



MINUTES
Committee of the Whole
Monday, February 5, 2018 @ 5:30 p.m.
City Council Chambers

CALL TO ORDER

Council President Wood called the meeting called to order at 5:30 p.m.

PRESENT

Councilmember Kathie Dunbar- arrived at 5:53 p.m.
Councilmember Jeremy A. Garza
Councilmember Adam Hussain
Council Member Brian T. Jackson
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Jody Washington-excused
Councilmember Carol Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Eric Brewer Internal Auditor
Jim Smiertka, City Attorney- left at 5:32 p.m. returned at 5:36 pm
Mayor Andy Schor
Samantha Harkins, Mayors Executive Assistant
Brian McGrain, Planning & Neighborhood Development
Dr. Joan Jackson Johnson, HRCS
Nick Tate, Assistant City Attorney
Chief Yankowski, Lansing Police
Elaine Womboldt
Heather Sumner, Assistant City Attorney
Angie Bennett, Finance Director
Andy Kilpatrick, Public Service Director

Minutes

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM JANUARY 16, 2018 AS PRESENTED. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBE SPITZLEY TO APPROVE THE MINUTES FROM JANUARY 22, 2018 AS PRESENTED. MOTION CARRIED 6-0.

Regarding the past annual Council Training, Council President Wood noted that Council Member Jackson did complete the training he had missed, and Council Member Dunbar will be making up her training on February 7, 2018.

Public Comment on Agenda Items (Up to 3 Minutes)

Ms. Womboldt spoke in support of the reorganization of Planning and Neighborhood.

Discussion/Action:

RESOLUTION – Reorganization of the Department of Planning and Neighborhood Development (PND) into the Department of Economic Development and Planning (EDP), and the Department of Neighborhoods and Citizen Engagement (NCE) – Executive Order 2018-01

Council President Wood noted the Executive Order 2018-01 was before Council at the last meeting, and Council has 90 days to act on it, whether that is to turn it down, make suggestions or accept it and give the charge to move forward.

MOTION BY COUNCIL MEMBER SPADAFORÉ TO APPROVE THE RESOLUTION FOR THE EXECUTIVE ORDER 2018-01 FOR REORGANIZATION OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT INTO THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING AND THE DEPARTMENT OF NEIGHBORHOODS AND CITIZEN ENGAGEMENT. MOTION CARRIED 6-0.

RESOLUTION – Appointing the Chief Labor Negotiator

Council President Wood informed the Committee that per the Charter, this position is appointed by the Mayor, and the Mayor has recommended Nicholas Tate from the City Attorney office for this position. Mr. Tate will continue to be housed in the City Attorney office, but will be in the Mayor's staff.

Mayor Schor spoke confidently of Mr. Tate's abilities and his past work with labor.

Mr. Tate distributed his resume and was available for questions. Mr. Smiertka recommended Mr. Tate for the position, noting his experience supports the appointment.

Council Member Jackson noted Mr. Tate had past experience in Military Justice and asked what from that experience would make him a good labor negotiator. Mr. Tate confirmed that with his experience in JAG, there are different divisions and they need to balance. As an advisor in the military, he was there to advise with pluses and minuses, similar to labor negotiations and benefits and adjustments. Mr. Tate stated he felt confident he could negotiate for the City.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF NICHOLAS TATE A NEW CHIEF LABOR NEGOTIATOR. MOTION CARRIED 6-0.

RESOLUTION – Transfer of Funds; Department of Economic Development and Planning (EDP), and the Department of Neighborhoods and Citizen Engagement (NCE)

Ms. Bennett outlined the resolution noting funding from the Fire Department was being allocated to the new department of Economic Development and Planning since Code Enforcement will now be housed there, and funds from the Human Resources will now be moved to the Mayor's office for the new Chief Labor Negotiator. All budget items are neutral and are an expenditure transfer in the General Fund. Mr. Brewer had no comments.

Council President Wood asked if this transfer was taking any vacancy funds from the Fire Department for the personnel. Ms. Bennett stated it is only taking code compliance to the new department.

MOTION BY COUNCIL MEMBER SPADAFORÉ TO APPROVE THE RESOLUTION FOR THE TRANSFER OF FUNDS TO ADDRESS THE EXECUTIVE ORDER 2018-01; DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING AND DEPARTMENT OF NEIGHBORHOODS AND CITIZEN ENGAGEMENT. MOTION CARRIED 6-0.

