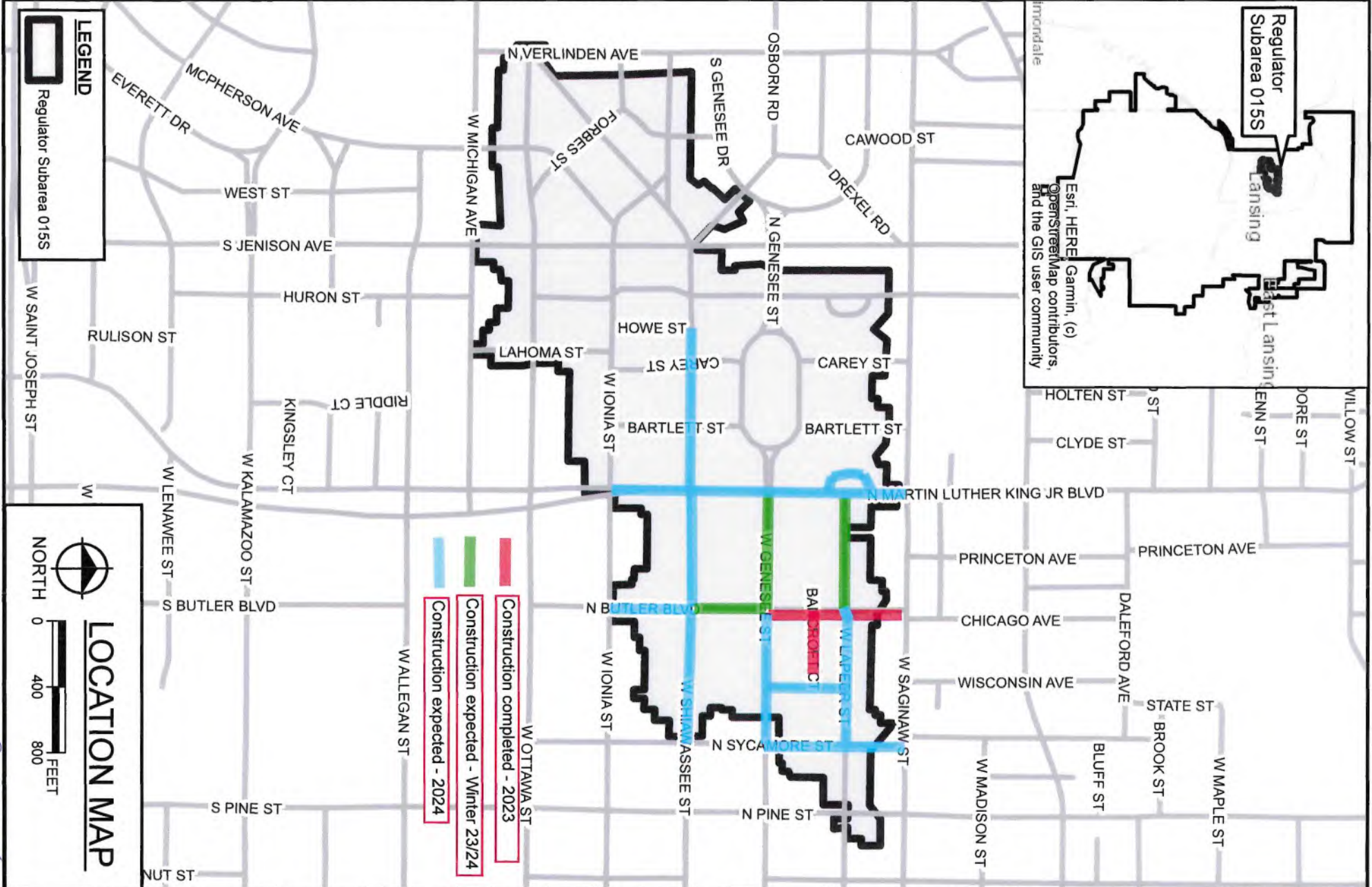
WHEREAS, this project includes a significant amount of utility work and other improvements on the local neighborhood streets within the project area and on major streets, Martin Luther King, Jr. Blvd., Shiawassee St., Ottawa St., and Jenison St.; and

WHEREAS, for the periods March 2, 2024, through December 14, 2024, and March 1, 2025, through December 13, 2025 the construction contractor, Leavitt and Starck Excavating, Inc., has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 4:30 PM; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- reduce the amount of time local access for property owners is impacted;
- allow the contractor to have the ability to work some Saturdays when necessary for completion of important work activities; and
- keep the project on-schedule based on rain days.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, December 11, 2023, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan Ave., in consideration of the request for granting a waiver of the noise ordinance to Leavitt and Starck Excavating, Inc., while the company is conducting work as part of the CSO 015South Project, as described above, on Saturdays from 8:00 AM to 4:30 PM for the periods March 2, 2024, through December 14, 2024.



City of Lansing
Ingham County, Michigan
Regulator Subarea 0155

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intended to be
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plotted. Scale(s)
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graphic quality may
not be accurate for
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fishbeck
Engineers | Architects | Scientists | Constructors



PROJECT NO.
180593
FIGURE NO.
1

Suzanne Elms
11/23/23

I hereby request the reversal of the denial of my claim #3053, due to overriding evidence against the claim

rejections' validity, and examples of inappropriate assumptions used in the determination that my claim should be denied.

