



MINUTES
Committee of the Whole
Monday, October 22, 2018 @ 5:30 p.m.
City Council Chambers, City Hall 10th Floor

CALL TO ORDER

Council President Wood called the meeting to order at 5:31 p.m.

PRESENT

Councilmember Kathie Dunbar
Councilmember Jeremy A. Garza
Councilmember Adam Hussain
Council Member Brian T. Jackson - excused
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Samantha Harkins, Mayors Executive Assistant
Mary Reynolds
Kathy Miles
Elaine Womboldt
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney
Heather Sumner, Deputy Chief City Attorney
Sandy Locke, Peckham
Toddy Heywood
Loretta Stanaway
Angela Bennett, Finance Director
Jim Lard
Ms. Urasky, Director Michigan Dept. of Civil Rights Division

Minutes

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES FROM OCTOBER 8, 2018 AS PRESENTED. MOTION CARRIED 7-0.

Public Comment on Agenda Items

Ms. Miles read information from Crain's Business week regarding scooters, and spoke in opposition to those on sidewalks or bike lanes.

Ms. Womboldt spoke in support of the presentation on the agenda at this meeting. Ms. Womboldt also spoke in opposition to the scooters on all sidewalks in the City.

Ms. Reynolds spoke in opposition to the scooters unless a separate lane.

Ms. Stanaway spoke on regulations on scooters and supported on access only on bike lanes and not on sidewalks and the River Trail.

Ms. Locke spoke in support of the presentation, and then spoke asked for pathway access with the scooters.

Presentation

Ms. Urasky went through the presentation providing a background on the Division to conduct a comprehensive census and needs assessment. Included were also the primary goals, which was to gather information about Deaf, Deafblind, and Hard of Hearing residents throughout the State. Understand the needs, preferences and experiences of these communities to guide development for policies and programs, and lastly share the data with the broad audience. The survey they are performing addresses services, identify gaps, issues for all Michiganders. The data will be finalized with the department, the Governor, and shared with other State agencies, and also will host a community conversation. This will be taking the data back into the community to get their feedback to see if it truly represents them. Ms. Urasky then provided a link to the survey; www.notwithoutusmich.org/survey. Included in the survey will be demographics, use of services, education, employment experiences, access to healthcare, housing, transportation and barriers.

Council Member Spadafore asked if the survey data be shared with the City of Lansing, and Ms. Urasky confirmed along with posted on their website. Council President Wood asked for suggestions on upgrading governmental websites so it is more user friendly. Ms. Urasky responded that the government websites are strict on how they can post, but there are a lot of resources in her Department, and she offered to connect with them and talk to them on how to post. Ms. Urasky then also recommended an informational checklist for WCAG 2.0; Web Content Accessibility Guidelines, and suggested Council speak to people who use the website to find out what accommodations they use such as a screen reader, larger size font, and captioning. Ms. Harkins at this time informed the Committee that the Administration is working on new technology and have also met with Ms. Urasky.

DISCUSSION/ACTION

RESOLUTION – Reappointment(s): John Shaski; Capital Region Airport Authority; City Member; Term to Expire 9/30/22; Andrea Ragan; Economic Development Corporation; At-Large; Term to Expire 2/28/23

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE REAPPOINTMENTS OF JOHN SHASKI TO THE CAPITAL REGION AIRPORT AUTHORITY AND ANDREA RAGAN TO THE ECONOMIC DEVELOPMENT CORPORATION. MOTION CARRIED 7-0.

RESOLUTION- PA 202 Corrective Action Plans; ERS Pension System, ERS OPEB Plan. and P & F OPEB Plan

Ms. Bennett informed the Committee that the notification fell below the threshold on the three (3) plans, and waivers were applied for, and those waivers were denied, so the next step is applying for the corrective action plans. Ms. Bennett noted that 99% of the waivers that were applied for were denied, and even with State guidance throughout the process and things

change. They have not gotten anything officially written on the denial, but have heard that the State was looking at a short term period on the waiver. Ms. Bennett then referred the Committee to the information and the details in the PA 202 and how the City compares. Council President Wood asked if there was the potential for two actuarial reports to be created, because currently the one is paid for out of the Retirement Board fund.

Ms. Bennett went through the reports, which she noted are due November 13, 2018. The first plan they review was the Police & Fire OPEB where they looked at actual projections, and for 20 years pension for 30 years. The projections were referenced on page 8 of the document where it was noted they are projected to 40% funding in 2035. Other attachments provided the background on things Lansing has done to convey this is not reachable, but the City has been looking at things for years. That included the FHT, collective bargaining, and taking the balance of the General Fund and placing into the retirement. In the employee report, the funding level deadline was 2027, and the projection on the ERS Retirement was 60% by 2025. Ms. Bennett concluded by informing the Committee that with all three (3) plans, it is stated to be at 40% for retiree health care and pension 60%, but their goal is higher, and they want to look long term beyond the thresholds set by the State.

