MINUTES
Committee of the Whole
Monday, May 7, 2018 @ 5:00 p.m.
City Council Chambers

CALL TO ORDER
Council President Wood called the meeting to order at 5:02 p.m.

PRESENT
Councilmember Kathie Dunbar- arrived at 5:04 p.m.
Councilmember Jeremy A. Garza- left at 7:53 p.m.
Councilmember Adam Hussain
Council Member Brian T. Jackson
Councilmember Peter Spadafore
Councilmember Patricia Spitzley- excused
Councilmember Jody Washington- left at 7:56 p.m.
Councilmember Carol Wood

OTHERS PRESENT
Sherrie Boak, Council Staff
Eric Brewer Internal Auditor
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney
Heather Sumner, Deputy City Attorney
Samantha Harkins, Mayor's Executive Assistant
Angie Bennett, Finance Director- arrived at 5:16 p.m.
Don Kulhanek, Economic Development & Planning
Doris Witherspoon, Economic Development & Planning
Dominic Cochran, City TV
Deb Parrish
Loretta Stanaway
Chris Swope, City Clerk
Brian Jackson, Deputy City Clerk
Chief Talifarro

Annual Action Plan CDBG, HOME & ESG for Fiscal Year ending June 30, 2019
Mr. Kulhanek acknowledged Council for accommodating them with the special meeting and noted they had just received the allocations from HUD on May 1, 2018. Regarding the allocations received, this year he noted they were trending upwards, with $1.8 million in CDBG last year and this year over $2 million, along with an increase over $200,000 in HOME. Council President Wood asked which CDBG allocations increased, and she was told most

additional funds went to CDBG Owner Rehab and a lot to Lead Safe Lansing. The funds come in at 50% for CDBG funds. Council President Wood asked if there was a waiting list for the applications for services, but Mr. Kulhanek was not able to provide the answer and this time but did not there is no waiting list for Lead Safe Lansing. She then asked if there was a waiting list for those using both programs and was told no. Council Member Jackson asked who submits the form and works on making the Plan. Ms. Witherspoon acknowledged it was her and the department, and more specifics and summaries of the Plan can be found on their website. They hold multiple public hearings on the Plan with Planning Board and Council before it is submitted.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION AND ACTION PLAN FOR THE CDBG, HOME AND ESG FOR FISCAL YEAR ENDING JUNE 30, 2019. MOTION CARRIED 6-0.

Meeting recessed at 5:10 p.m.
Council President Wood called the meeting back to order at 5:13 p.m.

Minutes
MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE MINUTES FROM APRIL 30, 2018 MEETING AS PRESENTED. MOTION CARRIED 7-0.

Public Comment on Agenda Items (Up to 3 Minutes)
Ms. Parrish spoke in support of the Fire Department and inquired into when there would be impairment assistance provided at the meetings so the public can hear.

Presentation
Department Budget Presentations
City Clerk
Mr. Swope provided a video presentation on his department, which highlighted their scheduled community events with registering to vote, records management, and implementation of the Laser Fiche program for contracts, resolutions and ordinances. Mr. Swope then went over other department items including their goal to work on public access to Resolutions that have been approved. The department's biggest change in the current fiscal year was the medical marihuana implementation. The Committee had a list of the applications and status. So far there are 8 denied a second time and they have the right to appeal to the Commission, and one has appealed to the Commission. It was noted that one applicant withdrew their application due to a property purchase falling through. The department has brought in $735,000 for these applications, and expects to return $162,000 for the 65 provisioning centers that will be denied. The department is proposing a new full time position, Marihuana Licensing Clerk, to address the processing, licenses, renewals, addressing any issues and being the point of contact with the Departments and the State. Council President Wood asked if they would need to increase the fee structure for the other licenses the department handles. Mr. Swope stated he saw no need at this time. Council Member Jackson inquired into the salary line item projected at $395,000 and asked if the $65,000 was for the new position mentioned or other positions. Council President Wood informed Council Member Jackson that some positions are in Local 214 and there may have been contract increases worked into that. Council Member Jackson asked the Clerk if they considered a full time position with benefits instead of a contract for the new positions, at which Mr. Swope confirmed they did have a contract employee this initial year, but it needs to be a permanent and ongoing position. Council President Wood inquired into the Contractual line item and asked how long the Clerk had a contract with the 3rd party that was reviewing the business plans. Mr. Swope assured them it was a one-time role, and they were an expert company, he then noted that there will be annual applications so they might want to relook at their services. They are currently paid $68,000 for their services, and since there are no plans required for processors, safety

compliance or transporters they are not reviewing those applications. Those applications are reviewed by fire, code, law, police, and treasury when the assessments are made. Council Member Spadafore asked if the fees collected from the applicants are used to pay the contracted services. Mr. Swope noted the fees are placed in the General Fund, so not directly being used for that, but are offsetting the cost. They are also using the Building Safety Department and will have to reimburse that line item. Council discussed the scoring process and Mr. Swope admitted they have not gotten to a point where there is a tie in scoring, and are not figuring out the final process. The LFD, he added, has chosen not to review the applications until they have the final 20 licenses, so the scoring could change.

