



MINUTES
Committee on General Services
Tuesday, August 25, 2020 @ 3:00 p.m.

<https://us02web.zoom.us/j/88077599826>; ID: 880 7759 9826; Dial in: (312) 626 6799

CALL TO ORDER

The meeting called to order at 3:01 p.m. via zoom.

ROLL CALL via Zoom

Council Member Hussain, Chair
Council Member Wood, Vice Chair
Council Member Garza, Member

OTHERS PRESENT via ZOOM

Sherrie Boak, Council Office Manager
Lisa Hagen, Assistant City Attorney/Council Research Assistant
Heather Sumner, OCA
Greg Venker, Assistant City Attorney
Brian McGrain, EDP Director
John Blumer
Brent Craine
Marc Jones, Department of Public Service
Scott Sanford, Code Compliance – left the meeting at 4:32 pm.

Minutes

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM AUGUST 11, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

Public Comment on Agenda Items

No public comment at this time.

Discussion/Action:

DISCUSSION – City Contractors for Code Enforcement; Contracts, MOU's, Termination Clauses; Bid Process

Council Member Hussain explained to Mr. McGrain that at the last meeting the Committee was looking to have their suggestions incorporated in the MOU's and contracts. Mr. McGrain confirmed they did a competitive process in January and outlined the bids that came in for the grass and trash vendors. They did take the Committee comments seriously, but did have limited applications. They have signed a contract with Eric's Refuse and Tomlinsons' for the mowing. Council Member Wood asked, that in addition to the contracts if the department would do a MOU based on the concerns of the Committee. Mr. McGrain stated he would consider meeting with OCA to create a document. Council Member Garza asked if Tomlinson was not

the lowest bidder why they went with them. Mr. Sanford stated that during the background checks, the lower bidder had issues, so the higher bidder matched the lower bidder. Council Member Garza then noted that in the past Council was told that Tomlinson's could not keep up with the work, and therefore questioned why they were given a contract again. He then inquired into MDOT funding in his Ward for maintenance at Cavanaugh and Cedar. Council Member Hussain asked Mr. McGrain his thoughts on splitting the contracts. Mr. McGrain stated he saw no reason not to have multiple contractors, and in this case they were not satisfied with one vendor and chose not to go with them. The performance question was referred to Mr. Sanford. Mr. Sanford acknowledged that in the past the contract would get 2 days behind, but he supported their choice in contractors. Mr. McGrain addressed Council Member Garza comment on MDOT funding noting it would be a question for Public Service. Council Member Wood referenced communications in the past where the Committee was told that the City enters into "gentleman agreements" with the contractors and there are no contracts. Mc. McGrain understood the concern and stated that if Council wants to work with OCA on a MOU in writing, he would be interested in looking at it to be part of the contract.

RESOLUTION – Appointment, C. Tennis; At Large Member; Human Relations & Community Services Board; Term to Expire June 30, 2024

Ms. Tennis was not available. Council Member Hussain invite to 9/8 meeting, and last option. Then also notify mayor office struggling to get her to come to committee.

RESOLUTION – Set Noise Waiver Public Hearing; Willard Avenue Pump Station and Related Utilities Project

Mr. Jones informed the Committee that the City was undertaking the construction project to upgrade the pump station on Willard and force main in Scott Woods. The contractor (Hoffman Brothers) has indicated they would need to work weekends to keep the project on schedule. The proposed Saturday's and Sunday's are only on emergency situations and they are looking for flexibility to have 24 hours by-pass pumping and maintenance and monitoring 1000 properties. The requested dates range from 9/19/2020 – 10/19/2020. Council Member Wood asked for the number of properties and Ms. Boak sent over the list that was emailed shortly before the meeting. Mr. Jones summarized that there are 40 properties and they have already reached out to some of them letting them know this might be possible. Council Member Wood noted concerns from residents in the past on other projects that even though it stays 7 am, the trucks are arriving before that time to start working at 7 am. Mr. Jones made a note to remind the contractor and also added that the contractor indicated they might not need all those days, but wanted the flexibility because of the nature of work. Council Member Wood asked if the contractor would do door hangers the day before. Mr. Jones stated he would ask them about that also. Council Member Garza asked if they were blocking off the streets during the project, and Mr. Jones admitted there had been some issues with trash pickup in the past, but they are trying to maintain access to the properties. Council Member Garza asked to be kept in the loop on the project because it was his Ward and he asked Mr. Jones to speak to the contractor on noise accommodations for the trucks.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO SET THE NOISE WAIVER HEARING FOR 9/14/2020 FOR THE WILLARD AVENUE PUMP STATION. ROLL CALL VOTE, MOTION CARRIED 3-0.