I will start by reading parts of the June 29, 2023 denial letter signed by Jeremiah Kilgore. The Public Service claim form also requires one to answer #1 which states "That the sewage disposal system has a defect." Why is that my property considered as having been designated as part of the City's Sewage Disposal System !!

His letter's next paragraph read "Following notification of your basement flooding occurrence, the City of Lansing responded to the area in a **timely manner** to remedy the issue by removing yard debris that was obstructing flow into the downstream culvert inlet. Since the debris obstruction was the "proximate" (my quotes) cause of your basement flooding, your claim is denied." This is absolutely a stunningly wrong reason

for my claim denial. A week or so after the flood, I had sent an email, asking for the City to clear the culvert in case of another flood. On April 24th (NINE DAYS AFTER MY FLOOD), the sewer crew was instructed to remove the debris on the downstream, City of Lansing's 24" culvert because the City also thought that that debris was the reason that the flood waters were unable to quickly outflow from it (I have DISPROVED that that

was a cause of my flooding, later in this document) I was shocked that the cleaning off that culvert 9 days after my flood was ACTUALLY USED to support that the City RESPONDED IN A TIMELY MANNER to clear off that culvert! NINE DAYS after my basement was flooded and I had had over \$8000 worth of damage from flooding that the City of Lansing directed to my property, without my prior knowledge, without my permission or awareness about. NO. Keeping that culvert maintained is only the City's responsibility and also it is obvious that the City was absolutely WRONG in thinking all that debris on that culvert originated on MY PROPERTY (I have photos and Mr. Kilpatrick can easily confirm that there were many, many other places on this side of Cumberland Road which easily contributed more debris than I ever could.)

AFTER I had \$8000+ damage in my house, that clearing off of the culvert could not, under any circumstance, be considered done in a "timely manner." That's exactly the same as someone saying that after someone's house burned to the ground because the Fire Department had no access to water to

@mt8

put the fire out, THEN 9 DAYS LATER THEY INSTALLED A FIRE HYDRANT, , saying that they responded in a timely manner! NOPE - their clearing of THE CITY of Lansing's unmaintained culvert cannot be considered a timely manner.

Then here are parts of the Denial recommendation from Nathan Arnold, superintendent of "Operations and Maintenance" Department (note: when a phone is answered using that title, I clearly may not have understood that that was part of the domestic sewer drains department.) In his June 31, 2023 memo, Mr Arnold first claimed **I had called to report a sewer backup in my basement.** That doesn't make any sense to me. Because when I called, I thought I was talking to someone about overland flooding. I certainly didn't have **any problems with my sewer**; later it appears that my phone call was diverted to the wrong department. **BUT his denial letter actually states that I called at 12:30 to report a sewer backup in my basement and rather than what I thought I was telling the person on the phone, something like my "basement is full of (flood) waters."**

Arnold further stated in that memo that the sewer inspector responded to the call at 13:36 at **and did not see ANY backups in the City sewer system. (OF COURSE NOT!)** He then wrote in his memo noting clearly that they **"only inspected the sewer system and did not look into ground flooding."** So, why did he even think he could say this within his recommendation for the denial of my claim: **"Based on the City not knowing that the culvert inlet was blocked on the drain adjacent to the property"** (...and why on earth did he think that he could even make any reference about the culvert, **at all** , he had stated earlier **that "they didn't look into ground flooding"**) . And why did he also add this irrelevant statement as a reason to support his recommendation for denial: **"for the fact that the city responded within 1 hour to investigate THE SEWER BACKUP IN THE BASEMENT, I would recommend the claim be denied ??"** My basement flooding had absolutely nothing to do with sewer backup; those employees were sent to my house 100% in error **How could the referencing any sewer be considered as any valid part of my denial?.**]

Now to discuss why my claim was necessary to begin with: because of the City's inadequate flood/storm water "system" for this part of the Tecumseh River Road/ Cumberland Rd neighborhood was established 50

years ago, and it allows the City to divert unknown and large amounts of flood and storm water from residences and streets which are uphill of me DIRECTLY ONTO MY PROPERTY, through the City's use of **TWO** 24" diameter culverts at the highest part of my property at Cumberland Road. And as a result, they are prevented from easily leaving my property, they, for some unbelievable reason installed **ONE single** 24" culvert (Why? that is 1/2 the ability to discharge those other people flood waters sent onto my property.) Because these flood waters were unable to exit my property (for several reasons, explained later) then also those waters backed up from the dam effect of Forest Glen Road and backed into my basement causing over \$8000 damage.

Another consideration for the inability of that undersized culvert to discharge this flooding, is that the Lansing designed system under Forest Glen Road cannot handle all the flow being sent there, because MANY more floodwaters also are diverted to use this same system-- many other houses on Tecumseh River Drive, on Forest Glen Road and Cumberland all pouring out their storm water, (and although not flowing through my culverts), are all competing for use of that sewage outflow system under Forest Glen road. Look at my map, **roughly** showing the stormwater outflow directions of many peoples' homes. (A survey is needed to more define those areas) A lot of those homes are at a higher elevation, consequently their flood outflows are moving much faster due to the fact they have more specific energy (due to gravimetric energy density). (I acknowledge that it is certainly not going to be easy to figure out how much of the capacity of that sewage outflow systems conflict with each other.) But it is very clear that flood waters emerging from the waters purposely diverted onto my property will be probably last in line to find a place to discharge their floodwaters at the same time. (The flood waters diverted onto my property doesn't provide any height energy (as the area of my property is essentially flat) and certainly those large amounts of storm waters sent down with those other my property, will linger and cannot supply enough energy to compete with all those other flows aided by gravity.)