RESOLUTION – FY 2017 Carry Forwards

Council President Wood read through the resolution which addressed the requirement of 1.25% of general fund dollars to be given to the HRCS department if they do not utilize, they are to reallocate them unless the director recommends otherwise. On the resolution was also a carry forward in the City Council budget for operating funds, and carry forwards for the LEAD Program and streets.

Dr. Joan Jackson Johnson went through her carry forward requests, those being always needing funds for the Mobile Food Bank, maintaining programs through financial empowerment, and the Lansing Housing Commission is working with the City on creating a program to help those who need assistance so they do not get evicted even when only paying \$10-\$15 a month in rent. Project Homeless Connect had funds allocated, but with the Volunteers of America participating they will need those funds this spring. There will be support given to One Church One Family who are a 501c3 and have 9 houses and address needs of large families. Council Member Wood asked about the mobile food pantries that are held outside of the City limits and if proof of City residency is required. Ms. Jackson Johnson noted that they always service the Greater Lansing area, but they are having a difficulty finding locations to service the need. Council Member Wood then asked if the discretionary dollars assist with utility shut-offs. Dr. Jackson Johnson stated they do not, but they are working with DHHS on arrangements with BWL.

Council Member Spitzley asked what the percentage was of Lansing residents vs. outside residents at the food pantry. Dr. Jackson Johnson confirmed it was 90-95% Lansing Residents. They also deliver and that can be arranged by calling 517-483-4477.

Ms. Bennett went through the rest of the transfers, noting the General Fund transfer was from the Planning and Neighborhood Development Department and going to the new Economic Development and Planning Department. The Major Street funds will be for bridge and trunk line maintenance.

Council Member Spitzley asked if the Lead Program was to continue or going forward. Ms. Bennett stated it was grant match dollars for testing services of paint.

Council President Wood asked if the \$281,000 under Major Streets was for certain streets. Mr. Kilpatrick stated that it was for a contract with MDOT for work on State trunk lines. This is for what the City agreed to do with MDOT it is not the City funds, but State funds that flow through the City. This includes bridge maintenance, but not specifically identified. Council President Wood asked if those funds could be used for corridors, mowing, expressway ramp maintenance, etc. Mr. Kilpatrick noted they are eligible activities, and after they do what was agreed upon with MDOT, they then get approval on anything additional. Council Member Spitzley asked if the funds could be used on the river trail. Mr. Kilpatrick stated it would have to be a specific State roadway.

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE RESOLUTION FOR THE FY 2017 CARRIES FORWARDS. MOTION CARRIED 6-0.

Presentation:

Council President Wood informed the Committee that over the next couple Committee meetings, leadership has asked specific departments to come before them to talk about their current budget. Over the past years Council adopted a performance based budget. This type of budget would measure performance and how the funds would address the performance. This will give Council has a better idea when they get to March and the Mayor presents the FY2018/2019 budget.

Council Member Hussain stepped away from the meeting at 6:05 p.m.

Council President Wood concluded the introduction by stating these presentations would also address how this fiscal year will end.

2017/2018 Budget Update– Public Service

Public Service was presented with the following questions prior to the meeting.

1. What roads were fixed this construction season? FY 2017/2018
2. What roads are scheduled to be fixed during the upcoming construction season? FY 2017/2018
3. What vehicles were purchased this fiscal year?

Performance Measures

1. How have you: Timely remediation of pothole complaints
2. Improved walkability throughout the City
3. Provide cost-effective wastewater treatment.

What have you spend the public safety millage on in FY2016/2017 and in FY2017/2018?

Mr. Kilpatrick distributed a handout on the FY18 Mid-Year Budget Update which highlighted streets, sidewalks, CSO, remediation for potholes, walkability, cost-effective wastewater treatment, a map on 2017 street projects, and vehicle purchases. (Attached)

Regarding the streets it was noted that there are 413 miles of pavement to be maintained, and keep pace with deterioration they would need \$20-\$25 million for the projects. The sidewalks consist of 600 miles and in FY2018 they have funding of \$100,000. The CSO project has been non-existent over the last couple years, but will start up again with a minimum project a year for 15 years.

Council Member Hussain returned to the meeting at 6:09 p.m.

