



MINUTES
Committee on City Operations
Wednesday, September 4, 2024 @ 4:00 p.m.
City Council Conference Room

CALL TO ORDER

Council Member Jackson called the meeting to order at 4:00pm

PRESENT

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

OTHERS PRESENT

Renee Richmond, Council Administrative Assistant
Lisa Hagen-Lawrence, OCA
Dan DuChene, OCA
Walter Allen, Code Compliance Manager
Dave Mann, attending virtually
Eddie Nuno
James Williams, Jr.
Leola Berkley

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM AUGUST 21, 2024, AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No public comment.

Discussion/Action

Ms. Richmond stated Mr. Mann is still attempting to join virtually, Councilmember Jackson moved him to the end of the agenda.

RESOLUTION – Claim Appeal; Claim #2061, Eddie Nuno for \$565 in trash fees at 330 N. Walnut Street

Mr. Nuno asked for verification because the city is telling him that 329 W. Shiawassee is an invalid address, when his tenant has been issued a driver license for that address and receives mail. The property apparently has two address 330 N. Walnut & 329 W. Shiawassee. Also, he received emails that voicemails were left for the tenant but no documentation of it. Councilmember Jackson

referenced a letter regarding a mix up on the couch left on Shiawassee and asked Mr. Allen to explain.

Mr. Allen explained it was cited on 11/3/23 for indoor/outdoor furniture, with compliance date of 11/10, rechecked on 11/3 and the violation still present it was submitted to the contractor. Adding, Lori in Public Service stated tenant never scheduled pick up and tenant wrote 329 W. Shiawassee which is invalid address. Public Service left a voicemail for the tenant, after no response Public Service sent a driver to 330 N. Walnut St. and violation was still there. Their office recommends denial, and they informed Treasury of the invalid address.

Councilmember Jackson asked what about the purchase of a bulk item for pickup that was scheduled and who lives at 329. Mr. Nuno responded it was scheduled and purchased for 329 W. Shiawassee, and his tenant lives there and it is a corner lot. Councilmember Jackson then asked what the rationale for CRC denial. Ms. Hagen-Lawrence explained they looked at notice requirements and all components and everything was met. As well as the tenant not calling back and couch was originally missed plus incorrect address CRC deemed, they were not the appropriate body to determine so denied the claim.

Councilmember Kost asked Mr. Allen about invalid address, because he pulled up on Google and images show 329 on the house, so one building with two addresses. Ahe added the pictures show a couch in front of 329 but photo of 330. Councilmember Kost asked if Mr. Nuno lived at 330, he responded no. Councilmember Kost then asked if anyone alerted him of the notice of the violation when received. Mr. Nuno said no he was not alerted. Councilmember Hussain confused if correction notice was 330 but your personal address is the 2710 you got the correction notice why not fix it. Mr. Nuno explained by time he received and seen it, it was already picked up. Councilmember Kost stated his concern that the violation lists 330 but the actual violation was 329 which was in front of the correct house according to the pictures.

Councilmember Jackson expressed support to waive fees and being a corner lot with two address and bulk item was bought. Councilmember Kost indicated he agrees with Councilmember Hussain that ample time was given to fix with a letter sent and didn't happen. But with the addresses error he agrees with Councilmember Jackson, and it was the city's mistake.

MOTION BY COUNCIL MEMBER KOST TO GRANT THE CLAIM APPEAL #2061, EDDIE NUNO FOR \$565 IN TRASH FEES AT 330 N. WALNUT STREET. MOTION CARRIED 3-0.

Councilmember Jackson informed Mr. Nuno that this will go to Council on Monday 9/09. Councilmember Kost expressed to Mr. Nuno that this is rare and if happens again, make sure when letter is received to take care of it.

RESOLUTION – Claim Appeal; Claim #2042, James Williams Jr. for \$2,375 in trash fees at 1705 N. Martin Luther King Jr. Blvd.

Mr. Allen explained it was cited on 9/11/23, with compliance date of 9/18 and was rechecked on 9/19 and the violation still present it was submitted to the contractor. Their office recommends denial, and they informed Treasury of the invalid address. Councilmember Jackson asked if this was a fire damage, Mr. Allen responded yes, but the violation was for the trash and the other is for the NEAT Team fees.

Mr. Williams noted they had a house fire April 6, 2023, and a few weeks after had someone come clean the inside, what was left in backyard was 3 tires and a picnic table. When he viewed the picture's, indicated tires were moved behind an old car and charged him \$470 for red tag fees,

then stated he was told he wouldn't be charged more and still was. Reiterated he had already paid someone to clean up trash and cut the grass.

Councilmember Jackson noted Mr. Williams stated he paid someone to clean up outside, and it looks like more than 3 tires. Mr. Williams said the tires were in a tool shed and someone moved them and put behind the car. Councilmember Jackson referenced a photo asking where these tires are, Mr. Williams responded there is another house where the back fence is torn down and stated they took pictures of inside the sunroom. Councilmember Jackson asked OCA about indoor/outdoor rooms as part of the outside. Ms. Hagen-Lawrence stated it is fact specific, depends on if open/assessable or closed/locked, can't definitively answer. Councilmember Jackson asked if the house was a total loss why was someone clean up inside, Mr. Williams stated the city told him he had to clean inside. Councilmember Jackson asked Mr. Allen if he had more information on the inside/outside room or tires. Mr. Allen answered they do not go inside closed rooms, and the contractors or workers do not do that, if so then it was open and assessable. Ms. Berkly said they took pictures, but it is all still in the sunroom they didn't remove it, adding there was fire and smoke damage to everything.