(NOTE: The application form I received for my claim for the damages I had, definitely used the language, referencing my property as part of a "Sewage Disposal System." And what are the

implications of having that designation ?) The City of Lansing should no longer be allowed to flood my property and cause me damage. The City of Lansing clearly has no legal right for this use of this out-of-date system on my property at 2115 Cumberland Rd. You do not have my permission to use those 2 24" culverts to divert anyone else's substantial amounts of waters from that uphill's flooding "design" from some very large number of properties and direct to culverts that run under Cumberland Road and then spill off right onto my property. This 50 year lag in engineering upgrading this system certainly should not be allowed to continue and it must be prioritized.

And here is the precise reason that I can PROVE that that debris on the City's 24" diameter did not make one single difference to the situation and certainly the debris covered condition of THE CITY of LANSING's culvert. Neither the debris or I was in NO WAY responsible for my flooding.

1. The massive amount of that April storm water diverted onto my property through those 2 upstream culverts would never ever been able to adequately discharged by any culvert with ½ the surface area for flow to discharge, even without all that debris on it. **2.** It is very clear (and I hope Mr. Kilpatrick will confirm this) that the amount of debris from my property was minimal and would not have provided enough debris to begin to cover that culvert. **3.** As I just discussed, there are too many flooding sources which are expected to outflow a system under Forest View Road for the floodwaters not to leave my property without energy provided. And BELOW is how I show that the debris on that single 24" diameter culvert (which was mistakenly **all assumed was from my property which is absolutely untrue** (provable with photos I have and a statement from Mr. Kilpatrick about the area) could not have been responsible for my flooding. **(Incidentally, my house and basement are the only houses effected by this backwater at Forest Glen Road. And why did the City of Lansing approve having a basement in this area ? There are no properties downstream of me.)**

Our two neighbors directly across the flooding from us (who Mr. Kilpatrick and I easily noticed, pretty clearly are more responsible for more debris than I ever could have) offered to go to Home Depot to pick up their last 6 sandbags. **On their way home, they said that they had just seen a massive City of Lansing truck on Tecumseh River Drive that was pumping “tons and tons” of water out of a manhole. And at that exact same moment,** our flood waters began to move for the first time ! And with that pumping continuing, **all** those amounts of water on my land began to slowly and steadily discharged through that one, undersized culvert, and that flow was absolutely not showing the slightest bit of impedance due to the massive amount of debris on it (the debris which the claim reviewers believed were the reason that the flood was not moving.) The flood waters moving steadily and consistently through that 24 “ culvert that the water was able to move through that debris covered 24” culvert, totally without regard to **amount of debris on the culverts ‘face.’ The pumping provided the energy to clear out the backwater flooding of my flat property.**

I bought this property not expecting that Lansing, the city I love, would be using me as part of their Sewage Disposal program (see question 1 they asked, at the beginning of this.) Henceforth, the City absolutely cannot be allowed to flood my property and cause me damage. The City must change this system so it doesn’t divert all the neighbors’ uphill flooding through those 2 24” culverts directly onto my property.

I understand, more than many, that this will not be an easy task because the City has never thought that this 50 year old system had to change. They will have to design a way to improve the flood water discharges in this neighborhood. That 50 year old system seemingly used a lot of “water flows down hill” This area is now fully developed and the use of the excuse that the stormwater and drainage is 50 years old isn’t going to work anymore. First of all, figure out a way so that so much flood waters has

