



MINUTES
Committee of the Whole
Monday, February 17, 2020 @ 6:00 p.m.
Lansing City Council Chambers

CALL TO ORDER

Council President Spadafore called the meeting to order at 6:00 p.m.

PRESENT

Councilmember Peter Spadafore
Councilmember Adam Hussain
Councilmember Carol Wood
Councilmember Patricia Spitzley- excused
Councilmember Kathie Dunbar- arrived at 6:05 p.m.
Councilmember Brandon Betz
Councilmember Jeremy Garza
Councilmember Brian T. Jackson

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen Assistant City Attorney/Council Research Assistant
Joseph Abood, Chief City Attorney- out at 7
Heather Sumner, Deputy City Attorney
Amanda O'Boyle, Assistant City Attorney
Mary Bowen, Assistant City Attorney
Elizabeth O'Leary, HR Specialist
Greg Venker, Assistant City Attorney

Public Comment

No public present.

Presentations

Ms. O'Leary presented the video on Sexual Harassment and Non-Discrimination Policy and Complaint Procedures.

Council Member Betz stepped away from the meeting at 6:11 p.m. and returned at 6:13 p.m.

Ms. O'Leary noted that the policy how to report issues and situations. Council Member Wood asked how Council Members should handle FMLA requests, and Ms. O'Boyle referred

them to Kathy Woodman in HR who can address the steps that are taken and any concerns on if an employee is violating the FMLA.

Office of the City Attorney

Council Member Garza stepped away from the meeting at 6:26 p.m. and returned at 6:29 p.m.

Mr. Abood outlined the types of Fiduciary Duties per the handouts.

Ms. Sumner outlined the presentation on Ethics per the handouts. Council Member Garza inquired to the consideration of the Luginut and Common Ground tickets. Mr. Smiertka noted they are considered community promotion tickets. In the Luginuts agreement they are referenced as “community relationship building” not an individual ticket to Council. Ms. Sumner spoke on the statements of financial interest and disclosure, and the Committee was informed the form has been updated and simplified this year.

Mr. Venker went through the hand out presentation on Open Meetings Act, definitions and the open meetings for deliberations and decisions. Council President Spadafore asked when emails are exchanged with Council Members if they should “reply to all”, and was told by Mr. Venker it would depend on the topic. Council Member Betz asked if discussions can be held with 2-3 members, and Mr. Venker explained it would depend if they were on the same Committee and if the discussion was on items the Committee was addressing. The Committee themselves reach recommendations and send it to Council for the decision. If there deliberations at the Committee meetings, those are open to the public. If a member is proposing an idea, it should be held at the Committee meeting. Mr. Smiertka noted that is their Council Rules that speak to the number of members for discussions and on conferencing. Council President Spadafore inquired into the topic of opening up Committees to video presentations, and Mr. Venker stated they would consider changing the Council Rules. The courts look at deliberations include non-verbal cues, and if not available to be seen. Council Member Wood asked if a City employee wants to speak to Council, and they are not a Council staff person, can they request to be in closed session, and the OCA stated they could.

Ms. Hagen provided the Human Rights presentation as in the handouts.

Ms. Bowen provided the FOIA presentation as in the handouts. Council President Spadafore inquired into the specifics on when the timeline started on a FOIA, if the request was email to a Council Member directly, not the FOIA Coordinator. Ms. O’Boyle and Ms. Bowen both requested any direct emails be sent to the FOIA Coordinator when received, and they will contact the person once their office receives it. Council Member Wood asked if someone contacts Council Members directly for something as simple as meeting minutes, if they can be provided directly to them instead of a FOIA. Ms. Bowen stated they can, but all requests like that should be treated equally. It was also noted that if something is available to the public on the website, they will be referred to that with no charge. Council Member Wood asked if a FOIA has been granted already and charged to that interested party, how is a 2nd person charged for the same material. Ms. Bowen noted that they cannot bill someone for documents in a FOIA that have been released to someone else.

Ms. O’Boyle provided the Elections presentation as in the handouts.

Council Member Jackson stepped away from the meeting at 7:21 p.m. and returned at 7:23 p.m.

Council Member Wood asked if Council Members can take a position on a proposal that is on the ballot and Ms. O’Boyle informed the group that Council cannot actively endorse for or against a proposal.

Adjourn

The meeting adjourned at 7:29 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary,

Lansing City Council

Approved by the Committee on February 24, 2020