Councilmember Kost asked Mr. Allen what is the status of the property since fire damage over a year, is it headed to MSD? Mr. Allen does not know and will look into it. Councilmember Kost noted the photos looks like everything is in driveway/middle of the yard and multiple spots where tires are. Councilmember Jackson asked if this is visible from street, Mr. Williams stated no.

Ms. Hagen-Lawrence reiterated appropriate steps and notices were taken, and CRC didn't have sufficient evidence to make determination, so claim was denied, adding the primary focus of the CRC is to review the process, appropriate notices given, then hear from claimant, and take into consideration. Noting her notes reflect no supporting evidence so not taken into consideration.

Ms. Berkley asked where the letter was sent because if sent to the house that caught fire, they didn't receive it since not living there. Ms. Hagen-Lawrence said it was sent to the address the assessor has on file, which is MLK and standard process.

Councilmember Hussain agreed with OCA, he always looks at process and procedure, It is dangerous to make arbitrary decisions outside the process.

Councilmember Jackson voiced is support of the claim because notice sent to home that was fire damaged, referenced the number of tires and being moved, and discrepancy of breezeway.

MOTION BY COUNCIL MEMBER HUSSAIN TO DENY THE CLAIM APPEAL #2042, JAMES WILLIAMS JR. FOR \$2,375 IN TRASH FEES AT 1705 N. MARTIN LUTHER KING JR. BLVD. MOTION CARRIED 2-1.

RESOLUTION – Claim Appeal; Claim #2066, Dave Mann for \$565 in trash fees at 1123 Hapeman Street

Mr. Allen noted the violation was on 2/8/23, rechecked on 2/15, and abatement on 2/17. Councilmember Jackson asked was the original violation curb or driveway. Mr. Allen answered the driveway and between sidewalk and curb which is the right of way. Ms. Hagen-Lawrence speaking for CRC noted the claim was denied in full, and appropriate process was followed.

Mr. Mann explained he was charged \$51 to get rid of two large items for curbside, and admitted he forgot about the chair. He then arranged with a friend for the chair but was going to be 2 weeks. Stated he called someone at the city and left messages that he had arrangements (does

not remember name of person) and he never called back. Then the city sent contractor out and took the chair and the charged him \$565. Asking why not send same truck when took bottom part of chair, one item is \$35.

Councilmember Jackson noted the price can be high, there is a minimum of \$300 for 3 cubic yards and then a \$265 administration fee. The \$35 price is a bulk item and is because it is a planned pickup. Councilmember Kost stated he reached out to CART regarding bulk items not sure why chair didn't have a tag. Mr. Mann stated the original bulk item was for a mattress and TV. Councilmember Kost indicated he agreed with Councilmember Jackson the price is high but unfortunately the city incurs the cost. Councilmember Jackson asked Mr. Mann what items he listed and where did he put them for pickup, Mr. Mann answered he put them curbside said restated forgot about the chair but why couldn't they just send the other truck and pick it up. Councilmember Jackson concluded that the chair wasn't listed or paid for so they can't just come back and get it.

MOTION BY COUNCIL MEMBER KOST TO DENY THE CLAIM APPEAL #2066, DAVE MANN FOR \$565 IN TRASH FEES AT 1123 HAPEMAN STREET. MOTION CARRIED 3-0.

DISCUSSION – Budget Priorities Fiscal Year 2025/2026

Councilmember Jackson said he doesn't have anything to bring for this Committee. Councilmember Hussain stated they have one more meeting to bring suggestions to have to Council by 9/30.

Councilmember Kost said RK he would like to see getting tape for upgrading crosswalks as they are getting worn out. Adding he talked to Andy Kilpatrick on issues of sinkholes from sewers, trying to figure out a way to fund or put on taxes so they can be affordable.

RESOLUTION – Amending claims policy for Claims Review Committee

Councilmember Jackson summarized that the policy requires member from OCA, city council, and the mayor's office and asked per the charter, Ms. Hagen-Lawrence indicated it is not per the charter. He continued they looked at amending because concerns that an attorney isn't always present and when claims come forward that once should always be there. Adding the City Attorney reviewed it and recommended a few changes.

Councilmember Hussain referenced an email from the city attorney and if we remove the last WHEREAS they don't lose anything. Ms. Hagen-Lawrence confirmed nothing is lost because the operative language is in the final NOW THEREFORE BE RESOLVED and who is represented.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION OF AMENDING CLAIMS POLICY FOR CLAIMS REVIEW COMMITTEE WITH THE AMENDMENTS BY REMOVING THE LAST WHEREAS AND IN THE NOW THEREFORE BE RESOLVED CHANGE "BARRED" TO "LICENSED" AND REMOVING (PER THE CHARTER). MOTION CARRIED 3-0.

Other

Adjourn

Adjourned at 4:57pm

Submitted by Renee Richmond

Recording Secretary, Lansing City Council

Approved by the Committee on October 2, 2024