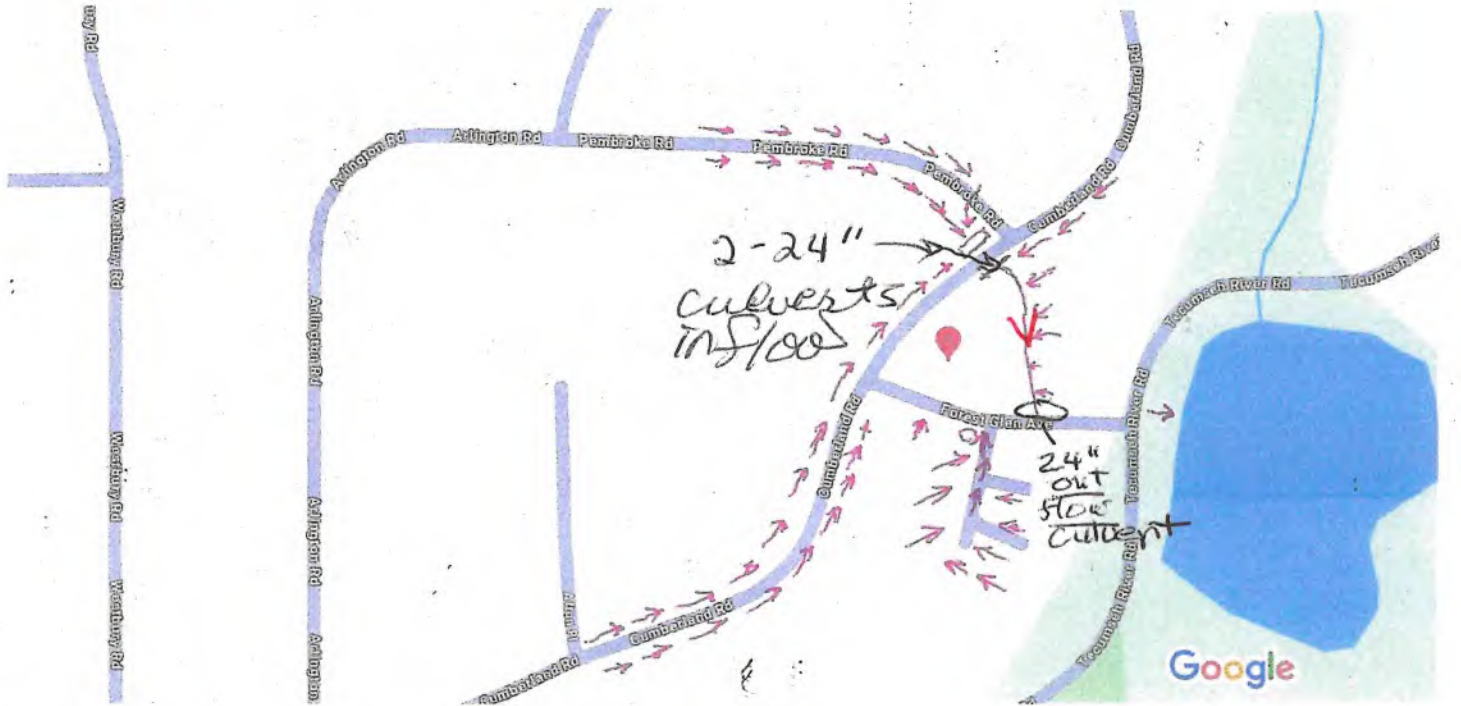
had to been diverted onto my property. That April flood was approximately a 10 year flood.

Information from the Wall Street Journal indicates the 20% of this country is going to blow the records right out the water.” For example, the 100 Year flood is expected to happen every 25 years. And Alec Malvetis said that he read that the 10 year flood is going to increase in probability.

And what am I supposed to do if you don’t reengineer this mess, and soon.

Google Maps

2115 Cumberland Rd



Map data ©2023 100 ft



2115 Cumberland Rd

Building



Directions



Save



Nearby



Send to
phone



Share



2115 Cumberland Rd, Lansing, MI 48906

Photos



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

124 West Michigan Avenue – 7th Floor
Lansing, Michigan 48933
(517) 483-4456
FAX: (517) 483-6082
<https://www.lansingmi.gov/169/Public-Service>



June 29, 2023

Suzanne Elms
2115 Cumberland Rd.
Lansing, MI 48906

RE: Sewer Backup Claim #3053

Dear Ms. Elms:

The Public Service Department has received and reviewed your sewer system event claim dated May 19, 2023, for your property located at 2115 Cumberland Rd. in the City of Lansing. Michigan's Public Act 222 of 2001 requires that if you are seeking compensation for personal injury or property damage, you must show all of the following:

1. That the sewage disposal system had a defect;
2. That an appropriate governmental agency knew or reasonably should have known about the defect;
3. That the defect was not remedied by the governmental agency in a reasonable time;
4. That the property damage or personal injury resulted because of the defect; and
5. That you own and have relayed the value of the damaged personal property.

Following notification of your basement flooding occurrence, the City of Lansing responded to the area in a timely manner to remedy the issue by removing yard debris that was obstructing flow into the downstream culvert inlet. Since the debris obstruction was the proximate cause of your basement flooding, your claim is denied in accordance with the provisions of PA 222.

On a related issue, the comments in your claim materials state that the cause of your basement flooding is due to the local stormwater drainage system having insufficient flow capacity. Please note that the existing level of service for your neighborhood has been established for over 50 years, and, at the time your neighborhood was established, design standards typically, though not always, were to provide adequate capacity for transmission of a 10-year, 1-hour storm event. Notably, the storm event of April 15 greatly exceeded the level of precipitation associated with a 10-year, 1-hour storm event.

Regarding level of service, Lansing Ordinances 1026.02 and 1026.03 specify the process whereby property owners can pursue a greater level of service through a petition and assessment process. If you are interested in pursuing greater storm sewer capacity for your area in accordance with these ordinances (copies attached), this office can provide guidance on the process.

If you believe that an error has been made in the investigation findings or determination under the requirements of Public Act 222 of 2001, please submit written objections to:

City of Lansing Attorney's Office - 5th Floor, City Hall
124 W. Michigan Avenue
Lansing, MI 48933

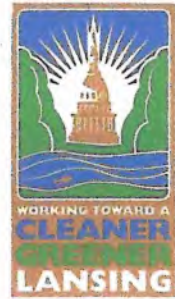
If you have questions about the contents of this letter, please contact me at (517) 483-4456, and I will be happy to assist you.

