



MINUTES
Committee of the Whole
Monday, August 10, 2020 @ 5:00 p.m.

Via ZOOM: <https://us02web.zoom.us/j/84243022004>; ID: 842 4302 2004; Dial In: (312) 626-6799

CALL TO ORDER

Council President Spadafore called the meeting to order at 5:04 p.m.

PRESENT- via audio/video

Councilmember Peter Spadafore
Councilmember Adam Hussain
Councilmember Carol Wood
Councilmember Patricia Spitzley
Councilmember Kathie Dunbar
Councilmember Brandon Betz
Councilmember Jeremy Garza
Councilmember Brian T. Jackson – arrived at 5:07 p.m.

MEMBERS PRESENT- via audio/video

Sherrie Boak, Council Staff
Nick Tate, Deputy Mayor
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney
Heather Sumner, City Attorney
Dr. Steve Robinson, Lansing Community College President
Larry Leatherwood
Clyde Carnegie
Gina Nelson
Sandra Zerkle
Tracy Thomas
John Krohn
Randy Dykhuis
Loretta Stanaway
Nicole Byber
Elaine Fischhoff

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JULY 27, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 7-0.

Public Comment

Mr. Dykhuis spoke on the appointments for the BWL Board asking Council to reject the Mayor's recommendations and ask for new candidates.

Ms. Stanaway supported the earlier comments by Mr. Dykhuis on new candidates for the BWL.

Ms. Fischhoff also spoke in support of the comments by Mr. Dykhuis.

Ms. Byber asked Council to consider board candidates that would alternative fuels.

Presentations:

Dr. Steve Robinson spoke briefly on his path to the new leadership with Lansing Community College, what LCC is doing with the recent COVID-19 pandemic, how the college is addressing systemic racism and the work they are doing with their staff on racial injustice. Currently the LCC Board is working on a racial equity plan. Council Spitzley welcomed the new appointed College President. Council Member Wood noted that LLC has engaged with the residents around the campus to make sure what the college is doing enhances the neighborhood, so she inquired into what President Dr. Robinson plans to incorporate with the neighborhoods for the future. Dr. Robinson acknowledged that during the recent parking ramp changes he followed the discussions before his appointment. In review of the strategic planning, the vision in crafting the community college area is learning the different regions LCC serves. He acknowledged that moving forward they have to refresh the strategic plan and based on his experience in his previous job held 26 community gatherings with the neighborhoods to work together on the approach and ask for their assistance with the plan. Council Member Wood spoke on a plan in 2000-2001 with Mayor Hollister at the time, there was a grant given to faculty to whomever lived in downtown area, and she asked if that was still being utilized now, and if so how many have used it, and if it would be something he would consider continuing. Dr. Robinson, confirmed he was familiar with the time period but not aware of that grant, and so he would look into it. Dr. Robinson concluded by acknowledged the Council and stated he looked forward to working with the City.

Discussion/Action:**ORDINANCE – Modifications to Membership of the Employees' Retirement System Board of Trustees**

Council President Spadafore recapped the last meetings process with the hearing, and confirmed that the ERS Board did review it and supported the change of adding a resident of the City of Lansing to the Board.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO MODIFY THE MEMBERSHIP OF THE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES. ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION – Reappointment – Larry Leatherwood; At Large; Lansing Entertainment & Public Facilities Authority; Term to Expire 6/30/2023

Mr. Leatherwood acknowledged the Committee and appreciated the opportunity for speaking to them, noting he has been on the LEPFA Board for over 2 years and has had a wonderful experience. Mr. Leatherwood did note the challenges they are experiencing with COVID but they do still continue to support Mr. Keith in the work he is doing. Lastly Mr. Leatherwood asked for a moment of silence for James Butler, a current board member who recently passed away. Council President Spadafore noted that in an earlier conversation with members of the LEPFA Board, they have not had any training in OMA, ethics or FOIA.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF LARRY LEATHERWOOD TO THE LEPFA BOARD. ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION – Reappointment- Clyde D. Carnegie; 4th Ward; Board of Police Commission; Term Expire 6/30/2024

