

CITY OF LANSING - BOARD OF ETHICS

REGULAR MEETING

Sept 13, 2022 5:30 P.M.

CONFERENCE ROOM

2500 SOUTH WASHINGTON

AGENDA

CALL TO ORDER

ROLL CALL

☐ Keith Kris
☐ Jim DeLine
☐ Brendon Basiga

☐ R Cole Bouck, Chairperson
☐ Janielle Houston, Vice-Chairperson
☐ John Folkers

A Quorum is: ☐ Present

☐ Not Present

☐ Others Present:

PUBLIC COMMENT (TIME LIMIT OF 5 MINUTES PER SPEAKER)

APPROVAL OF AGENDA ☐ As Submitted ☐ With Changes Noted

SECRETARY'S REPORT ☐ Approval of Minutes: July 12, 2022

NEW BUSINESS

Election of Chairperson and Co-Chairperson (8.2 and 8.3 Bylaws)

Meeting Schedule for 2023

CITY ATTORNEY'S REPORT

CITY ATTORNEY'S REPORT:

CHAIR'S REPORT:

TABLED ITEMS:

UNFINISHED BUSINESS

Statement of Financial Interest, Joseph McDonald Housing Ombudsman, HRCS

ADJOURNMENT

DRAFT MINUTES
LANSING CITY BOARD OF ETHICS
REGULAR MEETING
JULY 12, 2022, 5:30 PM

Training Room
South Washington Office Complex
2500 S. Washington

The meeting was called to order at 5:30 PM.

MEMBERS PRESENT: Brendon Basiga
 R Cole Bouck, Chairperson
 John Folkers
 Janielle Houston, Vice-Chairperson

ABSENT: Keith Kris – excused

A QUORUM WAS PRESENT

OTHERS PRESENT: Terry C. Cannon, City Building Inspector
 Mary Bowen, City Attorney's Office
 Chris Swope, City Clerk
 Shara Washington, City Clerk's Office

PUBLIC COMMENT:

There was no public comment

APPROVAL OF AGENDA:

MOVED by Chairperson R Cole Bouck to amend the agenda to include a discussion of the 'Consistent Motion Language' document under new business.

MOTION CARRIED

MOVED by John Folkers to approve the agenda with changes noted.

MOTION CARRIED

SECRETARY'S REPORT:

Approval of Minutes

MOVED by Brendon Basiga to correct the spelling of his name listed in the June 14, 2022 minutes.

MOTION APPROVED

DRAFT

MOVED by Janielle Houston to approve the Minutes of June 14, 2022 as amended.

MOTION APPROVED

Lori Adams Simon Resignation

MOVED by Janielle Houston with **SUPPORT** from Brendon Basiga to accept Lori Adams Simon's resignation with a note of appreciation and thanks for her service.

MOTION APPROVED

NEW BUSINESS

1. Discussion of the 'Consistent Motion Language' document

The Board reviewed the finalized 'Consistent Motion Language' document which will help guide along the motions for standard language and consistency in the meeting minutes. The Clerk's office will provide a physical copy of the document during every meeting.

2. Affidavit of Disclosure, Terry C. Cannon, Building Inspector, EDP

MOVED by Brendon Basiga to approve Terry C. Cannon's Affidavit of Disclosure under the following conditions: Terry C. Cannon is not to conduct any of the inspections related to the 910 Vine Street property and the permits that Terry C. Cannon pull are for the sole purpose of completing the renovations of the 910 Vine Street property and placed on file.

MOTION APPROVED

3. Statement of Financial Interests, Paul Dripchak, HRCS Advisory Board Member

MOVED by Janielle Houston to place Paul Dripchak's Statement of Financial Interests on file, having found no violation of the Ethics Ordinance or other issues to further debate or discuss at this time.

MOTION APPROVED

4. Proposed Revisions to Statement of Financial Interests Form

MOVED by Brendon Basiga to approve the proposed revisions to the Statement of Financial Interests form as presented.

MOTION APPROVED

CITY ATTORNEY'S REPORT:

Mary Bowen mentioned that the City Courts are still in a hybrid format, with jury trials in person and most other cases remote.

