



MINUTES
Committee of the Whole
Monday, May 17, 2021 @ 5:00 p.m.

<https://us02web.zoom.us/j/85940036219>; ID: 859 4003 6219; or Dial in: (646) 876 9923

Held virtually in an effort to protect the health and safety of the public & to mitigate the spread of COVID 19

CALL TO ORDER

Council President Spadafore called the meeting to order at 5:00 p.m.

PRESENT- via audio/video

Councilmember Peter Spadafore remotely from Lansing, Michigan
Councilmember Adam Hussain remotely from Lansing, Michigan
Councilmember Carol Wood remotely from Lansing, Michigan
Councilmember Patricia Spitzley remotely from Lansing, Michigan
Councilmember Kathie Dunbar remotely from Port Austin, Michigan
Councilmember Brandon Betz remotely from Lansing, Michigan
Councilmember Jeremy Garza remotely from Lansing, Michigan
Councilmember Brian T. Jackson remotely from Lansing, Michigan

MEMBERS PRESENT- via audio/video

Sherrie Boak, Council Staff
Mark Lawrence, Mayors Office
Lisa Hagen, City Attorney
Jim Smiertka, City Attorney
Eric Brewer, Council Internal Auditor
Robert Widigen, Finance Director
Jake Brower, Budget Director
Alec Malvetis, Public Service
Chief Green, LPD
Chief Martin, LFD

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 10, 2021 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 8-0.

Public Comment

No public comment on this time.

Discussion/Action:

RESOLUTION – Noise Waiver; Hoffman Brothers, Inc., CSO and Trunk Sewer Project on N. Grand River Avenue; May 22nd to October 30, 2021

Mr. Malvetis confirmed he had received comments from residents via emails and asked them to participate in the public hearing and to also forward emails. He then offered his assistance with any additional questions.

Council President Spadafore explained to the Committee that this is a timely request so it is before Committee of the Whole and Council tonight with the waiver starting on May 22nd.

Council Member Wood asked who contacted Public Service.

Mr. Malvetis then highlighted the communications he did receive, one being Brian Carter at 1620 N Grand River Avenue, and he spoke in support of the project and granting the noise waiver. The second individual was Dennis Benjamin at 2319 N Grand River who was in support of the project and working on Saturdays. Both were encouraged to email Council or attend the public hearing as well.

Council Member Wood asked if the project manager was communicating with residents that have disabilities or needs to get in and out of driveways during the project. Mr. Malvetis confirmed letters were sent to residents asking if they had mobility needs, and they did hear from a few residents. They have made plans for those that had mobility issues, and encouraged anyone that was listening to contact them.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE NOISE WAIVER FOR THE CSO AND TRUNK SEWER PROJECT ON N GRAND AVENUE. ROLL CALL VOTE, MOTION CARRIED 8-0.

RESOLUTION – Fiscal Year Budget 2021/2022 and Budget Policies

Council President Spadafore acknowledged the Council for providing updates ahead of time.

Council President Spadafore passed the gavel to Council Vice President Hussain.

MOTION BY COUNCIL MEMBER SPADAFORE TO AMEND THE BUDGET TO INCLUDE \$20,000 INTO THE OCA BUDGET FOR A NEW EXPUNGEMENT CLINIC. FUNDS TO COME FROM THE OPERATING BUDGET OF CITY SUPPORTED AGENCIES.

Council President Spadafore spoke briefly on his proposed amendments and the language addition to the Budget Policies.

Council Member Jackson asked what the anticipated costs for the program and why was Sister Cities chosen. Council President Spadafore stated the costs will be promotional materials, and any overtime for staffing. This would be one clinic done quarterly. Regarding Sister Cities, it was not funded last year and they did fundraiser their own funds, and done good work as a regional body to support their efforts, and they can still apply for community funding. Council Member Jackson asked if this was annual and reoccurring. Council President Spadafore stated it would be up to the Mayor to put in the budget, and he also confirmed again that OCA will not be working as legal counsel.