Mr. Carnegie acknowledged the Council for the opportunity and considered it an honor to serve the City of Lansing. Council Member Betz stated to Mr. Carnegie that statistics he has read show that police arrest African Americans more, and asked him what he has done to address this and what he planned to do to address this. Mr. Carnegie stated his roll has been to seek to understand measures that comply in Lansing recently and the Obama initiative. He is excited about the direction Chief Green is moving and regarding the position piece of the question, he stated there would be a dialogue that would include everyone. This initiative will be a model that can put Lansing further ahead to address the issues in the City. Mr. Carnegie continued to explain that he would work to encourage the department to adhere to policies because they have a strong community impact. Having a structure that everyone can be part of the dialogue, even if it breaks down, it provides a pathway to gain direction again and move forward. He admitted it is difficult to manage, because they need operations but they must embrace change and that requires understanding of the past and current situation, but the Commission does not have a solution. Council Member Betz asked Mr. Carnegie how he would address problems in the LPD. Mr. Carnegie responded that they seek to make sure they are getting the best of the very best, and utilizing the resources given to train the officers. It will take dialogue and speaking to one another. Regarding internal affairs, it is important the commission and department take a good look at how they can better improve transparency with this issue. If reappointed, Mr. Carnegie stated he would bring the Commission to make a commitment to the City. His intentions are to address issues by looking at community segments, move out into the areas and hear more from the citizens, this includes moving the meetings to community areas. In addition he believed the Commission should review policies and procedures and bring up to the current time. Council Member Jackson asked Mr. Carnegie about complete police reform as part of the Commission, and what position he took on the Black Lives Matters demands and conversations on reallocation of LPD funds towards programs designed to target youth with those funds, and other reallocations. Mr. Carnegie responded that there will need to be discussions on restructuring and funding. Council Member Wood asked Mr. Carnegie if he was still the LPD chaplain and what other Committees he sits on. Mr. Carnegie confirmed he was the LPD chaplain, and currently he sits on the Commission Committee that reviews the budget. Council Member Dunbar asked if Mr. Carnegie supported the decision that was made to use chemical agents during the protest. Mr. Carnegie responded that if he had to make the decision today they would have no chemical agents. Council Member Dunbar then asked if he support a frame work if the Council proposed funding other areas with the LPD budget. Mr. Carnegie stated to her that it is was the citizens funds and they need to be responsible for what those citizens are asking for. Council Member Dunbar then asked about the citizen complaint process and if he has seen any citizen complaints before the Commission and that in turn created a policy change. Mr. Carnegie acknowledged there is a report when a complaint made, and they vote as a Commission on that complaint. Council Member Dunbar asked the question a second time, asking if there have ever been times when a citizen complaint rose to the level where the Commission proposed and implemented changes based on a complaint. Mr. Carnegie explained that complaints can come through multiple sources; the Commission, the Mayor's office, the Investigator or the department. Some are handled at different levels and never come before the Commission. Mr. Carnegie acknowledged that if reappointed he would like to come back before the Committee of the whole on behalf of the LPD Commission for further discussions on the Commissions role. Council Member Spadafore asked what steps he would propose if reappointed, to improve accountability to the public and for the option for public

participation. Mr. Carnegie noted his support in holding their meetings in the public community settings. He assured the Committee that there will be change in how information is provided to the public.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF CLYDE CARNEGIE AS 4TH WARD MEMBER TO THE BOARD OF POLICE COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 6-2.