DRAFT



Chris Swope
Lansing City Clerk

**CITY OF LANSING
BOARD OF ETHICS
2023 MEETING SCHEDULE**

Second Tuesday of the Month at 5:30 p.m. unless otherwise notified.

January 10, 2023
February 14, 2023
March 14, 2023
April 11, 2023
May 9, 2023
June 13, 2023
July 11, 2023
August 8, 2023
September 12, 2023
October 10, 2023
November 14, 2023
December 12, 2023

The Board of Ethics will meet at the South Washington Election Unit, 2500 S. Washington at 5:30 p.m. unless otherwise notified.

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 517-377-0068 FAX
www.lansingmi.gov/clerk city.clerk@lansingmi.gov

CHAIR'S REPORT:

Chairperson Bouck stressed the importance of voting and voting early.

He also encouraged the members to recommend potential candidates who may be interested in serving on the Board, with the new vacancies.

ADJOURNED 6:22 PM

Jackson, Brian

From: Jackson, Brian
Sent: Thursday, May 26, 2022 10:34 AM
To: McDonald, Joseph
Cc: Swope, Chris; Washington, Shara; Coleman, Kim; Bowen, Mary; Sefa, Suela
Subject: McDonald - Request for more info on Statement of Financial Interests PT VI
Attachments: McDonald Joseph HRCS Housing Ombudsman.pdf

Joe,

Thank you for submitting a Statement of Financial Interest Form. At its regular meeting held on March 10, 2022, the Board of Ethics made the following decision:

The Board requested clarification on the procedures in place to avoid a conflict of interest by your department if a dispute involving your properties or tenants listed in Part VI is under the purview of your position as Housing Ombudsman.

If you have any questions, please feel free to contact me.

Brian P. Jackson, MiPMC
pronouns: He/Him/His
Chief Deputy City Clerk
Lansing City Clerk's Office

Chris Swope, MMC/MiPMC
Lansing City Clerk

City Hall/Main Office | 124 W. Michigan Ave. | 9th Floor | Lansing MI 48933
Elections Unit/Marijuana Licensing | 2500 S. Washington Ave. | Rear Entrance | Lansing MI 48910
Main: (517) 483-4131 | Fax: (517) 377-0068
Direct(517)483-4135 | Mobile: (517)614-6061
brian.jackson@lansingmi.gov
[Website](#) | [Facebook](#) | [Twitter](#) |

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For any employee of Human Relations and Community Services Department, it is the department's procedure that if a member of the public is seeking relief or assistance and that person is a relative, close acquaintance or business associate of the employee responsible for that area of assistance, the case file is referred to the Director of HRCS. If the person is a relative, close acquaintance or business associate of the Director of HRCS that case file is referred to either the Deputy Director or Lead Contract Manager.

CITY OF LANSING STATEMENT OF FINANCIAL INTEREST AND PERSONAL INTEREST

This statement must be completed by you and filed with the Lansing City Clerk no later than **May 1 of each year.**

Each and every part of this form must be completed. If you have no information to report, you must note that in that part of the form. If you feel a part is not applicable, you must state your reasoning. Forms with missing or incomplete information will be returned for completion.

The full text of the Financial Interests section 290.08 of the Ethics Ordinance and the Conflict of Interest section 5-505 of the City Charter are attached to this disclosure to assist in the full completion of this form. For additional guidance, please contact the Office of the City Attorney.

----- Reporting Individual to Complete – Basic Filing Information

Name of Reporting Individual Joseph McDonald

Job Title Housing Ombudsman Name of Supervisor Kim Coleman

Principal Address of Reporting Individual [REDACTED]

Phone Numbers: Personal: [REDACTED] Work: 517 483-4019

I, make the foregoing disclosure parts I-IX under oath and assert the statements are true and accurate to the best of my knowledge, information and belief.

