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MINUTES

Committee of the Whole

Monday, November 29, 2021 @ 5:30 p.m.

Tony Benavides Lansing City Council Chambers

CALL TO ORDER

Council President Spadafore called the meeting to order at 5:30 p.m.

PRESENT

Councilmember Peter Spadafore
Councilmember Adam Hussain
Councilmember Carol Wood
Councilmember Patricia Spitzley - excused
Councilmember Kathie Dunbar - excused
Councilmember Brandon Betz
Councilmember Jeremy Garza
Councilmember Brian T. Jackson

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, OCA
Mark Lawrence, Mayor Representative
Thomas Hoisington
Steve Young
Brian McGrain, EDP
Andrew Fedewa, EDP
Jake Brower, Finance

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM NOVEMBER 8, 2021 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment

No public comment on this time.

Discussion/Action

RESOLUTION –Appointment; Thomas Hoisington; At Large Elected Officers Compensation Commission; Term to Expire 10/1/2027

Meeting paused at 5:32 p.m. so Council President Spadafore could speak to City Attorney Smiertka.

Meeting called to reorder at 5:33 p.m.

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Mr. Hoisington briefly spoke on his residency in Lansing for the last 50+ years, his time on this same Commission 25 years ago during the McCain administration. Lastly he noted he has been a business owner in the downtown 35 years and currently retired.

Council Member Wood noted the application stated this was not his first choice and asked him why he wanted to be on this Board now. Mr. Hoisington spoke on his interest to serve on any boards.

Council President Spadafore asked Mr. Hoisington if he has any immediate family members that are employed in any government entity. Mr. Hoisington confirmed his wife is Judge Alderson and will be retiring at the end of the year. Council President Spadafore then referenced Chapter 280 which states "no member or employee of the legislative, judicial or executive branch of any level of government or members of the immediate family of such member or employee shall be eligible to be a member of the Commission."

Council Member Wood asked for the ability to hold the appointment until after January 1, 2022 since the Commission is not scheduled to meet until February.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR APPOINTMENT OF THOMAS HOISINGTON TO THE ELECTED OFFICERS COMPENSATION COMMISSION WITH THE AMENDMENT TO STATE "WITH AN EFFECTIVE DATE OF JANUARY 16, 2022". MOTION CARRIED 6-0.

RESOLUTION –Appointment; Steve Young At Large Elected Officers Compensation Commission; Term to Expire 10/1/2023

Mr. Young noted the application did state a resume and that was sent to the Administration. He has been a resident since 1973 and retired in 2020. He reiterated his understanding of his role on the EOCC and the responsibility.

The meeting was paused at 5:42 p.m. due to no audio on the live stream of the meeting.
Meeting recalled to order at 5:44 pm.

Council Member Wood asked the Administration why they referred and vetted an application from December 14, 2018. Mr. Lawrence did not have any answer as to if he was vetted in 2018 or recently. He then added the 2018 application could have been submitted then, but there was not an opening back then, and is now. Council Member Wood assured them she did not have an issue with the appointment but all information should be current. Mr. Young apologize.

Council Member Garza stated his concern to the Administration that both appointees to the Commission are from the 4th Ward and not outside that ward. Council Member Hussain added to the conversation that he was encouraging the Administration to look all over the City not just in the 4th Ward. Council Member Jackson asked the Administration to consider appointments on diversity as well.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR APPOINTMENT OF STEVE YOUNG TO THE ELECTED OFFICERS COMPENSATION COMMISSION. MOTION CARRIED 6-0.

Presentation

General Fund State Report; FY2021-2022 First Quarter

Council President Spadafore passed the gavel to Council Vice President Hussain at 5:51 p.m.

Mr. Brower went through his reports in the packet.

Council Vice President Hussain passed the gavel at 5:52 p.m.

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Mr. Brower continued with his presentation on the first quarter, the annual audit and final numbers.

Council Member Betz asked for details on expenditures in the Neighborhood and Citizen Engagement is the difference in operating costs and one factor is that there are several major contracts. (Lansing Save, Financial Empowerment, etc.) Mr. Brower continued to explain that there is also a difference in timing expenditures. Regarding the concerns with Public Service, he would look into that and report back.

Council Member Wood pointed out that there appears to be an issue with hiring and with the vacancy factor at \$1.4 million, she asked what the Administration saw in the increase. Mr. Brower confirmed that \$1.4 million is on target. There is an operational impact, and it is not the goal to keep vacancy on the budget, but HR is working full time to fill all the positions, and he will continue to provide more information. Council Member Wood then asked if the City was seeing additional tax tribunals or a reduction coming from the Assessor due to the number of State and commercial offices downtown vacant. Mr. Brower confirmed there is an increase in cases, but could not speak to the impact on the State buildings. He offered to reach out to the Assessor for details.

Council President Spadafore asked if the Administration was seeing a stabilization in the revenue issues. Mr. Brower confirmed that in the preliminary projections, in the deficit category, last year's income taxes are not paid as feared. It will be a challenge and a multi-year effort to work on eliminating the deficit.