Mr. Kilpatrick explained that the CSO is a sewer separation program, and once the Public Service Board reviews the report for the upcoming projects it will be sent onto the Council. When they did projects in the City they spent \$8 million with CSO funding, and wastewater was paying for local streets to be done. There are a lot of combined sewers in the City, especially in old areas. Council Member Spitzley asked what the percentage was of the projects complete, and Mr. Kilpatrick confirmed it was about 1/3 done. It is difficult because the regulators on pipes flow into the river, and they have done them in sections. He would have to provide the actual miles to Council at a later time. They are also trying to eliminate the volume, and can get those numbers back to Council also.

Council Member Garza asked the question that was a concern with a large rain, and debris collecting which would clog the drain, would the sewer go into the street. Mr. Kilpatrick stated there is usually not a complete blockage; there could be sediment and debris, so those

cleanings are done regularly for the flow. Council Member Spitzley asked how street sweeping comes into the equation, and if they have looked into doing it more frequently. Mr. Kilpatrick confirmed they try to analyze the funding for the roads and determine how many for street sweeping. There is an option to street sweeping which could be 2 times a year but the goal is to have major streets done 8 times and local streets 4 times. With budget issues in the past they have gone to major streets 4 times and local twice. The hopes are to increase those once the ACT 51 funding improves.

Council Member Wood asked about the back flow preventers and if the City would help. Mr. Kilpatrick admitted that the basement backup prevention program was in the process of elimination, and after the CSO which has also been eliminated they didn't service those. He offered to get information on how many people applied, the average cost and how many went through.

The presentation and discussion moved onto performance measures, beginning with potholes. Council Member Spitzley asked how a resident can get reimbursed for damage to their vehicle from a pothole. Mr. Kilpatrick stated that all claims go to City Attorney after Public Service reviews. Mr. Smiertka confirmed that Law does review the information provided by Public Service, and if there is a question on the adjustment they take it to an outside adjuster. If the claimant is not satisfied, they can appeal it in court. He noted the outside adjuster does not make the final decision, but responds to the request and City Attorney's initial decision.

Regarding the performance measures Mr. Kilpatrick noted that the WWTP was down in costs due to more efficient pumps, and regarding rates, the big driver will be what can be done with the CSO and if the City does not have to separate the sewers. In the document was a list of streets that were done in 2017; however he noted it did not list "spot maintenance". The next final list will not come out until April once they can evaluate the streets after the winter. Council Member Hussain questioned the estimate of \$1 million per mile for reconstruction. Mr. Kilpatrick acknowledged it depends on the economy and cost per mile per foot. Some include sewer, some include curb, and some sidewalks. After the discussion on the upcoming CSO project, Council President Wood referred the Committee to a Resolution in the packet that was requested to be addressed at this meeting to issue bonds for the CSO. Mr. Kilpatrick added that there is a plan to create a map to reflect what will happen and what has happened.

Council President Wood asked if there were any staffing changes. Mr. Kilpatrick stated he currently has 2 vacancies. He then referred to the last page of the handout which a graph was reflecting the first 6 months of actual expenditures.

Council President Wood asked for details on where the funding went from the millage. Mr. Kilpatrick provides information that in the 2017 projects, all used millage funding. For the budget there was a line item for material and the rest of the funding for equipment and staffing cost are in the general lines. He admitted it was difficult to see how they spent the millage funding in 2015, 2016 but going forward they plan to have a single line item to reflect all costs.

Council Member Spadafore referred back to the list of vehicle purchases in the handout and asked what the cost and use of a Lenco Bearcat Armored vehicle was used for.

Council Member Dunbar stepped away from the meeting at 6:33 p.m.

Mr. Kilpatrick did not have a breakdown cost for each vehicle purchase with him, but stated he could provide that. Council Member Spadafore informed Mr. Kilpatrick he can provide that outside of a meeting.

Council Member Garza asked if there was a study done on where sidewalks were done, and also asked what it does to the integrity of the sidewalk and is cost effective. Mr. Kilpatrick was not sure of the long term effect, and they only 1.5”.

Council Member Spadafore stepped away from the meeting at 6:35 p.m.