Council Member Betz asked about expanding services and the OCA reporting to what services might need to be expanded.

Council Member Wood asked for clarification on if the task is to offer information to individuals to allow them to do the function of expunging their records. It needs to be clear that it is not seen that the City is not helping to fund someone who has limited funds to go through this process. Mr. Smiertka confirmed, and stated any report or survey would be confidential. Council President Spadafore added to the Budget Policies that "The Office of the City Attorney is requested to compile a quarterly report of the number of residents and assessment for further needs of the residents served and an assessment for the further needs of the residents served.

ROLL CALL VOTE, MOTION CARRIED 8-0.

Council Vice President Hussain passed the gavel to Council President Spadafore.

Council Member Spitzley spoke on her proposed amendments to the budget policies to the creation of the Code Case Unit within the LPD, including work between Committee on Ways and Means and Committee on Public Safety. This would target a result in the 2022/2023 budget with a report by September 1, 2021 for inclusion in the 2022/2023 budget.

MOTION BY COUNCIL MEMBER SPITZLEY TO INCLUDE THE CREATION OF A COLD CASE UNIT IN THE LPD FOR INCLUSION IN THE FY 2022/2023 BUDGET.

Council Member Betz asked why the Committee on Equity Diversity and Inclusion is not included in the group of Committees to work on. Council Member Spitzley agreed there could be an appeal for that, and the majority of the cases could be the black and brown community, but to get a deep dive into the funding the other two Committee would be best to take the lead. Council Member Dunbar asked why putting into Budget Policies now, but could just address in Committees. Council Member Spitzley stated by having it directed into the Committee and have them look into the funding which could include taking funding from the current budget, grant dollars research, and this would be a thorough review in the funding options. This would allow the research before the September work on the Budget Priorities for FY 2022/2023. Council Member Dunbar stated in her opinion there could be money in the current budget to address it now, and supported it being done, but thinks that there is a way to reallocate. Council Member Spitzley stated at Council has been told they cannot tell the Departments how to manage their staff, such as tell the LPD to take people off the street and put them into a new unit. This would allow work with the Administration to have as a budgeting item for the next budget and in the meantime also work with LPD to make sure the funding is appropriate to run the program the way it should be run. Council Member Betz asked for clarification on the Budget Policies and what those directives are, and questioned if this was calling on Council to investigate in their Committees. He then asked if it should be a separate resolution from the budget, such as when the Committee on Equity Diversity and Inclusion was created. Council Member Spitzley acknowledged she is more than happy to put forth a resolution to start this, but since Council is in the budget and this is a specific item for funding and the creation where the Council is going to investigate the process needed for the program. Council Member Wood supported including it, and it is an action Council Member Spitzley is requesting for an investigation, and not different then where policies have established Ad Hoc committees. As the report comes out then that information can be put into the Budget Priorities for next fiscal year. Council Member Hussain spoke in support of this process and investigating where the funds can be found. Council Member Betz asked to hear from the City Attorney on putting this on the Budget Policies compared to a separate resolution. Mr. Smiertka stated that the Charter requires the City Council to adopt Budget Policies and Priorities before October 1st, and there is nothing that prohibits it in this document.

ROLL CALL VOTE, MOTION CARRIED 8-0.

Council Member Wood asked about contracts. Mayor Schor stated there are dollars included for increases, but it would depend on the Teamsters unit. Council Member Wood asked about the vacancy factor, and the recent change that the factor has been taken out of individual budgets and previously looked at as specific position that will be filled, and asked if that was still correct. Mayor Schor confirmed and said they never intended to leave positions vacant. It is a specific vacancy factor.

Council Member Wood then outlined her proposed amendments and read the additional budget policies that speak to the transfer.

MOTION BY COUNCIL MEMBER WOOD TO TAKE \$300,000 FROM THE HUMAN RESOURCES OPERATING BUDGET AND CREATE A CONTINGENCY-MRJEI IMPLEMENTATION LINE ITEM.

