

# Minutes for the City of Lansing Charter Commission

Regular Meeting | Tuesday, May 27, 2025, 6:30 PM

Tony Benavides City Council Chambers,  
Lansing City Hall, 10th floor, 124 W. Michigan Ave.

Present: Commissioners Adams Simon, Anderson, Bauer, Boyd, Dowd, Jeffries, Lopez, Qawwee, Washington

Absent: none

Staff Present: City Clerk Swope, Deputy Clerk Stouffer-Hopkins, Attorney Rewa

## Call to Order

The meeting was called to order by Chair Jeffries at 6:30 PM.

## Roll Call

Clerk Swope called the roll of the Commission. A quorum was present.

## Adopt the Agenda

Moved by Commissioner Bauer to adopt the agenda as presented.

Motion carried.

## Public Comment

No comments were made.

## Officer Reports

### Chair

Chair Jeffries provided proposed language for the City's Internal Auditor.

### Vice-Chair

No report.

### Clerk

Clerk Swope provided a budget update: the Commission has spent \$223,768.03 with a remaining balance of \$276,231.97.

## Old Business

### A. Article 4: Executive Branch

City Attorneys Venker and Hagen-Lawrence were on hand to answer questions.

Attorney Rewa overviewed the May 22 legal opinion that proposes language for 4-304.

Attorney Venker expressed approval for this proposed language, following a question from the Commission.

Moved by Commissioner Qawwee to change the title to "Office of the City Attorney".

Motion carried.

4-304.1, .2, .3, .4, and .5 were adopted as presented unanimously.

Moved by Commissioner Dowd to amend 4-304.6 per Attorney Rewa's recommendation.

Motion carried. 4-304.6 now reads "No **agency**, board, or officer shall **may** employ or retain special counsel in any matter relating to the affairs of the city without first securing the approval of such employment or retainer by the City Council. The City Council shall ~~not~~ **may approve such special counsel** only after ~~requesting~~ **receiving** the City Attorney's written opinion **on the matter.**"

4-304.7 was adopted as presented unanimously.

Moved by Commissioner Bauer to add 4-304.8: "When the City Council has received the opinion or advice of the City Attorney on a matter and concludes that there is a conflict of interest between the City Council and another branch of City government, as determined by a two thirds majority vote of the City Council, the City Council has the authority to retain special legal counsel to represent the City Council in the matter. Such special counsel must be licensed to practice law in Michigan and shall not represent the City as a municipal corporation in any legal proceedings."

Motion carried.

Moved by Commissioner Qawwee to add 4-304.9: "The City Attorney may be suspended or removed by the Mayor or by a vote of two-thirds of Commissioners serving. Notice of such action shall be filed with the City Clerk. A suspension or removal by City Council is subject to veto by the Mayor as provided in Sec. 3-305, except Sec. 3-305.3 shall not apply. A suspension or removal by the Mayor is subject to veto by the City Council as provided in Sec. 4-401.5"

Commissioner Washington asked for clarification of the language, which allows Council to override a Mayoral action to fire City Attorney, and the Mayor to veto a Council action to fire the City Attorney. The Council cannot then override the veto.

Commissioner Anderson asked whether the Council could bring a new resolution, in lieu of overriding a veto. It was clarified that the Council could hear another resolution.

Motion carried 8-1, with Commissioner Washington voting against.

## **B. Article 2: Officers and Elections**

Attorney Rewa overviewed the May 23 legal opinion that addresses outstanding sections in Article 2.

Commissioner Anderson raised the discussion of even and odd year elections.

Commissioner Boyd expressed that the Commission voted for the Council to serve simultaneous terms.

Commissioners Anderson expressed support for even year elections for local offices.

Commissioners Bauer, Dowd, and Lopez expressed interest in reviewing the issue further.

Commissioner Boyd expressed support for maintaining odd year elections for local offices.

Clerk Swope shared that the city could make a permanent decision to move to even year elections, which could not be reversed. There are costs saved in election administration; the even year ballots are longer, meaning local offices would be lower on the ballot, and candidates may need to increase their campaigning costs.

Commissioner Washington expressed support for even year elections for local offices.

Clerk Swope shared that turnout is roughly 2 to 3 times higher in even year elections versus odd year elections. He can look into compiling data on voter turnout for down ballot races.