Mr. Kilpatrick continued by confirming a study was done when they looked at grinding or cutting and cutting was cleaner, and the costs were similar for both, and both were more cost effective than “wedging” the sidewalks. Each cut costs about \$40-50, and to replace a section of sidewalk could run \$200. He noted, that it is not meant to be permanent fix, but make it safe until the City can do the whole sidewalk project. Council Member Garza then asked if OSHA had requirements on disposing of the dust. Mr. Kilpatrick assured him the contractor has a vacuum saw, and the dust is taken off-site. It is on the contractor to comply with all regulations and clean the site when they are done.

Council Member Hussain referenced the topic of ACT 51 road, and the City policy on plowing major roads when there is 2” and local when there is 4”, but he was interested in finding out if the City was removing that snow within 24 hours as is required by the residents. Mr. Kilpatrick could not confirm it was 100%, but that they do hold themselves accountable.

Council President Wood asked Mr. Kilpatrick for a status update since the parts department at the fleet garage was moved back to the City, and if there is a cost savings. Mr. Kilpatrick confirmed it was operating well but they had not done a cost analysis.

Council Member Spadafore returned to the meeting at 6:39 p.m.

He added that they do current have a City contract employee there, but they are not affiliated with NAPA.

Council Member Dunbar returned to the meeting at 6:40 p.m.

Council President Wood referred everyone to the resolution for the issuance of bonds for the CSO Wet Weather project. It will be referred on February 12, 2018 and action taken the same night. Mr. Kilpatrick added that there are two (2) bonds for the project. Eligible expenses with CSO are bonded by the State and repaid in a State Revolving Fund (SRF). Then the ineligible fund the City bonds for and is repaid by the wastewater fund. The bids did come back lower than anticipated; they had anticipated \$13 million for the SRF, so now they will need to look at eligible vs. ineligible.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE BONDING FOR THE WET WEATHER PROGRAM.

Mr. Kilpatrick stated they will begin in April 2018 and will be at Mt. Hope and MLK in 2019.

MOTION CARRIED 7-0.

Mr. Kilpatrick pointed out to the Committee that if they reviewed the budget overview that was given to them by staff, there are items that reflect a negative amount, however those are salary lines that get updated as the work is done and the item gets charged directly. They are working on addressing it clearer in the future.

2017/2018 Budget Update - LPD

The Police Department was presented with the following questions prior to the meeting.

1. CIP for Police Department Technology, where are we with purchase and installation.
2. How many vacancies do we have?
3. Where are we with front-loading of officers?
4. Have we replaced all the police vehicles that were funded?
What is that number and how many do we have left to replace?
5. How many officers are eligible for retirement this year?
6. Do we have enough storage space for body cameras?

What have you spend the public safety millage on in FY2016/2017 and in FY2017/2018?

Chief Yankowski gave a brief overview on where the LPD stands on the FY18 budget; \$41,295,000 of GF appropriates. In addition there are Federal and State forfeiture funding, and funds from the Tri-County metro budget that are attached to City. As of 12/31/17; 48.2% of the budget is utilized, and through January the department is at 54% of the budget for the year. There is \$20,000 in the CIP ear marked for an unmanned aircraft (UAS). Out of that they have currently spent \$4,208 on operations and training and they have spent \$2,596 for the project. This project will continue in fy2018. There will need to be additional training; additional payloads attached to the UAS along with any new modifications to the system will be bought from this. Regarding the LPD technology question, the Chief stated there are several projects, depending on research or development. Some funds have been used for a MobileID application, which has an annual subscription. Technology expenses also will include the continuation of the body camera replacement for in car cameras. The remaining \$60,000 in CIP, depending on which need comes first, will be either interview rooms or fleet. All 60 cars will have evidence cameras and audio, and they are working towards putting video on the same platform.

Chief Yankowski moved onto question 2, which was regarding the department vacancies at which he informed the Committee that in the uniform category there are 4 vacancies and as of 2/12/18 they will hiring 2. Then on 2/17/2018 there will be 4 retirements so they will back up to 6 vacancies. In the detention section of the department there is one vacancy as of 2/5/2018. In the civilian support there are 6 vacancies; 2 in the police tactical and 2 in central record, those currently being filled with contracted city employees, however the LPD is in the hiring process and continuing testing. The HR department is also working on filling the Secretary 26 position, and FY2018 budget also includes hiring a training secretary. The Chief noted he hoped to have those positions filled within 30 days. One position still open is the detective administrative assistant position, along with the police technician position, and administrative assistant to police headquarters. There are 3 in progress and 3 on the list with HR to fill. He concluded that filling the officers positions always take top priorities and then detention positions. The question has been asked about front loading officers in the past, and the Chief noted that they had front loaded 5 officers since last FY, but then they had 5 unexpected separations. Those separations are now absorbed, so now there are 4 vacancies within the organization. They currently anticipate sending 10 to the August 2018 academy, but those will be a front load for 2019, and will not count into the mix until May 2019. Regarding the detention division, they anticipate losing 2-3 in 2018.

