



**MINUTES**  
**Committee on General Services**  
**Monday, April 22, 2019 @ 3:30 p.m.**  
**City Council Conference Room, City Hall 10<sup>th</sup> Floor**

**CALL TO ORDER**

The meeting called to order at 3:30 p.m.

**ROLL CALL**

Council Member Jody Washington, Chair  
Council Member Brian T. Jackson, Vice Chair  
Council Member Carol Wood, Member

**OTHERS PRESENT**

Sherrie Boak, Council Office Manager  
Eric Brewer, Internal Auditor  
Lisa Hagen, Assistant City Attorney  
Scott Sanford, Code Compliance  
Lee Ballou  
Carrie Ballou  
Linda Swanson – Representing Fair Wilson  
Lonnie Simpson  
Joseph Alexander- Representing Fair Wilson  
Kathy Tobe  
Alex Craigmile, Public Service  
Victor Stelmashenko

**Minutes**

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM APRIL 8, 2019 AS PRESENTED. MOTION CARRIED 3-0.

**Public Comment on Agenda Items**

No comments at this time.

**Discussion/Action:**

RESOLUTION – Community Funding Application; Churchill Downs Annual Neighborhood Picnic  
Ms. Tobe asked for the funding to defer costs for the rental of an inflatable from Parks and Recreation and funds for a generator rental.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR COMMUNITY FUNDING IN THE AMOUNT OF \$315.00 FOR CHURCHILL DOWNS NEIGHBORHOOD PICNIC. MOTION CARRIED 3-0.

RESOLUTION – Community Funding Application; South Lansing Farmers Market; Kids Day  
Ms. Tobe asked for the funds to defer for the rental of an inflatable for their June event. The rental will be from the Parks and Recreation Department, and the event will be partnering with the LPD and LFD. Council Member Wood asked if there was a 2018 funding report and it was confirmed in the packet.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR COMMUNITY FUNDING IN THE AMOUNT OF \$250.00 FOR SOUTH LANSING FARMERS MARKET. MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; Noise Waiver; Saturdays & Sundays 8am -8pm; June 1, 2019 through August 31, 2019; Resurfacing portions of Mt. Hope and portions of Capital Ave.  
Council Member Washington noted the request was so that the project could be done in a timely manner due to the location. Mr. Craigmile noted that it will allow work on the weekends on Capital to minimize week day closures. The work on Mt Hope will be done west near Moores River Drive east, to the City limits. Council Member Washington noted the Sunday hours, and Mr. Craigmile acknowledged they are working around the churches in the area for Sunday services. Council Member Washington noted to the Committee that due to the timing, the hearing will be held May 13<sup>th</sup> and approved by Committee and Council on May 20<sup>th</sup>. Council Member Wood asked if they have coordinated with downtown events and it was confirmed they have coordinated with those events, work by BWL, State employees and Lansing Community College.

MOTION BY COUNCIL MEMBER JACKSON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE NOISE WAIVER FOR THE CAPITAL AVENUE AND MOUNT HOPE STREET PROJECTS, FOR MAY 13, 2019. MOTION CARRIED 3-0.

RESOLUTION –Claim Appeal #1641; 4928 Hughes Road; V. Stelmashenko; \$2,658.00  
Mr. Sanford read from the staff report in the packet, noting the property was cited July 30, 2018, with a deadline of 8/6/2018, and Code returned 8/7/2018 when the violations were still present. They reached out to the owners and offered to extend to 8/10/2018. On 8/10/2018 there was still a violation, and were informed the City was going to clean that day. While they were on site, the neighbor came over with a phone stating the owner was on the phone and relayed a message that the Courts said they could not remove anything. Mr. Sanford recommended denial of the claim. Mr. Brewer confirmed the claim did not go to the Claims Review Committee.

Mr. Stelmashenko stated that in his opinion all items noted were in error, and appealed he had heard from the Judge that since the tenant had personal belongings they could not touch anything during the eviction process. On the day they were given permission from the courts, he said they went to the site and there was a City crew cleaning up the site. There was a dumpster on site, and tenant was there to clean up at same time.

The owners went on claim the tenant was cleaning before the City contractor showed up. The court did not authorize the eviction until August 2, 2018. The owner had all the belongings outside and picked up later.

Council Member Washington asked if the property was still red tagged. Mr. Sanford confirmed. Council Member Washington asked Mr. Sanford if the owners cleaning crew was there when the City contractor arrived, and he confirmed they were and told the City contractor they did not have the capability to clean up so the City crew did it.