Commissioner Dowd expressed concern for rushing through decisions to be on the November 2025 ballot, and cited that Council President Kost has publicly opposed the proposed Charter.

Chairperson Jeffries responded that he has not heard from the public that the process has been rushed, and that there are only 3 election opportunities for voters to decide.

Commissioner Qawwee expressed that members of the Commission should support the work they have done.

Commissioner Anderson shared that she is unsure that she will vote to approve the proposed Charter.

Commissioner Washington shared that she will not vote for the proposed Charter.

Vice Chair Adams-Simon shared that she will not speak against any member of Charter Commission and not disparage the Commission even if she disagrees with some of the proposed changes.

Chairperson Jeffries asked for explanation of the timeline for State of Michigan review.

Attorney Rewa stated that the Governor will not review any revised language after 4pm 12 weeks before an Election. The Attorney General's Office requests 90 days to review proposed Charter feedback which has passed. She further stated that Charter submissions need to be submitted in early June to have the best opportunity to be on the November ballot.

Commissioners talked about reaching a consensus and finalizing their proposed Charter.

Commissioner Lopez suggested meeting again between now and Tuesday, June 3<sup>rd</sup>.

Attorney Rewa continued her overview of the May 23 legal opinion that addresses Article 2.

Commissioners discussed the length of an absence from office in 2-301, and the vote by Council on proposed ordinances in 2-407.

2-105.1, .2, and .3 were adopted as presented.

2-106. was adopted as presented.

2-201 was adopted as presented.

2-202 was adopted as presented.

2-203.2 was adopted as presented.

Moved by Commissioner Qawwee to amend 2-203.3, following Attorney Rewa's recommendation.

Motion carried. 2-203.3 now reads "The Election Commission shall revise the boundaries of the wards within 60 days after the figures from the Federal decennial census becomes available. **The City Council shall approve and file the apportionment plan in accord with state law.** New ward boundaries created within 120 days of a City primary election shall become effective after the general election."

2-203.4 was adopted as presented.

2-204.1, .2, .3, .5, and .6 were adopted as presented.

2-205.1, and .2 were adopted as presented.

2-206 was adopted as presented.

Moved by Commissioner Anderson to revise 2-301, to decrease the number of days from 60 to 30.

Motion carried. with 2-301 now reads “Whenever an elective officer of the City has failed to perform the duties of the office for **30** consecutive days or more, the Council shall vote to excuse or not to excuse the inability at each Council meeting until the officer resumes the duties of the office. If the Council does not excuse the inability at any meeting, after the **30** days have lapsed, the office shall be forfeited at the close of the meeting.”

2-303.1 and .2 were adopted as presented.

2-304.1, .2, .3, .4, and .5 were adopted as presented.

2-402 was adopted as presented.

Moved by Commissioner Dowd to approve 2-403, with amendments in .4 and .5 to update the timelines.

Motion carried. 2-403 now reads: “2-403 Petitions For Initiative And Referendum

- .1 Initiative and referendum petitions must be signed by a number of City electors equivalent to at least 5 percent of registered electors of the City.
- .2 Petitions shall set forth in full the measure to be initiated or referred. The circulators may submit the petitions to the City Attorney for approval as to form before circulating, but they are not required to do so. (05/27/2025)
- .3 Signers of petitions shall be registered electors of the City. Each shall sign his or her name indelibly and shall indicate his or her residence and the date of signing. Each petition shall contain a sworn affidavit of the circulator stating that each signature is, to the knowledge of the circulator, the genuine signature of a registered elector and the person whose name it purports to be; and that it was affixed in the presence of the circulator.
- .4 Signatures obtained more than ~~90 days~~ **one year** before the petition is filed with the Clerk shall not be counted.
- .5 The City Clerk shall, within ~~1545~~ days, canvass the signatures and shall present the petition, if found sufficient and proper, to the City Council at its next regular meeting.
- .6 If the City Clerk determines the petition lacks sufficient signatures or is otherwise improper, the City Clerk shall forthwith notify the person filing such petition by regular mail of the deficiency and 10 days shall be allowed for filing supplemental petition papers.

2-404 was approved as presented.

2-405 was approved as presented.

Moved by Commissioner Dowd to amend 2-407

Motion carried. now reads “The City Council may, on its own motion, by a **majority** vote of ~~five City Council members~~ **Council members serving**, submit to the voters any proposed ordinances or any proposal for the repeal or amendment of an ordinance in the manner and with the effect in this Chapter for submission of proposals initiated by petition.”