RESOLUTION – Reappointment - Georgina Nelson; 4th Ward; Board of Fire Commissioners; Term Expire 6/30/2024

Ms. Nelson personal information on her residency in Lansing and career at the State. She noted she is in her first term on the Commission, serving 3 years on the Fire Commission and recently acting Vice Chairperson. In addition to the Board she has served on a diversity committee for 7 years and her goal for this Commission is to keep the open transparent hiring process open. What they are noticing in interviews for fire fighters, is that the applicants do not have the training but the City does not have the funds to provide training. Council Member Spitzley noted the City should do the necessary investment to get a diverse candidacy, and HR might be the best to address getting more qualified applicants. Lastly, Council Member Spitzley noted there is a LFD budget issues, but there needs to be apprentice training because they cannot afford not to do the program. Ms. Nelson clarified that the interviewees they get are not qualified, not that they can't have or do the training. In her opinion, the Commission needs a program where if someone applies and not qualified, they can work with them in a mentorship so they can apply again in the future.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF GEORGINA NELSON AS THE 4TH WARD MEMER OF THE BOARD OF FIRE COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION – Reappointment - Rodney Singleton; At Large; Board of Fire Commissioners; Term Expire 6/30/2024

Mr. Singleton was not present and action was moved to the next meeting.

RESOLUTION – Reappointment – Tracy Thomas; At Large Member; Board of Water & Light Commissioners; Term to Expire 6/30/2024

Mr. Thomas outlined his roles in leadership throughout the City, his role as a former teacher, was the HR with BWL, and currently in the role of Vice Chair of the Commission. Council Member Jackson asked if he had an interest in green energy, noting his concerns with LBWL. He acknowledged Mr. Thomas for his community roles, but in his opinion stated he did not think Mr. Thomas had the expertise for this position. Council Member Jackson asked the Committee to consider someone on the Commission that is not a current member for more input. Mr. Thomas confirmed he did read the Inter-Governmental Panel on Environmental Change that Council Member Jackson recommended. He added that there are 11 members on the BWL Commission, with 3 non-voting, and they all have their own expertise they bring to the table. Council Member Betz referenced decisions that have been made in the past by the BWL, and noted comments by Mr. Peffley in the past who stated it would take \$1 million to ensure renewables, and then asked Mr. Thomas what he had advocated for in the past to make sure the future does not have to deal with climate change at all. Mr. Thomas stated he regularly shares with the Commission his thoughts and options, and is dedicated and looking forward to research, will continue discussions with Commission Member Ross and open to discussions in the future with experts. Mr. Thomas did explain to the Committee that when looking at the portfolio or wind and sun, if there is no sun or wind they need utilities to support the customers which is currently gas.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF TRACY THOMAS AS THE AT LARGE MEMBER OF THE BOARD OF WATER & LIGHT COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 5-3.

RESOLUTION – Reappointment – Sandra Zerkle; 4th Ward Member; Board of Water & Light Commissioners; Term to Expire 6/30/2024