Vacancy Report; FY2021-2022 First Quarter

Mr. Brower went through the report in the packet and highlighted items.

Council Member Wood reminded the Administration that in the past on multiple occasions she has asked for the contract column to have a breakdown on what the contract costing is or saving at the time. Council Member Wood asked if the Administration has thought about either a bonus or if required education is a factor, so people cannot apply, be hired on temporary basis and then given the ability to get the education and then be brought on full time into the qualified position. Mr. Brower stated the Administration should speak to that, but a bonus program would have to be part of the collective bargaining agreement. Council Member Wood redirected that question to Mr. Lawrence to provide the response at a future meeting.

Council Member Hussain spoke on experiences he has heard about the hiring process, and suggested Council consider looking at more staff in Human Resources in the budget for next year. He then asked the Administration what is taking so long to fill the vacancy from September 2020 of the Fire Chief. Mr. Brower stated the LFD Chief current contract ends the end of this calendar year, and it was a matter of timing when there are people already in place under contract. Mr. Lawrence added that the Administration believes there is a difficulty in finding the quality of candidates during an election year. Council Member Hussain asked if a job posting was out already, and Mr. Lawrence confirmed.

Discussion/Action -

RESOLUTION – Setting a Public Hearing in consideration of an Ordinance Readopting the Codified Ordinances

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SETTING A PUBLIC HEARING FOR DECEMBER 13, 2021 FOR THE READOPTION OF CODIFIED ORDINANCES.

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Council Member Wood asked for clarification on why this was not done during the budget as was requested by Council in the past, and was told it was missed. Council Member Wood asked in the future it be done when the budget is passed.

MOTION CARRIED 6-0.

RESOLUTION – Amend Council Rule 20; Manner of Introduction; Form

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AMENDING COUNCIL RULE 20; MANNER OF INTRODUCTION; FORM.

Council President Spadafore explained that this ordinance will make it that when there are proposed ordinance amendments, the changes will be in CAPS and the deletions will be stricken.

Rule 20. Manner of Introduction; Form. In each ordinance amending an existing ordinance, changes or new matter shall be ~~placed in capital~~ **BOLDED**, and matter which has been omitted shall be indicated by printing in stricken through type. **ANY UNCHANGED ORDINANCE LANGUAGE SHALL BE IN REGULAR TYPE.**

Read rule 20 with the changes.

Council Member Wood clarified for the Committee that this will be a motion to introduce, Council will vote to introduce, and then Council will take action on 12/13/2021.

Council Member Jackson asked if the changes are from this point forward or the ordinances approved in the past will be amended. Council President Spadafore explained that once ordinances are codified the bold, CAPS and strike outs are eliminated.

MOTION CARRIED 6-0.

RESOLUTION – Amend City Council Meeting Recordings Policy

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR AMENDING CITY COUNCIL MEETING RECORDINGS POLICY.

Council President Spadafore detailed that there was storage in the Council offices of VHS tapes of historical Council Meetings, and the OCA was able to find a resolution that stated meeting tapes needed to be maintained forever. This resolution would allow the tapes to be stored in the best practices by City TV for electronic materials since VHS is no longer the option.

MOTION CARRIED 6-0.

RESOLUTION – Executive Management Group Benefits Plan; change to eliminate retirement healthcare benefits

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE EXECUTIVE MANAGEMENT GROUP BENEFITS PLAN; CHANGE TO ELIMINATE RETIREMENT HEALTHCARE BENEFITS WITH AMENDMENT UNDER HEALTHCARE SAVINGS ACCOUNT FROM HAS TO HSA.

Mr. Lawrence explained to the Committee this was a change to align the executive staff with the Mayor's office, Police and Fire.

Council Member Wood asked how this change would affect an employee who came up through the ranks in public service, LPD, etc. and was getting retiree healthcare, then takes and executive management position. Mr. Lawrence stated they will maintain it, and Council

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Member Wood asked if it was clearly stated that way and Mr. Lawrence confirmed. Council President Spadafore referred to the resolution, under the "Exception"

An employee who directly transfers into this group without any break in City service from another City union or group in which the employee had met the eligibility requirements for retiree healthcare benefits prior to the transfer, shall retain retiree healthcare benefits to which the employee was entitled to receive in the prior union or group and will not receive the health savings account benefit described below.

MOTION CARRIED 6-0.

ORDINANCE – Amend Chapter 12, Title 6 Form Based Zoning Code

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO AMEND CHAPTER 12, TITLE 6 OF THE FORM BASED ZONING CODE. MOTION CARRIED 6-0.

OTHER

Council President Spadafore recognized newly elected Council Member Brown who was present during the meeting in the audience.

Adjourn

The meeting adjourned at: 6:23 pm

Respectfully Submitted by,

Sherrie Boak, Recording Secretary,

Lansing City Council

Approved by the Committee December 13, 2021