Council Member Hussain stepped away from the meeting at 5:44 p.m.

Mr. Smiertka acknowledged that Law is working with the Clerk on a weekly basis, and they cannot issue more than 25, and they assess and make a judgement call, but it continues to be a work in progress.

Council Member Hussain returned to the meeting at 5:56 p.m.

Council Member Garza asked why 4929 S Cedar is noted as “pending/appealing” and was not just denied, and Council President Wood added that the applicant did not meet the requirements in the ordinance and should have been denied, but they went to the BZA for an ordinance. Mr. Swope stated his understanding from Law, is that while they have a variance pending, they are kept as “pending” on the list.

<u>Fire Department</u>
Chief Talifarro did a presentation on their FY18 yearend projection of a $32,678,064 budget along with the proposed $34,149,900 FY19 budget. The presentation also spoke to Code Compliance leaving for Economic Development and Planning and other staffing demographics. The department noted they also have an ongoing partnership with Lansing Community College for paramedic training, basic EMT classes and firefighters. They are currently working with HR on addressing front-loading and future vacancies.

Council Member Spadafore asked for the number of stations, and why the department had listed a separate IT position. Chief Talifarro stated they have six (6) stations in operation along with maintenance, and they are working with IT on their vacant IT position to meet department demands for the analysis. Council Member Spadafore then inquired into the $100,000 on SCUBA and asked if it was purchased because the City equipment was transferred to East Lansing. Chief Talifarro confirmed there were ten (10) they loaned to East Lansing while they were waiting on theirs, but they were returned, and it is not uncommon to assist other areas and circulate. The ten (10) units he noted were used in the City storage, and when they are returned they are re-filled by Cascade, free of charge. Council Member Spadafore asked for the records that outlined when City materials were loaned or circulated to other jurisdictions and returned.

Council Member Dunbar asked what the Lansing portion of the joint Fire Department was, and was told just the Chief. There is no shared cost of equipment, and the City is the fiduciary for grants. Council Member Dunbar then asked for a detailed breakdown of the run volume from page 15 of the presentation.

Council Member Garza asked how many fire inspectors the department currently has. The Chief stated that there is a Fire Marshall and three (3) inspectors, and they will have the current proposed position, and they have always had four (4) since 2014. Currently there are 6 vacancies in the department and 3-4 retiring also. Council Member Garza asked what the rate of collection was on inspections. Chief Talifarro stated they do not typically charge for all inspections, and any fees are not based on services, therefore they have not outstanding bills for inspections.

Council Member Hussain inquired in the terms of the contract with East Lansing, and asked how long the term of the contract was for. Chief Talifarro explained that he is a City of East Lansing employee, and the position began during the economic crisis when municipalities were trying to save funds and began talking about regionalizing services. At that time Plante and Moran also was doing a study on if regionalism is viable, at which point they determined it was. There are however, he added not added savings for sharing a Fire Chief. Council Member Hussain then asked if there is any requirement that after the City pays for training of the officers if they are required to work for the LFD. Chief Talifarro admitted there is not, but they are looking at it with paramedics, but with new hires there is a cost savings upfront already because they only get 50% of a new employee during the first six (6) months to get trained.

Council Member Jackson asked if there is a cost savings with the City of Lansing only paying half of the Chief. The Chief noted there could be a savings, and he understands that either community could dissolve the agreement at any time. Council Member Jackson then asked if there could be a reason to not have all the truck go out on all the calls and still maintain performance. Chief confirmed that the fire truck is on a tiered system and only goes out based on dispatch when it is warranted or needed.

