



MINUTES
Committee on Ways and Means
Wednesday, October 5, 2016 @ 8:15 a.m.
10th Floor Conference Room, City Hall

CALL TO ORDER

The meeting was called to order at 8:17 a.m.

ROLL CALL

Councilmember Judi Brown Clarke, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member- arrived at 8:20 a.m.

OTHERS PRESENT

Sherrie Boak, Council Staff
Joseph Abood, Deputy City Attorney
Robert Engel
Isobel McCallum
Shelley Mielock
Denise Estee
Tresa Fressetto
Lynne Mead, UAW

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM SEPTEMBER 21, 2016. MOTION CARRIED 2-0.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM SEPTEMBER 7, 2016. MOTION CARRIED 2-0.

Public Comment on Agenda Items

No Public Comment at this time.

Discussion/Action:

RESOLUTION –Appointment of Shelley Davis Mielock to EDC/TIF/LBRA

Ms. Mielock provided a quick overview of her past experiences, community involvement, and family history in the automotive field and family business in environmental engineering.

Council Member Wood asked Council Staff to confirm the position Ms. Mielock would be taking and if the former board member was aware. Council Staff confirmed that it was Mr. Kevin O'Malley who resigned in February, 2016.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO APPOINT SHELLEY MIELOCK TO THE EDC/TIF/LBRA BOARD. MOTION CARRIED 3-0.

Discussion - Lansing Housing Commission:

Financial Statements

Recovery Agreement with HUD and the City of Lansing

Council President Brown Clarke confirmed that again attempts were made to have Mr. Baltimore and Ms. Baines Lake present at this meeting. There was no representation present. The question was then asked of Mr. Abood what needs to be done to resolve this. Mr. Abood first confirmed that the Office of the City Attorney did reach out to Mr. Baltimore and Ms. Baines Lake with no response, and he would reach out to Mr. Smiertka for more information. Council Member Brown Clarke outlined that the City Ordinances and Charter speak to the requirement that they, LHC, present the documents and address all contract with Council. Council has not seen any contracts, and therefore there are compliances that have not been adhered to. Council Member Wood offered to speak to Mr. Baltimore at meeting she has scheduled with him. She then suggested the Committee on Ways and Means attend the future LHC Board meeting. Council Member Brown Clarke stated that there would be a quorum of this Committee at their, and therefore imposing a Council public meeting on their formal meeting.

Mr. Abood offered to speak to Mr. Smiertka again on finding out the information they have requested which included contracts that Council has not seen or approved.

Tie – Bar Memo

Mr. Abood assured the Committee that Mr. Smiertka had finished the review of issue, and is currently authoring a memo or opinion for the administration to present shortly. The document will include advisory guidance. The administration will review then consult with HR and then they will create a plan of action that will be implemented. The Committee inquired on a time line for distribution to the Committee, Council and retirees. Mr. Abood acknowledged the retirees deserve an answer on this, and ideally the Committee and the retirees should know as soon as the decision is made. Law also recognizes things do not happen that fluidly. The process and notifications, Mr. Abood noted, are out of the realms of the City Attorney office, but this is a priority. Council Member Wood supported a special meeting of the Committee before the end of the calendar year to resolve.

Ms. Estee noted she was frustrated Mr. Smiertka was not in attendance and reiterated her questions from earlier meetings, which included why only part of 580 was effected, why only 6 years, where is the 2004 dates, and why the mandated caps. Ms. Estee reminded Mr. Abood and the Committee of a letter she sent to Mr. Smiertka on September 23, 2016. She continued to inform the Committee again on outstanding FOIA requests with no response or denial. Those were emailed to Mr. Dotson in the City Attorney Office.

Mr. Engle gave his employment history with the City, experiences since retirement with his benefits costs, and spoke in frustration on the lack of transparency, the outstanding claim form and loss of damages from 2014. His original request was sent in September 18, 2014, and again April, 2016. Mr. Abood received an additional copy at this meeting. Mr. Engle concluded that if this was not resolved he was promising to go to the prosecuting attorney office to file

charges of misconduct by the City. Mr. Engle asked when things were changed, because he was not able to find any actions by Council, stating the City needs to fulfill the contracts.

The Committee asked that Mr. Abood provide Council staff with an update on the three (3) FOIA requests made by Ms. Estee, along with the status of the claim by Mr. Engle. The request was given a deadline of the same date as this meeting, 10/5/2016.

Ms. Fressetto spoke in opposition to the City being a good steward to the City employees.

Ms. McCallum asked for explanations on cost differences in the insurance for retirees, families and two people.

Council Member Brown Clarke requested Council staff to invite Ms. Riley, HR Director and Ms. Williams, the Retirement Specialist to be invited to the next meeting.

Council Member Brown Clarke recapped the committee requests to Mr. Abood, which were the FOIA requests by Ms. Estee (4/22 & 4/28; 5/1, resubmitted 7/2016 and 9/2016) along with the status on Mr. Engle's.

Ms. Meade stated that the City needs to agree and stick with the agreement.

Council Member Brown Clarke asked Council staff to invite Ms. Riley, HR Director to the next meeting to provide an overview of the practices taken when an employee retires.

Lastly, she reminded Mr. Abood that the Committee has the information on the Tie Bar Memo, however a decision needs to be done and in written form, on the table and to the retirees, to act accordingly. The information on the decision needs to be provided with the rationale on the decision.

ADJOURN

Adjourn at 9:19 a.m.

Submitted by,

Sherrie Boak, Recording Secretary Lansing City Council

Approved by the Committee on November 1, 2016