Sincerely,



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT
Operations and Maintenance Division
601 East South Street 10
(517) 483-4161
FAX: (517) 483-4483
<http://publicservice.cityoflansingmi.com>



[CLAIMS RESPONSE MEMORANDUM]

To: DeKyra Love, Public Services Department

Memorandum For: Claim #3053 – Suzanne Elms

From: Nathan Arnold, Superintendent of Operations & Maintenance

Date: 05/31/2023

Upon review of our records, Suzanne Elms of 2115 Cumberland Rd. called in and reported her basement flooding to Operations and Maintenance on 04/05/2023 at 12:30. Suzanne also called into the 311 call center to report a sewer backup in basement on 04/05/2023 at 12:31. Operations and Maintenance's inspector responded to the call at 13:36, checked the sewer mains in the vicinity of the address, and did not see any backups in the City sewer system. The inspector reached out to Suzanne stating that the main was clear and explained that it could be from the tremendous amount of rain we received. With the information provided to Operations and Maintenance by the property owner, we only inspected the sewer system and did not look into ground flooding. On this day, 1.22 inches of rain fell in a short period of time. In a 72-hour period around the day in question, 2.38 total inches of rain was reported.

On April 14th, 2023 the sewer crew was instructed to remove leaf litter/debris from the inlet on the property. 4 personnel went to the location to remove the debris, using our combination truck to vac the debris while raking everything that had accumulated from the rain event.

Attached to this claim are the 2 service requests that were generated from the calls. Service request #148281 was created by staff at Operations and Maintenance and service request #148282 was created by staff at the 311 call center.

Also attached is work order #912936 which shows that the sewer servicing this address was last cleaned on June 24th of 2021.

Based on the City not knowing the culvert inlet was blocked on the drain adjacent to the property prior to the call from 2115 Cumberland Rd., and for the fact that the city responded within 1 hour to investigate the sewer backup in the basement, I would recommend the claim be denied.



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

7th Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4455
FAX: (517) 483-6082
www.lansingmi.gov/pubserv



October 26, 2023

Ms. Suzanne Elms
2115 Cumberland Rd.
Lansing, MI 48906

RE: Sewer Backup Claim #3053

Dear Ms. Elms:

This letter is in response to your letter to the City, dated October 11, 2023 and received October 15, 2023.

The correct claim paperwork was sent for what occurred on the property and it was received by the staff who respond to sewer and flooding issues, so a new claim is not needed. The Operations & Maintenance Division is responsible for maintenance of all public infrastructure within the public rights of way including public storm and sanitary sewers as well as flooding of roadways or property, so the routing of the initial call to the 311 Call Center was correct. In addition to the claim being reviewed by the Operations & Maintenance Division's Superintendent, the information was reviewed by the City's Assistant City Engineer for Environment, who is a civil engineer and oversees storm and sanitary sewer systems and projects.

The initial confusion came from the fact that the inspector thought he was dealing with basement flooding from the City's sanitary sewer main, based on information received from the 311 Call Center. This was not the case, and the backup was from the inlet of the culvert on the north side of Forest Glen being blocked by leaves/branches coupled with almost 1 ¼" of rain the city received in a short period of time. When the property was inspected the water had already receded.

Mr. Arnold made the statement referencing the culvert because the Operations and Maintenance Division handled both the initial call during the rain event and the removal of the debris that blocked the culvert inlet and caused the flooding on April 5, 2023.

Culverts in this neighborhood were installed in the 1960s as part of the development of the area. There are no design storm requirements for storm water systems and records of the basis of design for this area's drainage system do not exist, so it is not possible to characterize the downstream culvert under Forest Glen as undersized compared to the design of the upstream catchment area. The City is not aware of capacity changes to the culverts under Cumberland or of communication from property owners downstream of the Cumberland culvert indicating that the flow created any adverse impacts on their property. The culvert under Forest Glen, which is entirely in the public right of way, was replaced in 2016.

The City is willing to improve the flow characteristics of the drainage between the culvert under Cumberland to the culvert under Forest Glen. To do so, however, the City would need an easement to construct an engineered flow channel on your property, and potentially the adjacent property, and to be able to maintain any system that is constructed.