[Signature]
Signature

4-4-22
Date

STATE OF MICHIGAN)
)ss.
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me this 4th day of April,
2022 (year), by [Signature] (Notary Signature)
RENEE FREEMAN (Print Name)

Notary Public, INGHAM County,

Acting in INGHAM County,

My Commission Expires: 7-11-2028

Report Terms

For purpose of your disclosures in this form, the following words have the defined meaning:

1. "Benefit" includes the receipt, directly or indirectly, of any payment, gift, grant, pass through to another, forbearance, service, good, real property, personal property, or any other right, title or interest of value.
2. "Organization," includes for profit and nonprofit corporation, partnership, association, club, limited liability company, any group acting as a unit, or any other legal entity.
3. "Past" means the preceding calendar year (past 12 months) from the time this disclosure is filed.
4. "Present" means at the time this disclosure is filed.
5. "City" means City of Lansing
6. "Immediate Family" means a child of an individual, a spouse of an individual, or an individual claimed by that individual or individual's spouse as a dependent under the Internal Revenue Code, or the parents, parents-in-law, brothers, sisters, sisters-in-law, brothers-in-law, stepparents, stepbrothers or stepsisters of an individual.

Part I

List each and every organization (other than the City) in which you are an officer, director, associate, partner, proprietor or employee, or served in any advisory capacity and from which any income in excess of \$2500 was derived during the preceding calendar year (past 12 months).

Organization's Name	Address	Type of Organization	Your Function/Title	Past 12 Months or Present
NA				

Part II

List any capital asset located within the city of Lansing, including the address or legal description of real estate, from which you realized a capital gain of \$5,000 or more in the past (12 months). Do not include any gain from the sale of your principal place of residence.

Asset	Description
NA	

Part III

List each and every past (12 months) and present unit of government, other than the City, for which you are or have been employed.

Unit of Government	Past 12 Months or Present
NA	

Part IV

List each and every person, or organization from which you received in the past (12 months), or that has presently promised you, one or more gifts or honoraria having an aggregate value in excess of \$500. This does not include gifts from relatives, nor a campaign contribution or expenditure required to be recorded or reported under the Michigan Campaign Finance Act.

Name	Address of Principle Residence	Nature of Gift	Value of Gift	Past 12 Months or Present
NA				

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Part V

List each and every name of and instrument of ownership in any organization conducting business within the city of Lansing in which you, or a member of your Immediate Family had or have a financial interest in the past (12 months) or present. Ownership interests in publicly held corporations need not be disclosed.

Name	Address	Instrument of Ownership	Past 12 Months or Present
NA			

Part VI

Identify each and every parcel of real property, past (12 months) or present, and describe your right, title or interest, or your financial interest in the parcel if the city of Lansing may also possess a real property interest or maintain public utility improvements in the parcel. Include all forms of your direct ownership or indirect ownership such as partnerships or trusts of which the corpus consists primarily of real estate. Do not include your principle place of residence. Include real property both within and outside the city of Lansing.

Address or Description of Real Estate	Nature of Right or Interest	Past 12 Months or Present
982 Snider		
902 Smith Ave - Rental property	owner	Past 12 mos to present
615 S. Holmes St - Rental Property	owner	Past 12 mos. to present

Part VII

List each and every person or organization that has applied to the City for a license, franchise, or permit, or requested annexation, zoning or rezoning of real property, past (12 months) or present, if you, or a member of your Immediate Family has a financial interest in such a person or organization. Include the nature of the City action requested.

Name of Contracting Person or Organization	Names of Applicable Immediate Family Member(s)	Nature of Interest	Past 12 Months or Present
NA			

Part VIII

List each and every person or organization doing independent contracting business with the City in which you, or a member of your immediate family, had (within the past 12 months) or currently have a financial interest or personal interest. Include the title and description of any position held by you, or the member of your Immediate Family, in the organization.

Name of Person or Organization	Nature of Financial Interest	Title or Description of Position Held by Reporting Individual or Immediate Family	Past 12 Months or Present
NA			

Part IX

If you, your Immediate Family, or any organization you are required to disclose under Part I, had or have in the past (12 months) or present, a contract, agreement, arrangement or participate in a program with the City that directly or indirectly benefits you, your Immediate Family, or the organization you must provide:

- A written statement containing a detailed description and explanation of the contract, agreement, arrangement or program and the nature of involvement and participation therein by you, your Immediate Family or the organization and describe all the beneficiaries thereof.
- Provide separate written statements for each contract agreement, arrangement and program and include a full and complete statement of the program, performance, beneficiaries, compensation, duties and obligations therein.