Council Member Washington acknowledged the work the Chief has done, but spoke in opposition to continuing sharing a Chief with East Lansing. The Council understanding was that they would see the contract again before it was renewed, and they never saw it. She then asked if the department was having issues with recruitment. Chief confirmed they are struggling with fully licensed certified paramedics, but recruitment is an ongoing need. Council Member Washington encouraged them to reach out to the schools for their Fire Cadet Program, the question as then asked if the Department is prepared for a flood emergency. Chief Talifarro confirmed they have full time staffing in Emergency Management and meet regionally to discuss services because there are also State facilities in Lansing. Council Member Washington inquired into the department cost to stock Nar can, what they will do when the grant funding runs out and if there is a limit per person. Chief Talifarro stated that the grant covers drugs for the Police and the medication in the Fire Department is billed through the ambulance cost.

Council Member Spadafore inquired into a process the department uses when loaning out equipment and if it is not returned, referencing the City Ordinance that speaks to the purchasing process. Chief Talifarro acknowledged his concern and stated they will be cautious in their interpretation and would never gift equipment.

Council Member Jackson stepped away from the meeting at 7:02 p.m.

Council President asked which position he was proposing to move from part time to full time, and if a time study was performed to determine that need. Chief Talifarro stated the position was the secretary, and a formal study was not done, but they evaluate the work load versus the time employee was in the office processing the reports.

Council Member Garza stepped away from the meeting at 7:04 p.m.

Council President Wood asked if once an officer is licensed if they can take that license somewhere else, and it was confirmed. She then encouraged the Chief to create an agreement, and he confirmed he has requested the one the LPD uses.

Council Member Jackson returned to the meeting at 7:05 p.m.
Council Member Spadafore stepped away from the meeting at 7:05 p.m.

Council President Wood asked again for confirmation that there is no fire inspection fee, and the Chief reiterated there was not.

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

Council President Wood then asked about the inspections for the medical marihuana ordinance because Law informed Council that the fee structure for that was based on multiple departments, tasks, reviews and inspections including Fire.

Council Member Washington stepped away from the meeting at 7:07 p.m.

Council Member Wood inquired into how the City is going to be reimbursed for the Fire inspections on these types of licenses and inspections.

Council Member Garza returned to the meeting at 7:08 p.m.

Chief Talifarro stated that it falls under State Rule 26, which states that Fire inspections are done at the State level, they have the approvals. They have been asked if they will authorize the local Fire inspectors to do the inspections, but at this time the State has stated the State Bureau of Fire Services will be doing the inspections.

Council Member Washington returned to the meeting at 7:10 p.m.

Council President Wood then referred the Chief to his budget which shows a reduction because of Code Compliance, but their proposed budget is higher than when they had Code Compliance. Chief Talifarro explained that they have salary increases due to 57 new hires that have step increases, and had wage enhancements from their contract negotiations. Council President Wood then noted there was a potential of $1.3 million savings in regionalism, but the Chief noted when looking at the millage, that they heard from the public that they did not want to give up local control.

Council Member Hussain stepped away from the meeting at 7:13 p.m.

Council President Wood inquired into what the outstanding debt with the ambulance collection was.

Council Member Hussain returned to the meeting at 7:16 p.m.

Chief Talifarro stated they take the fees the medical biller recommends, what the insurance companies are willing to pay, which includes a recommendation to increase the mile fee. At this time he was not able to provide an answer on outstanding ambulance fees. He was also asked to provide a report on the percentage of the runs were people with no insurance. Council President Wood asked what percentage the biller gets, and was told by the Chief it was 6.3% on billed and they also cover the cost of the tablets for medical vehicles. Council President Wood inquired into what the pay scale was for the proposed Fire IT Analytical position, and was told they had not established it but budgeted $74,000, which he noted was similar to the LPD.

Mayor & Community Media

Ms. Harkins noted the office did not have a presentation, but their opinion was that there were no significant changes from previous years, other than the new position for Chief Labor Negotiator and Citizen Advocate. Council Member Washington asked why the office is maintaining positions that do not seem necessary or are duplications of other positions. Those she noted were Sister Cities, Faith Based, Citizen Advocate, Neighborhood and Citizen Engagement and Neighborhood Resource Coordinator. Lastly, she informed Ms. Harkins that she has received complaints from resident recently that they are not able to see what Department Heads are making, so the Mayor's office was asked to provide that. Ms. Harkins admitted they have also been scrutinizing programs, but supported the Office of Faith Based and Sister Cities because their opinion is that they are both experienced. Council Member Washington pointed out that Sisters Cities should have been self-sufficient by now. Ms. Harkins then addressed the inquiry into duplications, noting their plan is having the Mayor's staff present at community events so making sure they are always aware of any questions, concerns or situations. She did acknowledge she would check to getting the salaries on website. Council Member Washington informed Ms. Harkins that when Sister Cities was initiated they were given $5,000 from the General Fund and it was to be lowered annually until they became self-sufficient, however that has never occurred and she asked that the Mayor's office look into that for upcoming budgets. Council Member Jackson spoke in support of the Sister Cities division. Ms. Harkins stated that the Mayor is not afraid of change and will look forward to creating the budget for next year.