Sincerely,



CLEARED
BY THAT
↓
CITY
GUY

"CREEK" →

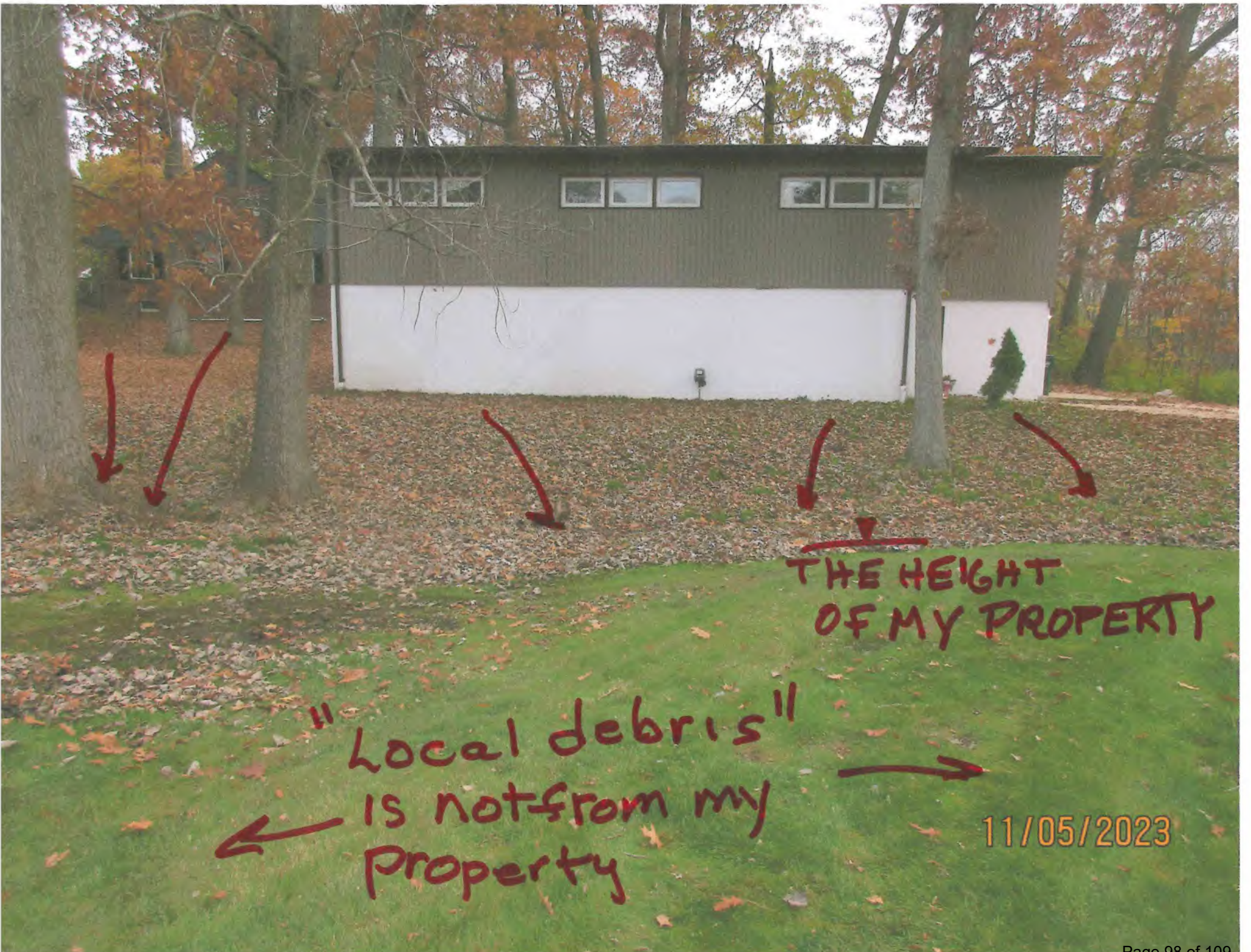
→
CULVERT

11/16/2023

CULVERT
IS
BEHIND
↓

MY Property
is VERY LOW
WATER →
SEEPING UP →

11/23/2023



THE HEIGHT
OF MY PROPERTY

"Local debris"
is not from my
property

11/05/2023

THIS IS ONE OF
THE TWO RULVERTS

← This is the neighbors
lands that the
flocking
went through →

11/23/2023

height of his property owner's height of my property

CULVERT

11/05/2023



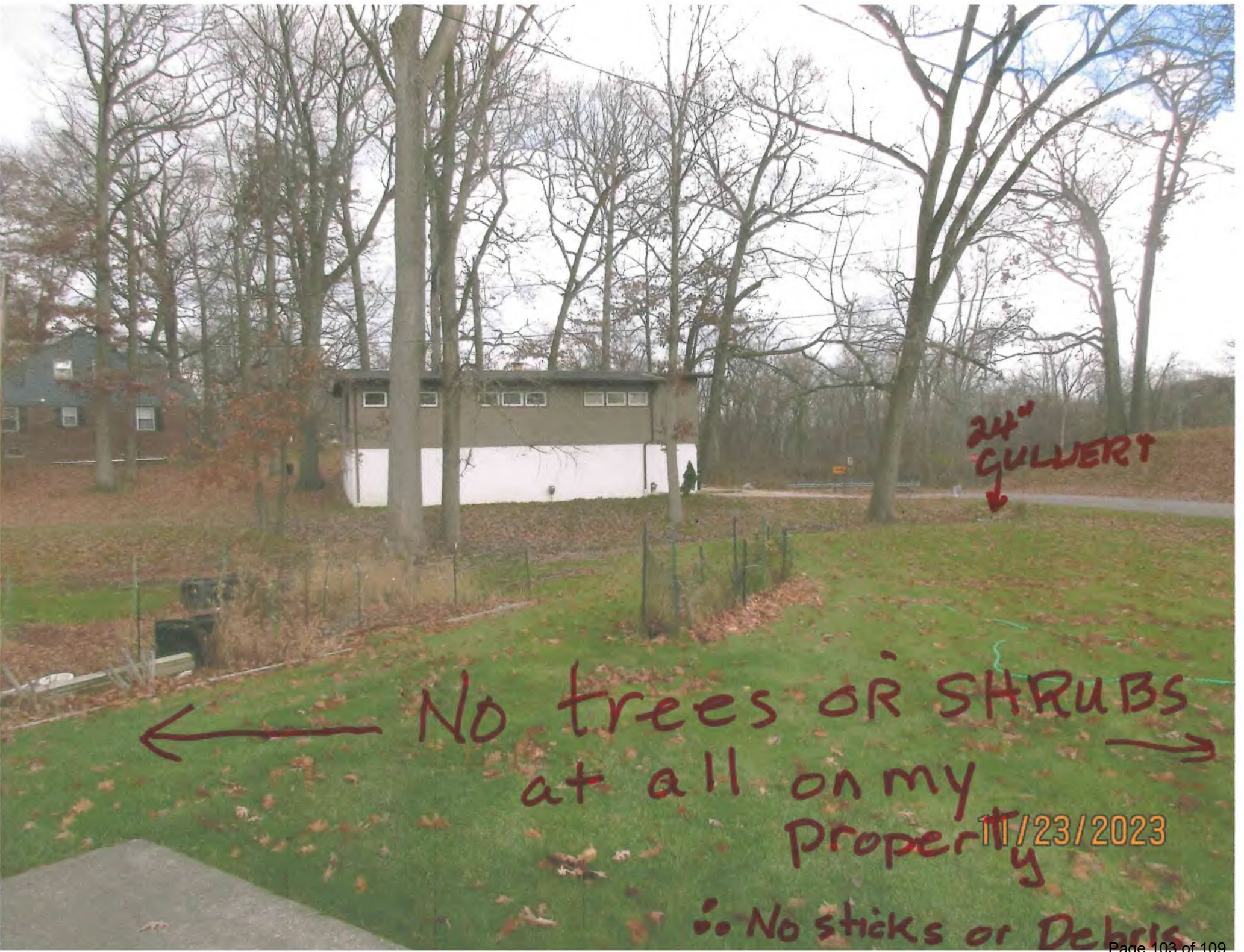
← THIS IS THE CITY'S RIGHT-OF-WAY →

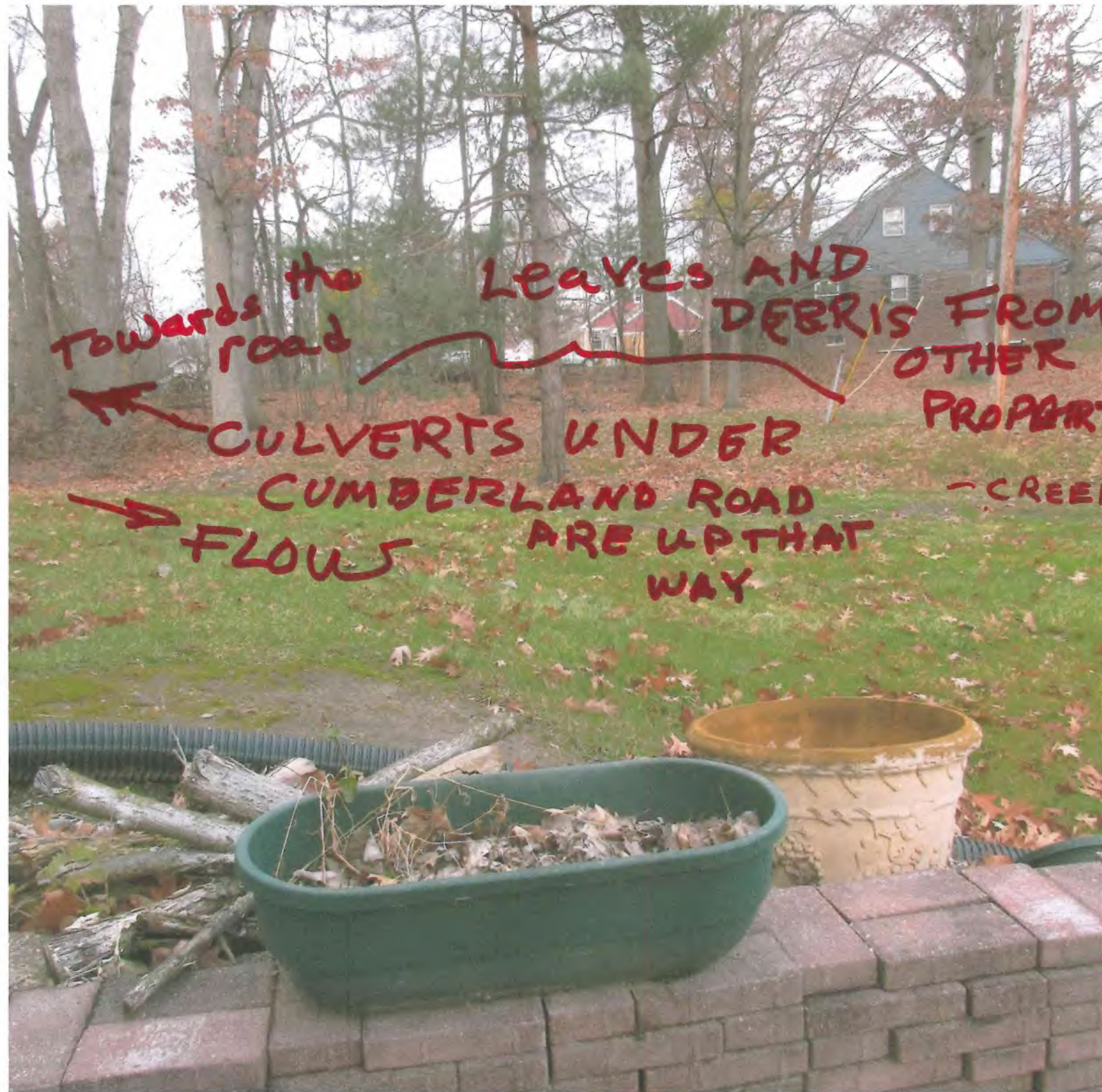
— CULVERTS ARE BELOW HERE

CUMBERLAND ROAD

11/23/2023









NEVER, EVER
RAKED

Neighbor's
House

15' Above
the creek
+ my
property

CREEK

MY PROPERTY





The culvert at my property line at 2115 Cumberland Road, after being maintained: A few days (I believe it was Friday, April 14th) after I first reported our flooding situation, I awoke fairly early to the sound of a truck at work. Don Bigg (? I may have misremembered his name ?) and a crew of 3 individuals had arrived at Forest Glen Road, just above that single, totally clogged 24" drainage culvert, which is at the most downstream end of my property. They worked and raked for over an hour. The debris was extracted by the use of a huge vacuum type device on the truck.

A



The approximate location and condition of the Culvert at Forest Glen Road, at the most downstream end of my property, taken at **5:52 pm on April 5th** after the flooding had subsided. Note the large garden wall log that was washed a quarter mile down from the garden just outside our basement all the way down towards culvert by the water receding.

B

To the best of my knowledge, this culvert had never been inspected or cleared by the City during the time I've lived here; I am unaware whether there is any type of scheduled maintenance. I have no idea under what circumstances I should contact someone and who ? (I have never been given a number or office to call and at what point should that be. Do I wait until it's totally jammed up and/or I think that it needs cleaning?)