Please note that this disclosure is intended to include contracts, agreements, and arrangements that are formal or informal, written or oral, and direct or indirect.

**RULES OF PROCEDURE
BOARD OF ETHICS OF THE CITY OF LANSING**

1. Regular meetings of the Board of Ethics shall be held at 5:30 p.m. on the second Tuesday of every month at the Chambers of the City Council or at such other place as may be designated by the presiding officer of the Board of Ethics or by a majority of the voting members of the Board of Ethics.

2. Special meetings of the Board of Ethics may be called by the presiding officer of the Board of Ethics or any three voting members of the Board of Ethics. Notice of any such special meeting shall be provided to each member of the Board of Ethics by personally serving notice of the time, place and subject matter of such special meeting on each member or, alternatively, by leaving a written copy of the notice of the time, place and subject matter of the meeting at the private residence of such members at least twenty-four hours prior to the time of said meeting or by sending notice of the time, place and subject matter of such a meeting to each member of the Board of Ethics by first class mail, postage prepaid addressed to the home address of each such member with such mailing being made at least five days prior to the time of the meeting or, if the voting member so designates, by transmitting a facsimile to the number that the member provides of notice of the time, place and subject matter of such a meeting at least three days prior to the time of the meeting. The requirement of proper notice to a member of a special meeting shall be waived by the attendance of such a member at the special meeting.

3. Notice of the time and place of all meetings of the Board of Ethics shall be posted on the City Hall bulletin board on the first floor of City Hall. The schedule of the regular meetings shall be so posted within ten days after the first meeting in each calendar year. A change in the schedule of regular meetings shall be so posted within three days after the meeting at which the change is made and a rescheduled regular or a special meeting shall be so posted at least eighteen hours before the meeting.

4. All meetings shall be open to attendance by members of the public except where the Board enters executive session for a reason for which an executive session is permissible pursuant to the Open Meetings Act of the State of Michigan as it now exists and may be amended in the future. (PA 1976, No. 267, MCL 15.261 et seq.)

5. Any member of the public so desiring will be permitted to address the Board at any open meeting of the Board of Ethics subject to any time limit imposed by the board.

6. Any voting member of the Board of Ethics who fails to attend three consecutive meetings of the Board without being excused from attendance [by a vote of majority of the Board] may be removed from the Board of Ethics. Such removal may be effected by the majority vote of the remaining voting Board members of the Board of Ethics.

7.1 Voting Members of the board of ethics shall be residents of the city of Lansing and shall hold no elective public office or other city office or employment. If, during a public member's term on the board such member is elected to public office or becomes a city officer or employee, said member shall immediately upon taking such office or employment be disqualified as a board of ethics member and said position shall be deemed vacant and subject to appointment pursuant to section 5-502.2 of the Lansing city charter for the unexpired portion of that member's term.

7.2 If an issue before the board of ethics involves any member of the board, such member shall not participate in board deliberations pertaining to the member's issue and said member shall be ineligible to vote on any action concerning the issue.

7.3 All voting members of the board of ethics in attendance at a properly convened meeting of the board shall vote on all matters before the board unless recused from voting on a particular matter.

7.4 Except as provided in subsection 7.1 of these rules of procedure, a voting member of the board of ethics shall hold office until a member's successor is appointed, unless that member has resigned or been removed.

8. The officers of the Board of Ethics shall be a Chairperson, Vice Chairperson and Secretary.

8.1 The Chairperson shall preside over all meetings of the Board of Ethics and shall be selected annually for a term of one year from among the voting members of the Board of Ethics. The chairperson and vice chairperson shall be selected at the first regular meeting in July of each year by the affirmative vote of a majority of the VOTING members of the Board of Ethics. The chairperson or vice chairperson shall not serve more than two consecutive terms in each respective position.