Chief Yankowski addressed question four (4) which spoke to vehicles. He noted that for FY2018 they did not have any police vehicles ear marked, but with the City fleet budget item, they did earmark 4 police vehicles and they are in the current process to outfit. He did add that they have 2 vehicles that are being addressed in the accident repair funding. There was an earlier question with Public Service on the Bearcat, and the Chief now explained that this purchase was from the FY2017 funding, because the earlier vehicle the City used was a

federal armored tactical vehicle and it was returned, so it was replaced, and it was purchased as used which is half the cost. The LPD has an entire fleet of 144 vehicles including ATV, motorcycles, unmarked, administrative, vans, etc. Out of those, 10 vehicles need to be replaced in FY2018. With the fleet replacement plan, they would to replace 10-15 per year, to stay on a consistent plan, and every 4-5 years for detective.

Question five spoke to retirees this year, and Chief Yankowski stated that in 2018 there are six (6) eligible, and nine (9) eligible to front load. They also anticipate losing three (3) in detention.

Question 6 asked if there was sufficient storage for the body cameras, and the Chief confirmed, and added it was a contract secured for 5 years; unlimited until 1/1/2021 with AXON.com

Lastly, the question was asked about spending of the millage. Chief Yankowski informed the Committee that all except \$100,000 was spent on sworn police officers, and that \$100,000 was used on vehicle replacement.

Chief Yankowski concluded his presentation by noting to the Committee that the LPD is on budget to stay within the allotted funding in FY2017-2018, but can always have unexpected unknown for crime trends or illnesses.

Council Member Jackson asked the Chief what issues they are running into when hiring. The Chief confirmed that during the background check they run into issues because there are criminal offenses or they are untruthful on their applications. They do use an outside vendor for fact finding.

Council Member Spitzley asked if the projected budget for the LPD would address the impact of the opioid crisis. Chief Yankowski noted that for a program to work it will take an entire community to make an impact on the opioid epidemic. The department is trying to do a rapid response program and trying to utilize grant dollars.

Council Member Garza stepped away from the meeting at 7:05 p.m.

Chief Yankowski then highlighted the Angel Program which allows people to come directly to the LPD and ask for help.

Council Member Hussain asked how many officers are in the motorcycle division. Chief Yankowski answered the inquiry by stating there are 4 and a Sergeant and their responsibilities include but are not limited to traffic, and special events.

Council Member Garza returned to the meeting at 7:07 p.m.

He continued that special events sometimes take the focus, but these officers if not on the motorcycle are in patrol cars.

Council Member Wood asked if the LPD had any members of the Explorer program moving into the Academy. Chief Yankowski agreed their hope is to hire as cadets and they have hired 4 recently. Of those, 3 were in the Explorer program and they anticipate their 1st cadet to academy will be in 2019. An Explorer is between the age of 14-21 and it is a volunteer opportunity, and they teach skill trades. Cadets are paid and at least at the age of 21, and their hopes are they will graduate the academy and be a LPD officer.

Council Member Wood asked if they are replacing the computers in the vehicles. Chief Yankowski noted that 2 fiscal years ago the department spent \$325,000 to replace all in car computers.

Council Member Spadafore asked if their programs can benefit from the Promise Program. Chief Yankowski stated that HOPE dollars cannot be used to sponsor kids in the academy, but they are finalizing with the Promise Program a way to utilize Promise dollars.

{Closed Session}

MOTION BY COUNCIL MEMBER SPITZLEY TO GO INTO CLOSED FOR A CITY ATTORNEY PENDING LITIGATION UPDATE AT 7:14 P.M. MOTION CARRIED 7-0.

{Reconvene}

The Committee of the Whole reconvened at 7:57 p.m.

Other

No other topics.

ADJOURN

The meeting was adjourned at 7:58 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council

Approved by the Committee on February 12, 2018