2-408 was approved as presented.

2-409 was approved as presented.

2-411 was approved as presented.

### C. Article 5: Boards and Commissions

Attorney Rewa overviewed the April 25 legal opinion that addresses outstanding sections in Article 5.

5-103.2

Commissioners discussed the appointments process and the filling of vacancies for members of Boards and Commissions.

Attorney Rewa clarified that an expiration of a term may not create a vacancy. There are situations where a holdover is needed to maintain quorum. There can be legitimate reasons for a holdover.

Clerk Swope expressed the standing City Attorney opinion that a person in an expired term may holdover the term but has no obligation to do so.

Commissioner Lopez stated that some amount of time before expiration, they announce their term expiration date, and applications be taken to fill that vacancy.

Vice Chairperson Adams Simon stated that there are announcements of the boards and commissions members term expiration dates. She asked if there is someone currently asking these members if they wish to reapply.

Clerk Swope clarified that the Mayor's Office works with those members and has one person who deals with most of the appointments.

Commissioners discussed the City procedure for expiration of terms and reappointments.

Moved by Commissioner Boyd to amend 5-103.5 to clarify the reappointments process.

Motion carried. 5-103.5 now reads, "The Mayor shall establish and make public a procedure, which will provide for receiving either applications or recommendations of individuals for membership on City boards, commissions or committees. **The names of individuals seeking membership on City boards shall be public. The Council shall have access to the application and eligibility information of all individuals seeking membership on City boards. Individuals seeking reappointment to a board shall submit a new application. Consideration for reappointment may include the individual's attendance, years of service, and the needs of the board.**"

Commissioners discussed with their attorney the implications of this language.

Commissioners took no action on implementing term limits for members of boards and commissions.

5-103.3 was adopted as presented.

5-502.2 and .7 were adopted as presented.

5-503 was adopted as presented.

#### **D. Article 3: Legislative Branch**

Chair Jeffries overviewed the proposed language for external and internal audits. This language creates an independent audit office that conducts risk-based audits. He then explained in the past 25 years that the Auditor has completed four internal audits that are on file in the City.

Commissioners discussed the proposed language. Many of the details of the audits would be enumerated in ordinance.

Moved by Commissioner Bauer to amend 3-400 with the proposed language for audits.

3-401-404 Moved by Commissioner Bauer to add new language regarding internal audits.

Commissioner Anderson offered friendly amendments to correct a typo in 3-402.4 and that the BWL should pay for requested audits done by the City's Auditor.

Commissioners discussed the budgeting for this provision, which would be determined by ordinance.

Commissioner Washington stated she will vote no because the details should be taken up in the ordinance.

Commissioner Lopez states he will support it because it adds accountability for the City.

Motion carried, by the following Roll Call vote:

YEA(8): Adams Simon, Anderson, Bauer, Boyd, Dowd, Jeffries, Lopez, Qawwee,

NAY (1): Washington

The auditor language, which may be moved following legal review, now reads:

##### 3-401: Office of the Independent Internal Auditor

.1 The Mayor shall prepare within 6 months, and the City Council shall adopt within 9 months of the effective date of this Charter an ordinance that establishes an Office of the Independent Internal Auditor. The purpose and focus of the Office of the Independent Auditor is to make audits of financial transactions and performance reviews of City operations and departments consistent with the City's risk-based audit plan to improve efficiency, effectiveness, and economy of processes and programs.

.2 The Office of the Independent Internal Auditor shall be an independent agency of the City. The Mayor and City Council shall not direct, supervise or interfere with the operations of the Office of the Independent Internal Auditor and its employees.

.3 The Office of the Independent Auditor shall be staffed by an Internal Auditor. The Internal Auditor shall be a Certified Public Accountant and certified as a Certified Internal Auditor by The Institute of Internal Auditors (IIA). The Internal Auditor:

- (a) Shall be mutually appointed by the Mayor and by a vote of a majority of City Commissioners serving.
- (b) May be suspended or removed by the Mayor or by a vote of two-thirds of the Commissioners serving. Notice of such action shall be filed with the City Clerk. A suspension or removal by the City Council is subject to veto by the Mayor as provided in Sec 3-305, except Sec 3-305.3 shall not apply. A suspension or removal by the Mayor is subject to veto by the City Council as provided in Sec. 4-401.5.