12:00 noon, April 5th. Backdoor that leads into the basement is next to and behind that storage unit for keeping various gardening items. At one point that bin started to float away with the current. The beginning of the garden is shown to the right of the photo. Its log floated to the culvert as seen in next photo.

C



Garden wall log floating a quarter mile from our garden towards the abating floodwaters, toward the culvert at Forest Glen Road. Photo taken on April 5th at 12:55 pm

D

111

This information, below, confirms that all the flood waters and runoff, which caused substantial damage to my basement on April 5, 2023, were certainly not just a result of “local flow,” from my property. The City has been diverting, for some unknown amount of time, an unknown amount of storm overflow and runoff from a number of “uphill/up stream” properties through 2-24” diameter culverts directly onto my property. An under-designed and unmaintained outflow culvert at my downstream property line was decidedly undersized to be able to remove such huge amount of storm waters which had been diverted through those culvert upstream directly onto my property. That amount of diverted flood water and overland flooding, passed onto my property, during that extreme rainfall and runoff as experienced on April 5th, 2023., could not be removed from my property quickly enough, through that undersized culvert with ½ of the surface area (ONE 24” diameter culvert at Forest Glen Road), in order to prevent flooding in my basement and damage to it.

The numeral 2 is used to designate the flow of runoff down the hill on the right side of Pembroke Road as shown in Photo C. All that flow then goes into the culvert #2, shown BELOW and flows under Pembroke Road to a culvert under the grate on 2104 Cumberland Road. (See in Photo B)



Photo A



