



MINUTES
Committee on Personnel
Monday, March 9, 2020 @ 4:00 p.m.
10th Floor Conference Room, City Hall

CALL TO ORDER

The meeting was called to order at 4:00 p.m. by Chairman Hussain

ROLL CALL

Council Member Adam Hussain, Chairperson
Council Member Peter Spadafore, Vice Chairperson
Council Member Carol Wood, Member
Council Member Jeremy Garza, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney/Council Research Assistant
Desmond Taylor, LCC Early College Student
Deprie, LCC Early College Student

Minutes

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE FEBRUARY 17, 2020 MINUTES AS PRESENTED. MOTION CARRIED 4-0.

Discussion

City Council Administrative Vacancy

Council Member Hussain informed the Committee the deadline was Friday, March 6th, and as of March 5th a.m. there were 44 applications. Council Office Manager Boak has narrowed those 44 to 12, and provided those to Council leadership before the meeting. He added that Ms. Boak also reached out to HR to get the last ones submitted so they can be finalized and testing can be coordinated. At the time of the meeting no information has been provided by HR on the remaining applications.

Resolution – Council Staff Fringe Benefit Amendments

Council Member Hussain outlined the resolution which eliminated the Time Bank, eliminated retiree health care for those hired after February 15, 2020, also eliminated retirement for those hired after February 15, 2020, and lastly required those hired after February 15, 2020 to become participants in the Defined Contribution Plan.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE RESOLUTION FOR THE FRINGE BENEFIT CHANGES.

Council Member Wood asked if the document was vetted through law and if it met the IRS compliance. Mr. Smiertka confirmed OCA did vet it and the changes to defined contribution plan did meet IRS compliance. It will be submit by the end of the year to meet all requirements. Council Member Garza asked for confirmation there would be no pension plan, and Council Member Spadafore confirmed there would not be for anyone hired after 2/15/2020. Mr. Smiertka asked for a discussion on the changes to “severance” however was corrected that this discussion was on the resolution for the benefits.

MOTION CARRIED 4-0.

Resolution – Adoption of City Council Staff Personnel Rules

Mr. Smiertka first read Charter 3-501 to the Committee; “The City Council may employ staff and contract for services as it may deem necessary to assist it in its functions.” Mr. Smiertka then went through the changes to the Council Staff Personnel Rules, noting that throughout the document and reference to “Personnel” was changed to “Human Resources Director” and references to “Principal Auditor” and “Auditor Staff” was eliminated. The Committee and OCA reviewed the document page by page.

MOTION BY COUNCIL MEMBER SPADAFORE TO REMOVE THE FOLLOWING PARAGRAPH FROM E. TERMINATION OF EMPLOYMENT POLICY

Except in cases where fraud, theft, embezzlement, or commission of a felony is the bias for termination, employees covered by these rules who terminate with at least two years of City service may receive severance pay of up to one hundred twenty calendar days upon their execution of a release prepared by the City Attorney’s Office and approval of the city Council or its designees.

MOTION CARRIED 4-0.

On page 7, Mr. Smiertka noted they eliminated the reference to Time Bank.

MOTION BY COUNCIL MEMBER SPADAFORE TO REMOVE PARAGRAPH 3 AND 4 ON PAGE 7 ABOVE THE NOTED ELIMINATED TIME BANK PORTION. MOTION CARRIED 4-0.

On page 10, under Article 9 A. last paragraph, Mr. Smiertka noted it was new and spoke to the tie bar for Council Staff to Teamsters Local 214 CBA’s in increases in pay, bonus and retro-pay provisions.

Council Member Spadafore stepped away from the meeting at 4:15 p.m.

The Committee continued review of the remaining pages noting the updates to Human Resources.

Council Member Spadafore returned to the meeting at 4:16 p.m.

Council Member Spadafore referred to Page 18, asking for the language to mirror the Policy 18 that was in effect April 16, 2019.

The Committee reviewed the Fringe Benefits document dated 3/6/2020. Throughout the document Mr. Smiertka noted there were changes from “appointments” to hired employees. There were also changes from “department head” to “Council President”. Council Member Wood noted that the word “appointment” was in the document because Council Staff is hired

by Resolution. Mr. Smiertka referred back to the Charter and “employ staff” language. Council Member Wood acknowledge the reference not added that the only way Council can “employ” is through resolution and Mr. Smiertka confirmed. Page 5 had changes to the parking subsidy, and the Committee asked that the specific name “Townsend” be removed in case the parking is relocated occasionally. On page 5 and page 6 under Defined Benefit the blank date line was filled in with February 15, 2020 per the earlier discussion. Council Staff asked for clarification on the process and order in which each document should be adopted at Council. The Committee consensus was for OCA to format the documents into one document along with one resolution for Council action.

MOTION BY COUNCIL MEMBER SPADAFORE TO RECONSIDER THE RESOLUTION ON FRINGE BENEFITS CHANGES AND CREATE ON DOCUMENT AND ONE RESOLUTION FOR ACTION. MOTION ON RECONSIDERATION CARRIED 4-0.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE A RESOLUTION ON REVISED CITY OF LANSING COUNCIL STAFF PERSONNEL RULES, COUNCIL STAFF FRINGE BENEFITS AND CHANGES TO THE TIME BANK, RETIREMENT BENEFITS, AND REQUIRED DEFINED CONTRIBUTION PARTICIPATION FOR EMPLOYEES HIRED AFTER FEBRUARY 15, 2020. MOTION CARRIED 4-0.

City Council Internal Auditor Vacancy Update

Council Member Hussain explained to the Committee that since the last meeting, a meeting with the Mayor, and the Chief Strategy Officer/Finance Director, and Council leadership was held on the options to consider and proceed. He confirmed he was not able to attend and turned the discussion to Council Member Spadafore who did attend. Council Member Spadafore stated they are putting together a RFP allowing a firm to come in and act as an auditor during the process. This is not a recommendation to hire a firm for auditing, but to have in the interim while they fill the position. Council Member Hussain asked if there were any updates from purchasing and Ms. Frayer on the status of the RFP. Council Member Spadafore stated he was informed there are two other RFP requests in front of this one, and once those are complete they will process and finalize the Council request. Council Member Garza asked it would be a short term contract. Council Member Spadafore stated the RFP process can be completed outside of this Committee and will be done quicker than the hiring process of an Internal Auditor employee. They hope to have the RFP filled by the end of the fiscal year, and fill the position in the new fiscal year. Council Member Wood voiced her concerns with a firm vs. an individual. Noting an employee can be in the office on a regular basis, have access to the City programs, and she questioned their loyalty to the Administration vs. Council. Council Member Spadafore noted that this is a process that would allow for peer review process and more than one person to handle the duties. He noted this was also a suggestion from the outgoing Auditor, Mr. Brewer. He added that Council could consider not doing the RFP and proceeding with the hiring of the Auditor. Council Member Hussain added that they could also consider earlier recommendations of contracting with Mr. DeLine and former Internal Auditor, but it was not perceived as an option at earlier meetings. Council Member Wood asked for a time frame on filling the position and the RFP. Council Member Spadafore was not able to provide a time frame. Council Member Wood emphasized her interest to have someone during the budget process to review and analyze. Council Member Hussain noted his concern to the Committee that it does not appear to be a priority with processing the RFP. Council Member Spadafore stated they could write an RFP based on the Charter requirements and qualifications, but the purchasing office should also be able to do that, they just have not started it yet. He offered to meet again with the Administration.

ADJOURN

The meeting was adjourned 4:34 p.m.

Submitted by, Sherrie Boak, Recording Secretary
Lansing City Council

Approved by the Committee on April 9, 2020_____