.4 The Internal Auditor shall appoint a Deputy who during the periods of the Internal Auditor's absence or temporary disability or when the position is vacant, shall exercise the powers and perform the duties of the Internal Auditor to the full extent permitted by law. The Deputy Internal Auditor shall be a Certified Public Accountant. The Deputy Internal Auditor shall serve at the pleasure of the Internal Auditor.

.5 The Internal Auditor may be authorized by the City to hire additional staff and independently contract with other entities, consistent with the City's hiring and procurement policies, to adequately perform the functions of the Office of the Independent Internal Auditor. The staff shall serve at the pleasure of the Internal Auditor.

### 3-402 Powers And Duties

.1 The Internal Auditor shall prepare an annual risk-based audit plan by July 1<sup>st</sup> of each fiscal year. The annual risk-based audit plan shall contain a list of recommended audits to be conducted during that fiscal year and shall focus on high-risk agencies and/or processes identified in the annual risk-based audit plan. Copies of the annual risk-based audit plan shall be delivered to the Mayor and City Council and placed on file with the City Clerk.

.2 By August 1<sup>st</sup> and February 1<sup>st</sup> of each fiscal year, the Mayor and City Council, after consultation with the Internal Auditor, shall mutually agree on which audits the Internal Auditor will conduct during the first half and second half of the fiscal year. The Internal Auditor shall conduct audits which include financial transactions, performance reviews and operations of City agencies identified in the annual risk-based audit plan. At the conclusion of each audit, the Internal Auditor shall make a full report to the Mayor and City Council and place it on file with the City Clerk.

.3 The Internal Auditor shall perform an annual financial analysis of all agencies not selected for audit in the current fiscal year and present the analysis to the Mayor and City Council and place it on file with the City Clerk.

.4 After the close of each fiscal year, the Internal Auditor shall make a report on the financial position of the City and present the report to the Mayor and City Council and place it on file with the City Clerk.

.5 The Internal Auditor may investigate the administration and operation of any City agency and report findings and recommendations to the Mayor and City Council and file each report with the City Clerk. The Internal Auditor shall have access to all financial records, human resource records, and other records of City agencies necessary to perform their functions. The Internal Auditor may subpoena witnesses, administer oaths, take testimony, and enter and inspect premises within the control of any agency during regular business hours.

.6 The Internal Auditor shall provide the Finance Director with all the information necessary in the preparation of the annual budget and capital improvement requests.

.7 The Internal Auditor shall have no authority to audit the activities of the Board of Water and Light except as requested in writing and paid for by the Board.

.8 The Internal Auditor shall have all other powers and duties as required by law or ordinance.

### 3-403: Limitations

.1 Except as otherwise provided in this Charter, the Internal Auditor shall not have any connection with any City agency, nor be custodian of any cash or securities belonging to the City other than the appropriation to the Office of the Independent Internal Auditor.

### 3-404 External Audit

.1 An independent audit shall be made of all accounts of the City government, including the Board of Water and Light, at the close of each fiscal year, and shall be completed by October 15th. Special independent audits may be made at any time that the Council may designate. All such audits shall be made by a Certified Public Accountant designated by the Council. The results of each such audit shall be made public in the shall be placed in the office of the Clerk for public inspection.

.2 The External Auditor shall report on the activities and accounts of the Internal Auditor.

## **E. Article 7: Taxation and Finance**

Attorney Rewa overviewed the May 22 legal opinion that addresses Article 7.

Moved by Commissioner Qawwee to adopt 7-103.

Motion carried.

7-104.1 was adopted as presented.

Moved by Commissioner Qawwee to amend 7-104.2 to read “A public hearing on the annual appropriations shall be held in the manner provided by law and at such additional times as the Council shall direct.

**Council shall not vote to adopt the budget until at least one (1) week after completion of the last required budget hearing.”**

Motion carried.

7-105.1 and .2 were adopted as presented.

7-107.3 was adopted as presented.

7-109.1 was adopted as presented, with the updated department title “Economic Development and Planning”.

Moved by Commissioner Bauer to strike 7-109.2 and renumber the subsequent subpoints.

Motion carried.

Moved by Commissioner Boyd to amend 7-205.2 to read “The Mayor shall appoint members to the Board of Review, subject to Council confirmation, as provided by ordinance.”