This steel flat grate is at the **Photo B** other end of the culvert 2, as shown on the other side of Pembroke Rd. in photo A. The grate is on the front lawn at 2104 Cumberland. The designation #1 on this photo, and also on the next photo, shows the flow path down the grassy path on the left side of Pembroke Rd which eventually flows into the grate. This combined flow from overland 1 & 2 flow into the grate which has 2- 24” diameter culverts under it. All that combined flow then goes under Cumberland Rd. directing all of this upstream flow directly onto my property see Photo D



Photo C

Pembroke Road which is uphill from Cumberland Road and runs the culverts and overland runoff from the rather steep Pembroke Rd. and its storm discharge runs down both sides of that road. Storm water from flow pattern 2 eventually crosses under Cumberland Road and is diverted onto my property through two 24” diameter culverts.

This wooded lot is immediately northeast of and directly adjacent to my culverts and the creek and my property line. This heavily wooded lot is not maintained and the vegetation grows right down to the creek, even at its lowest flow. And any and all of the unraked leaves and sticks that are washed by any storm from here have no impedance before they reach the culvert at Forest Glen Road. There are also two houses uphill to the northeast, just above this unkempt property; it is unclear whether their flooding waters head to the creek, here. As can be easily seen, this area is covered with oak and maple leaves and sticks that certainly would wash down, unimpeded, into the creek “open sewer” only stopped by the culvert at Forest Glen Road. At one point, an unfortunate implication was made that all the leaves and sticks blocking the undersized and unmaintained culvert at Forest Glen, at the downstream of my property, were “local,” seemingly an unfortunate attempt to place all the responsibility for the leaves and sticks blocking that culvert on this property owner.



These are the other ends of those two 24 inch in diameter culverts (described in Photo B) just upstream of my property, and on my property’s side of Cumberland Road, which divert (see photo C) those upstream flows from homes and properties upstream of mine, directly on to my property.

Photo D



Photo E