Council Member Betz asked for clarification on if the Mayor was going to execute the MRJEI plan and what the intent of the Council role is in that. Council Member Wood stated Council received a proposal from the Mayor's office on what the outline for the proposed funding was going to be used for. After discussion in COW, she then proposed working on a contingency account so to be set aside and not spent until there is an additional plan from the Mayor.

ROLL CALL VOTE, MOTION CARRIED 8-0.

Council Member Wood confirmed she has spoken to the Mayor and he spoke in support to her of this account. Mayor Schor confirmed he did support the contingency account proposed. The report will be done, then out to the public for input and then back to Council with a report.

MOTION BY COUNCIL MEMBER JACKSON TO ADD TO THE BUDGET POLICIES FOR LANSING TO SEEKS TO APPROACH PUBLIC SAFETY IN A HOLISTIC, PROACTIVE WAY THAT ADDRESSES THE ROOT CAUSES OF THE CRIME.

Council Member Wood asked what the action would be in this request. Council Member Jackson stated it was to add this to budget policies. Council President Spadafore explained that Budget Policies create an action, and asked what the action would be. Council Member Jackson stated it is general, and there could be action depending on how Council wants to act. He asked that possibly Council would look the actual public safety differently, and an open invitation for Administration and Council to work together. Council Member Wood then asked Council Member Jackson if he is asking the Administration to do something, or if the Committees are being asked to do something, therefore asked Council Member Jackson again what the action of this request would be. Council Member Jackson stated it was similar to what Council Member Spitzley stated for her amendment. Council Member Wood stated Council Member Spitzley was specific to an action, and this request is a broad statement without an action which does not fit in the Budget Policies. Council Member Jackson that Council could have the Committee on Public Safety and the Equity Diversity and Inclusion Committee look at reimagining the overall public safety of the City. Council Member Dunbar noted this was a broad stroke request, not based in actual dollars, and in the realm of the budget, Council could look at diverting funds away from the LPD and put them into addressing proactive crime on the front lines. This would be to create equity and reduce poverty. Council Member Jackson acknowledged her explanation of his request. Council Member Spitzley asked Council Member Jackson if the Committees is supposed to look at ways to accomplish proactive ways to address the root cause of crime, which she agreed in concept, but was trying to figure out how to do it in the Budget Policies. She then recommended him to consider amending the language to ask a Committee to address. Council Member Jackson asked Council to add to the statement that "City Council will review and reimagine policing in the City of Lansing".

MOTION TO ADD TO THE BUDGET POLICIES THE LANGUAGE LANSING TO SEEKS TO APPROACH PUBLIC SAFETY IN A HOLISTIC, PROACTIVE WAY THAT ADDRESSES THE ROOT CAUSES OF THE CRIME AND CITY COUNCIL REVIEW AND REIMAGINE POLICING IN THE CITY OF LANSING. MOTION CARRIED 5-3.

Council Member Jackson then spoke on his proposed budget amendment to fund an additional social worker that would be in addition to the current, in addition to the proposed new addition by the Mayor. This proposal would take funds from LPD operating and put in LPD personnel in the amount of \$22,015. He noted there are 6 unfilled positions, then one position would be for a social worker, and the net public safety effect would not be less officers on the street, but would provide another social worker.

MOTION BY COUNCIL MEMBER JACKSON TO AMEND THE BUDGET TO INCLUDE A TRANSFER OF \$22,015 FROM LPD OPERATING TO THE LPD PERSONNEL TO ACCOMMODATE A 3RD SOCIAL WORKER.