Motion carried.

7-205.3, .4, .5, .6, and .7 were adopted as presented.

7-303 was adopted as presented.

7-304 Moved by Commissioner Dowd to amend 7-304 to allow signatures “as permitted by law”.

Motion carried. 7-304 now reads “All obligations issued by the City shall be executed with the signature of the Mayor and the City Clerk, unless otherwise provided by ordinance, and shall bear the Seal of the City. Interest coupons may be executed with the ~~facsimile~~ signatures of the Mayor and the City Clerk **as permitted by law.**”

Chair Jeffries overviewed the proposed language for 7-500 Transparency.

Moved by Commissioner Washington to add proposed language for 7-500.

Motion carried. 7-500 now reads “Chapter 5. TRANSPARENCY

7-501 Publication of City Taxes and Debt Obligations

.1 The Mayor shall prepare within four months, and the City Council shall adopt within six months of the effective date of this Charter, an ordinance that establishes a Tax and Debt Dashboard for the purpose of providing a transparent and comprehensive overview of the City’s tax millages, assessments, and debt obligations.

.2 The Tax and Debt Dashboard shall include an itemized breakdown and description of each millage assessed by the City including, but not limited to, the property tax millage, dedicated millages, debt millages, and special assessment millages. The description shall identify the type and purpose of each millage and contain the tax

rates and amounts generated by each millage for each fiscal year it is levied.

.3 The Tax and Debt Dashboard shall include an itemized breakdown and description of each debt instrument issued by the City including, but not limited to, all bonds and special assessment bonds. The description shall identify the type and purpose of each debt instrument and contain the principal amount, interest rate and debt service payment amount, and maturity date for each fiscal year the indebtedness continues.

.4 The Tax and Debt Dashboard shall be updated semiannually and published on the City's website and by any means determined by the City to achieve widespread dissemination to the general public in the City to inform on matters of municipal concerns."

## **F. Article 9: Transition**

Attorney Rewa overviewed the May 23 legal opinion that addresses Article 9: Transition.

Commissioners discussed how the transition will affect Council seats. The Council seats up for election in 2027 (Ward 1, Ward 3, and two at-large) will serve 2-year terms, and the new structure of 5 wards and 2 at-large will start in 2029. There is a general consensus of looking for additional clarifying language.

9-101 and 9-102 were adopted as presented.

9-103 Moved by Commissioner Anderson to delete 9-103.

Motion carried.

Article 9 Chapter 2 (201, 202, 203, 204, and 205) were adopted as presented.

9-301 Moved by Commissioner Dowd to amend the affective date to January 1, 2026.

Motion carried. 9-301 now reads "Except as otherwise specifically provided herein, this Charter shall become effective for all purposes **on January 1, 2026**, when filed after adoption with the Secretary of State and the County Clerk pursuant to statute."

9-302 Moved by Vice-Chair Adams Simon to replace the language in 9-302 with the proposed language from the attorney.

Motion carried. 9-302 now reads "Apportionment of Five Wards

.1 The Election Commission shall meet and prepare an apportionment plan for five wards, in accord with this Charter and State law.

.2 The City Council shall adopt the apportionment plan at least 120 days prior to the 2029 primary election.

.3 The effective date of representation of the new wards shall be the date for taking office of the first Commissioners elected therefrom, unless otherwise provided by this Charter."

Commissioners discussed where to add the language for moving to the new Council structure.

Moved by Commissioner Anderson to amend date in 9-401 to reflect the current work.

Motion carried. 9-401 now reads "This Charter shall be submitted to a vote of the qualified electors of the City of Lansing at the election on Tuesday, **November 4, 2025**. All provisions for submission of the question of adopting this Charter at the election shall be made in the manner provided by law."

9-402 was adopted as presented.

## Public Comment

No comments were made.

## Commissioner Remarks

Chairperson Jeffries requested a red-lined version of the updated charter by Friday.

Commissioner Anderson asked if the next meeting could start earlier.

Chairperson Jeffries stated that notice would have to be given to start earlier.

Commissioner Boyd asked why there was a wide range of phone charges in the budget.

Commissioner Anderson states that when she was not using her phone it got taken off the plan.

## Adjournment

The meeting was adjourned by Chair Jeffries at 9:27 PM.