Council Member Jackson and the owner looked at the photos in the packet, then asked Mr. Sanford how many times his office called the owner, and Mr. Sanford stated on 8/7/2018 and 8/10/2018. Council Member Jackson asked what court the owner was in and directed them not to clean up and Mr. Stelmashenko stated it was in the building, and they didn't get the eviction release date until August 2. He also denied every getting phone calls from Code compliance on the dates stated earlier.

Council Member Wood asked Ms. Hagen if there is trash around the property, no matter if rental, owner or land contract, that owner has the responsibility to clean it up. Ms. Hagen could not speak to what the judge ordered in this case, but yes the owner is responsible for the outside per Lansing City Code.

**MOTION BY COUNCIL MEMBER JACKSON TO REDUCE THE AMOUNT BY HALF THE CHARGE FROM ERIC'S REFUSE BASED ON THE OWNERS STATING THEIR CONTRACTOR WAS ON SITE WHEN ERIC'S REFUSE ARRIVED.**

Mr. Brewer noted the total bill from Eric's Refuse was \$2,393 and half would be \$1,196.50.

Council Member Washington noted to the Committee and the claimant that the City still has to pay the charge and there is no proof the owner had a dumpster there when the City contractor arrived, and it was verified there was proper notice given.

Council Member Wood asked the claimants if they owned other properties in the City and they confirmed and this was the first claim. Mr. Sanford stated the property had been cited before for front yard parking, grass and failure to register.

**MOTION FAILED 1-2.**

**MOTION BY COUNCIL MEMBER WOOD TO A DENY THE CLAIM 1641 FOR 4928 HUGHES ROAD IN THE AMOUNT OF \$2,658.00. MOTION CARRIED 2-1.**

RESOLUTION – Claim Appeal # 1660; 921 Shepard Street; F. Wilson; \$1,414.00

Mr. Sanford read the staff report in the packet highlighting the dates of violation at 4/19/2018, compliance of 5/5/2018 and with reinspection the violations were still present. Mr. Brewer confirmed they heard the claim at the Claims Review on 2/20/2019 and reduced the original amount by \$300. It was lowered, he explained, because of the photos and hours indicated on the contractors invoice.

Ms. Swanson and Mr. Alexander acknowledged the proposed reduction but claimed to have never seen the first notice, stated their mom (the owner) does not reside there currently so they are on site daily. Council Member Washington asked them why there was so much trash on site, and they acknowledged they believed it was the grand kids placing it there when their mother still was living there.

Council Member Jackson recommended a reduction, and Mr. Sanford stated that due to the circumstances his office would waive the administrative fee of \$265.

Council Member Wood noted the original claim, before the proposed Claims Review Committee recommendation of lowering it \$300 was \$1,714, so she proposed lowering it the \$300 from the

Claims Review recommendation and the \$265 from Code Compliance with a new amount owing of \$574.50. This amount was verified by Mr. Brewer.

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE CLAIM 1660 FOR 921 SHEPARD STREET IN THE AMOUNT OF \$1,714.00 BY GRANTING \$300 PER CLAIMS REVIEW COMMITTEE RECOMMENDATION AND WAIVING THE ADMINISTRATIVE FEE OF \$265 PER CODE COMPLIANCE AND LOWERING TO A NEW BALANCE OWING OF \$574.50. MOTION CARRIED 3-0.

RESOLUTION – Claim Appeal #1670; 2324 Maplewood Ave.; L. Ballou; \$440.00

Mr. Sanford recited from the staff report that the violation was cited on 11/29/2018 with a compliance date of 12/6/2018 and on 12/7/2018 the violations were still present. The contractor arrived, and he noted that the couch in the photos was not from this site. Mr. Brewer confirmed the Claims Review Committee heard the claim on 3/20/2019 and denied in full based on packet and the charges were the minimum from the contractor and administrative fee.

Mr. Ballou appealed that they did not get the letter, and once they got the bill they called immediately. He also noted they were out of town and were not aware the tenant moved out until they came home, and those were items the tenant put out. Ms. Ballou noted that the property is registered rental and they have other properties registered and have had no violations.

Council Member Washington asked Mr. Sanford if the owner was notified, and Mr. Sanford confirmed the notice went to the same address as the bill. Ms. Hagen stated that once the notice is in the mail, they presume it arrived at the address. Mr. Ballou appealed that just as the owner is responsible to register the property, where is the responsibility of the City to make sure the notice is delivered. Ms. Ballou referenced the photos in the packet with a time stamp, noting that within the time of items in the yard, within one minute the items were gone, and therefore was opposed to what she believed was a large cost for one minute of work. Council Member Washington concurred it was unfortunate however the responsibility is on the owner, and the City did have to pay the contractor to pick the items up.