Council Member Spitzley asked if the goal is to be above the threshold, is the Administration implementing policies now to do that. Ms. Bennett acknowledged they continue to look at plan designs, collective bargaining, and work with the FHT. Council Member Spitzley then asked what recommendations from the FHT will get to the threshold sooner. Ms. Bennett confirmed they did evaluate the key recommendations for retiree health care, moving to a HRA model for those Medicare eligible. Council President Wood said the retirement board is looking at assumption rates lowering. Council Member Spadafore asked if the plan in front of them can be changed, and Ms. Bennett stated the Administration was asking for the plan they have to be approved as is.

Council President Wood stated if there were not more questions or the Committee did not want more time to review, the resolution could be placed on the November 5, 2018 Council agenda.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE RESOLUTION FOR THE APPROVAL OF THE PA 202 CORRECTIVE ACTION PLANS FOR ERS PENSION SYSTEM, ERS OPEB PLAN AND THE POLICE & FIRE OPEB PLAN. MOTION CARRIED 7-0.

Other:

DISCUSSION/ORDINANCE- Amend Chapter 404

DISCUSSION/ORDINANCE – Amend Chapter 812

Council Member Spadafore went through the proposed amendments, noting that the Committee on Public Service is working on an ordinance to regulate scooters. There are two types of scooters – personal and commercial. Commercial uses is where the City comes in with the operating agreement. The first ordinance speaks to impounding the scooters if improperly parked or abandoned. Since the agreements speak to where to park scooters, but if no ord. to impound, so need to amend to impound. The Committee is recommending setting a public hearing tonight for November 5th. The ordinance references what is already in the traffic code, but any of the agreements speaks to where they can be placed. Mr. Smiertka referred them page 3 line 9-10 which spoke to where transportation devices can be parked and then cited areas in the motor vehicle code, which is adopted by reference in the ordinance. The question was asked if they were allowed on streets that were 26 mph or less and it was confirmed by Council Member Spadafore, and added that the State law does not allow a complete ban on sidewalks in downtown, river trails, historic. The scooters are being

encouraged to be used in the bike lanes on the streets, however a traffic control order needs to be changed to allow them in the bike lanes. Council Member Spadafore then spoke on the proposal of licensing fees that could be used toward expanding infrastructure funds to help. Council Member Washington stated that business were in Old Town were asking, since they have to have permit to put a flower pot on the sidewalk, if the scooters have permits to be parked on the sidewalk. Council Member Spadafore stated the agreements have them obtaining a permit as a right of way permit, but the Committee plans to look at the fee structures. In some other community agreements it is \$1 a day per scooter. Council Member Washington asked if the agreements or the ordinance speaks to how many people can be on the scooter at one time, and Council Member Spadafore stated the State law states 1. Council Member Spadafore continued the overview, noting that they can require liability insurance, and the City is requiring \$100,000 up to a \$1 million for each incident. Council Member Washington asked if the people who are being paid to collect and station the scooters are paying City of Lansing Income tax. Council Member Spitzley asked if there is data available on the companies that currently have the 60 day license so that the City can amend the agreements based on the 60 day data. Council Member Spadafore acknowledged both agreements currently with the City have a data sharing requirements, that log trips rates, parking, theft, maintenance, and crash data to name a few. The plans are too look at the data maps to see where to have a stricter set of enforcement or to place infrastructure. Council Member Spitzley then asked how they determine how many to have in one area. Council Member Spadafore stated they need to generate 3 rides per day to make it profitable, but the way the Lansing region is set up the usage flows over the boundary lines. They are finding out that some communities offer low income fees and discounts. Council Member Spitzley stated she would be interested in the battery usage and life of the scooter. Council President Wood suggested the Committee look into the data that was done when there was a bike share program in the City. She then asked Law if once the ordinance is approved, will the Mayor be the entity entering into the agreements with the companies or will the Council see it again. Mr. Smiertka stated they will have to get a right of way permit, but if the Committee wants to look at the license of the business, that would require a license from the Committee.

Council Member Spadafore then outlined the amendments to Chapter 812, which regulated the riding of scooters in the Principal Shopping District Zone A, which is the downtown area. This would include reinstalling signs. He clarified that even though two companies have agreements, they are still banned from the sidewalks in the Zone A.

Council President Wood asked Mr. Smiertka if there was potential for the ordinance to say they could only be used in bike lanes and not allowed on sidewalks. Mr. Smiertka stated the State is broad in their usage, but it is limited in the areas of downtown, a historic district, and trails, and it is unlikely they can ban the, from sidewalks.

Council Member Spadafore assured the Committee that he has been in conversations with the Office of Civil Rights on feedback and have invited them to future meetings.

ADJOURN

The meeting was adjourned at 6:42 p.m.

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

Approved by the Committee on November 5, 2018