Committee Members asked the notice include that the Council will take action the same night as the public hearing and asked them to forward copies of the notice to the Committee. Mr. Jones stated they could do both requests.

RESOLUTION – Claim Appeal #1781; B. Crain; 1110 Hickory Street; \$4,050

Council Member Hussain noted the claim amount exceeds the amount that would be seen by the Claims Review Committee.

Mr. Sanford noted the property was tagged for trash on 12/11/2019, with a compliance date of 12/18/2019 and a reinspection on 12/19/2019. On 1/7/2020 the contractor arrived. Mr. Sanford did note that the permit reference in the claim as finalized in March, 2020. The owner is showing progress and they have voided some bills.

Mr. Craine briefly spoke about how he acquired the home, his experience with his tenants, and the current process he has been undertaking to restore the home, and appealed he needed assistance do deal with his current situation. Mr. Craine concluded by explaining the current permits mentioned by Mr. Sanford for the property. Council Member Hussain went through the invoice with Mr. Craine noting the \$265 of administrative fee. The Committee reviewed the photos in the packet, the amount of debris, and the arrival times between the City contractor and the owner. Mr. Craine was not able to provide invoices from his contractor because he worked off a proposal. He was not denying the debris was from the project on the property, however he noted he was out of town when the notice would have arrived. Council Member Hussain closed the discussion noting that based on the information it appears this could be a claim between the owner and his contractor because the City contractor photos did show they made three debris pick-ups.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO DENY THE CLAIM APPEAL 1781 FOR 1110 HICKORY STREET IN THE AMOUNT OF \$4,050. ROLL CALL VOTE, MOTION CARRIED 3-0.

Mr. Craine asked if he could discuss the red tag fines in the future. Council Member Wood suggested a second claim, but reminded him he needs to file 30 days after it appears on the tax bill. He was recommended to follow up with Ms. Kumar in the OCA office where he admitted his original discussions began.

RESOLUTION – Claim Appeal #1137; J Blumer; 725 N Pine; \$435.00

Mr. Sanford began by listing dates of a compliance date of 9/12/2019, inspection on 9/13/2019 and contractor arrive on 9/17/2020. Council Member Hussain asked if there were other violations, and Mr. Sanford stated one other in 2019 and twice in 2020 for tall grass, but those have been complied. Ms. Sumner confirmed the Claims Review Committee denied it during the review on 1/29/2020. At this time she was not able to provide details on why they denied it.

Mr. Blumer appealed he did not receive the first notice, admitted he did “drop the ball” because of work and personal situations. He did reference the 2020 citations confirming he got those and took care of those as soon as he got them. Lastly Mr. Blumer acknowledged the City contractor did the work, however based on the size of the lot he appealed the cost. Council Member Hussain pointed out the contractor cost is \$175 for 2 hours and \$265 for the administrative fee. The OCA was asked to explain the notification process, and Ms. Sumner confirmed that outlined legally, they follow the mailbox rule which states once it is placed in the mailbox it is deemed delivered. Council Member Wood asked Mr. Sanford if the enforcement officers were placing door hangers also, and Mr. Sanford confirmed they have been doing that. Council Member Garza asked if the contractor does landscape company quality of bagging and edging, and Mr. Sanford stated they are not contracted to lawn care services. Mr. Blumer asked if the amount would appear on his taxes, and Mr. Sanford and Ms. Sumner advised him to follow up with Treasury.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE RESOLUTION TO DENY THE CLAIM APPEAL 1137 FOR 725 N PINE IN THE AMOUNT OF \$435. ROLL CALL VOTE, MOTION CARRIED 3-0.