Mr. Cochran spoke on the media portion of the budget and had no presentation on the division but was asked by Council President about the employee status. Mr. Cochran briefly outlined the status of his full time employees and contracted employees. He noted that the General Fund covers the salaries, but all other funds come from PEG dollars that are used for capital purchases. Council President Wood inquired into if there was still a consideration of eliminating the Cable Board, and Mr. Cochran stated they are trying different models.

Discussion/Action

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendment to Chapter 230, Section 230.01; Renaming of Dept. of Planning & Neighborhood Development to Department of Economic Development & Planning

Mr. Smiertka detailed the three proposed ordinance amendments to the Committee, noting that an Executive Order was done earlier creating the Economic Development & Planning department replacing the Planning & Neighborhood Development department. The ordinance amendments he added would change the Municipal Code to reflect what was done by the Executive Order.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR MAY 21ST, 2018 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 230, SECTION 230.01.
MOTION CARRIED 7-0.

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendment to Chapter 1210, Section 1210.01; Department of Economic Development & Planning Supervision over Planning, Development, Building Safety, Code Compliance, and Parking

Mr. Smiertka noted this changed would amend the code to reflect the functions of the new department.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR MAY 21ST, 2018 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 1210; SECTION 1210.01.
MOTION CARRIED 7-0.

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendment to Chapter 224, Section 224.01; Removal of Code Compliance from the Lansing Fire Department and placing all duties and functions of Code Compliance, Code Compliance Manager and Officers to the Department of Economic Development & Planning without change or interruption.
Mr. Smiertka noted this amendment would remove Code Compliance from the Fire Department and place them and their duties in the new department, Economic Development & Planning. Council Member Spadafore asked if it has to be in an ordinance or could have all been covered in the Executive Order. Mr. Smiertka answered that this will make sure when the ordinance is codified it will be correct.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR MAY 21st 2018 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 224, SECTION 224.01.
MOTION CARRIED 7-0.

Council President Wood asked Law to confirm if the amendments needed to go to the Planning Board, but Mr. Smiertka clarified the changes are not changing anything in the zoning ordinance itself, so they do not. Council President Wood asked why the other new department, Neighborhood Engagement was not addressed in the Ordinance amendments, along with the job description, minimum requirements as do all the other Departments have. Mr. Smiertka confirmed they were mentioned in the Executive Order and an ordinance could be created, and in process.

Presentation
Department Budget Presentations- continued
Finance
Ms. Bennett provided a brief outlined of the department and their goals for FY2019.

Council Member Wood passed the gavel at 7:53 p.m.

Ms. Bennett continued with the department breakdown.

Council Member Washington passed the gavel to Council President Wood at 7:55 p.m.

Ms. Bennett stated they are proposing one full time employee and moving one position from part time to full time. Council Member Wood asked if the department was currently fully staffed. Ms. Bennett noted there are 2 vacancies in operations; one is on hold and they are not sure where it is going; one position in Assessing that they are in the process of filling; and Treasury currently has 5 open positions. Council President Wood inquired as to why the turn over. Ms. Bennett noted that most of the part time positions employees have found full time employment. Council President Wood asked if the Treasurer was a Department Head of Manager. Ms. Harkins answered the question, stating the position reports to the Finance Director and the Mayor and they have not looked into having that position as a separate Department Head. Council President Wood asked what the Contractual Services line in Treasury covered and Ms. Bennett outlined that it covered printing of bills and collections. She then inquired as to what the Finance Contractual Services line covered, and that was answered by Ms. Bennett by providing information on a contract with BWL for the purchasing duties and services for ab actuarial. Council President Wood asked when the office will go out again for bid on and auditing firm. Ms. Bennett acknowledged it had been 8 years so they would consider it.

Council & Internal Auditor
This topic was moved to the May 14th Committee of the Whole meeting agenda.

The Committee was reminded of the upcoming first Neighborhood Budget Meeting on Thursday, May 10. 2018 at 5:30 p.m. at Foster Community Center.

Other
Annual Action Plan CDBG, HOME & ESG For Fiscal Year ending June 30, 2019
Placed on file.

Council Members Reports on Boards/Commissions
This item was moved to the next Committee meeting.

ADJOURN
The meeting was adjourned at 8:09 p.m.
Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by the Committee on May 14, 2018