Ms. Zerkle outlined her background with the Labor Council, her work on the Commission during the ice storm of 2013, cyber-attacks, address personnel issues, and green energy. Ms. Zerkle noted to the Committee that having someone on the Commission with the past experience and historical knowledge is not a bad thing, but they are able to bring the experience over the long run. It is noted that in the BWL mission statement they work to provide safe, viable and affordable energy products and services. In the last 5-6 years they have met 12-14 times on the IRP plans, renewables, and energy efficiencies using only renewables. All evidence that comes to the Commission is the price, and if there is no wind or sun, there is no way to store energy without financials. The BWL, by 2030 will have 25% of the residents on some form of renewable energy and service by renewable energy with solar and wind. Ms. Zerkle continued by noting that natural gas is not the optimum product to use, but by 2025 they will not have coal. Council Member Spitzley stated that she understood the dynamic on the renewables and Michigan is not the ideal place for sun and wind, and therefore have to deal with the challenges on storing excess energy. Ms. Zerkle relayed to the Committee that BWL residents can apply for renewables in their residency with a cost. Right now, however with COVID, the BWL is dealing with no payments and no shut offs because people cannot afford to pay their bill and the BWL is currently working on how to address that. She assured the Committee that she supports renewables and will push the Board to continue to look at those options. Council Member Jackson asked Ms. Zerkle who she thought currently sits on the BWL Commission that would challenge the narrative of if it is not windy or not sunny, that things need to change. Council Member Jackson then gave a statement in his opinion that the current makeup of the Commission is collective and does not represent the makeup of the City. Ms. Zerkle answered the earlier question, that the General Manager would be the person that could challenge the narrative and direct staff. The Commission cannot direct staff and the General Manager brings forward proposals to the Commission to see the action moving forward. The BWL strategic plan goes out to the public that outlined what the BWL will do moving forward with renewable energy. Council Member Jackson asked Ms. Zerkle to consider the Commission decisions reflect the percentage of the people's concerns. Council Member Betz recalled a public meeting at BWL, where they were asked if they prefer to make decisions on cost or renewables, and stated in his opinion that if they don't switch to renewables the younger generation will have to worry about death with climate change. Ms. Zerkle stated that BWL performed a resident survey asking if they were willing to pay more for renewables, and they were. Council Member Betz asked Ms. Zerkle her age and what she was going to do to address climate change. Ms. Zerkle asked for the question and Council Member Betz repeated the question at which point Ms. Zerkle replied that when they can get more renewables it can address climate change, also noting that her age should not have anything to do with her placement on the Commission and Council Member Betz was making it sound like she did not care about renewables because of her age. Council Member Wood asked for point of order and asked Council President Spadafore to make sure the question and discussion is not about age, and if the question is to disqualify her to serve because of her age is a violation of the City's Human Rights Ordinance. Council Member Betz stated that was not his intention.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF SANDRA ZERKLE AS THE 4TH WARD MEMBER OF THE BOARD OF WATER & LIGHT COMMISSIONERS. ROLL CALL VOTE, MOTION CARRIED 5-3.

RESOLUTION – Reappointment - John Krohn; At Large Member; Board of Public Service; Term to Expire 6/30/2024

Mr. Krohn introduced himself, noting this would be his 2nd term on the Board.

Meeting paused to ZOOM error at 7:28 p.m.

Meeting restarted at 7:30 p.m. and members were given 5 minutes break.

Meeting called back to order at 7:35 p.m.

Mr. Krohn spoke briefly on his experience with work on environmental issues, trees, environmental stewardship, recycling and streets. Council Member Wood asked if the Board of Public Service had any training on OMA, FOIA or ethics training, at which Mr. Krohn confirmed they have not had any formal training. Council Member Betz asked Mr. Krohn what his challenges have been on the Board so far, and what the Board is doing moving forward. Mr. Krohn responded that until the State moves forward in funding, the Board has to do their part to relay to the residents on what is happening with funding so they understand there is not enough funds to go around. He noted that communication with the Board and the public is key. Council Member Spitzley asked Mr. Krohn with his role on the Board, what he has done to ensure transparency, and Mr. Krohn responded that he tries to address any concerns with residents. Mr. Krohn did note that there has been an issue with getting information on PFAS and an industrial area, and once he was able to get the information he brought the information and the industrial offenders name to the Board and asked for action to address the failure to act by the industrial business. The Committee acknowledged Mr. Krohn for his efforts to act and not afraid to challenge any decision or action. Council Member Betz confirmed that Mr. Krohn contributed to his campaign, and asked if he could vote on the resolution and Mr. Smiertka stated it was not necessarily an issue.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE REAPPOINTMENT OF JOHN KROHN AS THE AT LARGE MEMBER OF THE BOARD OF PUBLIC SERVICE. ROLL CALL VOTE, MOTION CARRIED 8-0.

Other

CLOSED SESSION-

Due to timing, this topic was moved to the next Committee of the Whole meeting on August 24, 2020.

Adjourn

The meeting adjourned at 7:49 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee August 24, 2020