Mr. Sanford left the meeting.

RESOLUTION – Boards and Commission Trainings

Council Member Hussain noted the discussions on a resolution were begun recently Council found out that most boards are not receiving on ethics, OMA or FOIA. The OCA acknowledged their officer has reached out to boards twice over the last 6 months to offer trainings. Council Member Wood first requested an ordinance however it was suggested by OCA to do a resolution instead. The proposed will require annual board trainings, and new appointments to be trained within the first 60 days, and the OCA coordinate all trainings. The resolution will require a certification of completion to be filed with the Clerk's Office. Lastly, annually with the adoption of the budget this resolution for a training requirement will be readopted. Ms. Hagen confirmed the proposed resolution does mirror the earlier proposed ordinance, and based on advice from the OCA. Council Member Wood asked if it could be amended to include that the adopted resolution will be transmitted to all Boards and Commissions. Council Member Hussain asked if the resolution will serve as a reminder this is an expectation. Council Member Wood asked if the training is not met, could the board member be removed. Ms. Hagen stated she could look into that if that is the desire of the Committee. Council Member Garza suggested instead of removal from the Board if no training they could be suspended from the Board. Ms. Hagen stated she would look into that option also but she was not sure if a member could be suspended if they have already been appointed. The Committee will continue discussion 9/8/2020.

DISCUSSION – Fiscal Year 2021/2022 Budget Priorities

Council Member Hussain stated the document is an annual statement conveyed to administration by 10/1. The Committee of the Whole will review at the Committee of the Whole on 8/31/2020. The discussion will continue at this Committee on 9/8/2020. Council Member Garza asked if the 10% reduction the City Council Members chose to take could be included in the budget priorities on where the funds should go. Council Members discussed the option of general fund or delegation.

Other:

- a. 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)**
- b. Michigan Liquor Control Commission; RID#RZ-1908-14021; Board of Trustees, Michigan State University, request to transfer of ownership of Escrowed 2019 Class C Licensed Business with Sunday Sales Permit (P.M.), Entertainment Permit and Sunday Sales Permit (A.M.) from HOA Restaurant Holder; transfer location from 172 E Edgewood Blvd., new Additional Bar Permit for a total of 2 bars, new outdoor service area; new specific purpose permit (golf), transfer classification from Class C License issued under MCL 436.1531 to Class C License issued under MCL436.1513(4) (non-transferable) at 3535 Forest Road, Suite C88A **(Pending Application)**

- c. Michigan Liquor Control Commission; Transfer of Ownership 2019 SDD & SDM License; Sunday Sales (AM) and Sunday Sales Permit (PM) from Ransom's Food Center, Inc. 1001 S. Clinton Street, Stockbridge to 6030 S. Pennsylvania Avenue, Suite 11 Lansing. Transfer Governmental Unit under MCL 436.1531(18) from Stockbridge Village to Lansing City **(Pending Application)**
- d. Michigan Liquor Control Commission; Request ID RQ-2004-05970 for a new SDM License Issued Under MCL 436.1533(5), New Sunday Sales Permit (AM) at 1625 West Mount Hope Avenue, Lansing
- e. RID #RQ-2003-05076; Ozones Brewhouse, LLC Application for a New Small Wine Maker License at 305 Beaver Street **(Pending Application)**
- f. RIS #RQ-2006-07987; Lansing Entertainment and Public Facilities Authority & City of Lansing, application for a New SDM License issued under MCL 436.1533(5)(A), Non-Transferable at 1600 Ormond St. (Groesbeck Golf Course) **(Pending Application)**
- g. RID #RQ-2007-09450; New SDM License Issued under MCL 436.1533(5) at 621 E Michigan Avenue, Batter Up LLC **(Pending Application)**

Adjourned

Adjourned at 4:48 p.m.

Submitted by Sherrie Boak,

Office Manager, Lansing City Council

Approved by the Committee on September 8, 2020