There was a brief discussion on statements made at the Claims Review Committee on timing and dates of their meeting, and Mr. Brewer clarified.

Council Member Jackson inquired into how the process works on the letters and violations. Mr. Sanford stated sometimes they write the letters in the vehicles at print at the office, but it is mailed to both addressed; owner and tenant.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM 1670 FOR 2324 MAPLE WOOD IN THE AMOUNT OF \$440.00. MOTION CARRIED 3-0.

Council Member Jackson stepped away from the meeting at 4:31 p.m.

RESOLUTION – Claim Appeal #1666; 1008 Hickory Street; L. Simpson; \$689

Council Member Jackson returned to the meeting at 4:32 p.m.

Mr. Sanford read dates from the staff report that noted it was cited on 11/30/201, a compliance date of 12/7/2018, and recheck on 12/10/2018. The contractor arrived on 12/11/2018 and called for authorization of additional yardage. The department recommends denial. Mr. Brewer stated the Claims Review Committee saw the claim on 2/20/2019 and based on the information recommended a reduction of 1 hour and 5 yards, taking it from \$949.00 to \$689.00. By

appealing to the Committee on General Services, the owner waived that recommendation so the total claim of \$949.00 is now before the Committee on General Services.

Mr. Simpson confirmed, via a recorded land contract, that he is the owner. Mr. Simpson then appealed that the removal of the items and provided historical information on the property. He also voiced a complaint of the contractor stepping onto his yard and taking what he believed should not be taken.

The Committee reviewed the pictures in the packet, and Mr. Simpson appealed the contractor took items they should not have taken.

Council Member Wood asked Mr. Brewer why Claims Review Committee reduced the claim by \$260.00. Mr. Brewer stated they took into account the plastic and gas cans, reducing yardage and time.

Council Member Jackson asked Mr. Sanford if they have any guidelines for Eric's Refuse such as gas cans, buckets, etc. Mr. Sanford stated that if it is made to be outside, they try not to take it, and the contractor will call if there are questions on the item.

MOTION BY COUNCIL MEMBER WOOD TO AMEND THE CLAIM 1666 FOR 1008 HICKORY IN THE AMOUNT OF \$949.00 BY GRANTING \$260.00 PER CLAIMS REVIEW COMMITTEE RECOMMENDATION AND LOWERING TO A NEW BALANCE OWING OF \$689.00. MOTION CARRIED 3-0

Council Member Wood noted some of the claims do not reflect the claim form amount, and Ms. Boak admitted those were done in error due to what was referred at the Council meeting and then copied to the documents in the packet. She stated she would make better efforts to have the correct information noted in the future.

Mr. Sanford informed the Committee that his department would be extending offers to two (2) code officers, and by May 13<sup>th</sup> there should be a corridor officer, and they are also proposing one more in the proposed FY19 budget.

#### **Other**

- Michigan Liquor Control Commission; Transfer License with Sunday Sales, Outdoor Service, Catering Bars and Dance-Entertainment from 7786 E. US 10, Walhalla to 419 Spring Street, Lansing. Transfer Governmental Unit from Branch Twp., Mason County to Lansing City, Ingham County (**Pending Application**)
- Michigan Liquor Control Commission; Transfer Ownership of a 2018 Class C and SDM Licensed Business w/Sunday Sales, Dance-Entertainment Permit and Outdoor Service from Leo's Outpost, Inc. located at 600 S. Pennsylvania, Lansing, MI 48912 (**Pending Application**)
- Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2018 Class C Licensed Business w/Dance Entertainment Permit from Tini Bikinis-Lansing, LLC; transfer location from 511 East Hazel., Lansing; cancel existing Outdoor Service and request new Sunday Sale to Bar Mitena, LLC 2001 East Michigan Avenue (**Pending Application**)

- Michigan Liquor Control Commission; New SDM License Issued under MCL436.1533(5)(b)(i) & Sunday Sales Permit (AM) for Meijer Inc. at 600 E. Michigan Avenue
- Michigan Liquor Control Commission; Transfer Stock Interest through Transfer of Stock from Corporation to New & Existing Stockholders for Mash Mavericks at 523 E. Shiawassee Street

**Adjourned**

Adjourned at 4:51p.m.

Submitted by Sherrie Boak,

Office Manager,

Lansing City Council

Approved by the Committee on May 13, 2019