Council Member Spitzley asked if this is where Council is telling LPD how to handle their personnel. Mr. Smiertka stated it can be allocated for a social worker. Council Member Spitzley pointed out to Mr. Smiertka that the language states it is taking an unfilled officer position and utilizing those funds for a social worker. Mr. Smiertka stated that would be the administrative role, and that is crossing the line. Council Member Jackson asked the OCA if Council should create a position called "Social Worker", and if all other positions Council has funded were not allowed. Mr. Smiertka stated Council can create the line item, but not go into the Administrative role. Council Member Spitzley recapped that Council cannot tell LPD to hire a social worker in place of a police officer, and referenced Council Member Jackson's resolution which clearly notes taking the funding from a vacant officer position to create the funding for this proposed position. Mr. Smiertka stated the City can amend the operating budget, but Council cannot direct the Chief to hire the social worker. Council Member Dunbar spoke in support of taking the funding from the LPD all together and putting in the LFD budget where the social worker would be housed, then asked for confirmation on that positions location. Council President Spadafore stated all social workers will be in the LPD, and Mayor Schor stated one social worker would be in the LPD and two (2) community health workers would be in the LFD. Council Member Jackson asked if Council can fund a position and defund a position. Mr. Smiertka stated through removing the full amount of the position it can be removed. Council Member Jackson stated he needs to subtract the amount of a police officer and add the amount of a social worker, and since there is a difference there needs to be a transfer of \$22,015 from operating to personnel. Council Member Betz stated that all accounts are going to look like taking funds from one line item to another. The LPD could then spend the funds anyway, and Council is only allocating funds. Council Member Jackson stated it was his belief that City Council can create positions. Council President Spadafore noted that in the past there has been an "agreement" with the Administration, but with this intent there is \$22,015 in personnel, at which the Chief could fill an officer position or cover overtime. In the past the "agreement" with the Administration showed the funds would be used for the intent. Council Member Wood referenced the line item budget, but what in essence Council is passing the budget, and to move the funds it is not a mandate for the Police Chief to spend or hire. The funds could stay there until the end of the year and be absorbed into the "rainy day fund" or if something is over budget they can be used to make those even.

COUNCIL MEMBER JACKSON AMENDED HIS MOTION TO STATE \$22,015 FROM LPD OPERATING TO POLICE PERSONNEL BUDGET.

Council Member Betz asked Council Member Jackson for a corresponding budget policy in directing the administration, because with putting these funds into personnel it could be spent on overtime.

ROLL CALL VOTE, MOTION FAILED 2-6.

MOTION BY COUNCIL MEMBER WOOD TO DIVIDE OUT THE HRCS BUDGET. ROLL CALL VOTE, MOTION CARRIED 8-0.

COUNCIL MEMBER WOOD ASKED TO BE RECUSED FROM THE HRCS BUDGET BECAUSE OF HER ROLE AS AN EMPLOYEE OF AN ORGANIZATION THAT COULD RECEIVE FUNDS. MOTION BY COUNCIL MEMBER SPITZLEY. ROLL CALL VOTE, MOTION CARRIED 7-0, 1 RECUSAL.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE REMAINING BUDGET ITEMS FOR THE FY 2021/2022 BUDGET. ROLL CALL VOTE, MOTION CARRIED 8-0.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE BUDGET POLICES WITH THE ADDITION OF THE BUDGET POLICY LANGUAGE- EXPUNGEMENT CLINIC; RACIAL JUSTICE AND EQUITY PLAN AND THE CREATION OF A COLD CASE UNIT WITHIN THE LANSING POLICE DEPARTMENT. ROLL CALL VOTE, MOTION CARRIED 8-0.

Council President Spadafore noted he will work with the Administration on the return to work plan, and will continue to work with Council staff on being back in the office daily following the MIOSHA guidelines.

Council Member Wood referenced the General Fund report, being referred tonight and asked Mr. Brower and Mr. Widigan if there was anything in that report that Council needs to know now before they pass the budget. Mr. Brower confirmed the City did receive the final half of the Public Safety and Public Health Grant and funding from the State funding options. There have only been adjustments in the 2021 budget.

Adjourn

The meeting adjourned at 6:28 pm

Respectfully Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by the Committee June 7, 2021