8.2 The terms of office for the Chairperson and Vice Chairperson shall expire upon the date of June 30th of each year or the election of a successor whichever shall later occur OR upon resignation or removal of that person from the Board of Ethics.

8.3 The Vice Chairperson shall preside and perform the duties of the Chairperson in the case of the absence of or inability of the Chairperson to perform his or her duties. If the chairperson is unable to complete the term of office, the vice chairperson shall assume the duties of the chair. Fulfilling the unexpired term of the chairperson or vice chairperson shall not be considered a term for purposes of computing two consecutive terms under subsection 8.1.

8.4 The recording Secretary of the Board of Ethics shall be the City Clerk who shall be responsible for preparing and keeping the minutes and records of the Board and for such other administrative support as may be needed from time to time. The city clerk shall be an ex officio member of the board.

8.5 The city attorney shall serve as legal advisor to the board of ethics and shall be an ex officio member of the board.

9. The minutes of the Board of Ethics shall be kept in the office of the City Clerk and shall be available for inspection by members of the public except for the minutes of Executive sessions which were closed pursuant to the Open Meetings act of the State of Michigan. All other records of the Board of Ethics shall be available for inspection and duplication by the public unless the release of such records to the public is prohibited by law or unless law permits such records to be withheld from the public and the Board of Ethics approves the withholding of such records.

10. A majority of the voting members seated on the board of ethics shall constitute a quorum for conducting business at a meeting of the board.

11. Any action of the Board of Ethics shall require the concurrence of the majority of the voting members serving on the Board at a duly constituted and convened meeting of the board.

12. The Board shall consider all requests for opinions at the meeting first following receipt of the request.

12.1 All requests for opinions shall be submitted in writing to the Lansing City Clerk.

12.2 Any member of the Board of Ethics receiving a request for an opinion shall immediately forward such request to the Lansing City Clerk.

12.3 Each request for an opinion shall be signed by the person making the request.

12.4 Upon receipt of a request for an opinion, the Lansing City Clerk shall forthwith forward a copy of such request to each member of the Board of Ethics. At the next meeting following receipt of a request for an opinion, the Board of Ethics shall determine whether or not it will render an opinion in response to the request therefor and whether the opinion will be formal or informal pursuant to the Lansing city charter and the Lansing code of ordinances.

12.5 In the event the Board of Ethics elects to prepare an advisory opinion in response to a request, the City Attorney shall prior to the next meeting of the Board of Ethics after the decision to render the opinion is made, research all legal aspects of the opinion requested and prepare legal memorandum to all members of the Board setting forth the results of that research and making such recommendations as the City Attorney shall deem advisable. A copy of that memorandum shall be provided all members of the Board of Ethics and the City Attorney or his representative shall be present at said meeting to advise the Board.

12.6 No opinion shall be rendered by the Board of Ethics unless the substance and final text is concurred with at a duly constituted and convened meeting by a majority of the voting members seated on the Board.

12.7 Preliminary drafts and research memorandums prepared in connection with any request for an opinion shall not constitute the view or position of the Board of Ethics of the City of Lansing nor shall such memorandum or draft opinions be released to or made available for inspection by the public unless such inspection or release is approved by a majority of the voting members of the board of ethics at a duly constituted and convened meeting or unless such disclosure is ordered by a Court of law or administrative agency with competent jurisdiction to make such an order or unless the City Attorney of the City of Lansing advises in writing that the release or inspection of such papers is legally required; provided, however, that once a formal opinion has been approved and released, all Memoranda and written recommendations by the City Attorney's Office shall be available for inspection.

12.8 The approval of an opinion of the Board of Ethics shall be by roll call vote which shall be recorded in the minutes of the Board.

13. All points of procedure not specifically covered in this document shall be determined by reference to Mason's Legislative Manual.

14. On a tie vote a motion is lost and no action of the Board has been taken.

15. Opinions of the Board shall be issued and dealt with in a manner least likely to reveal the identity of the person concerned. Upon receipt of an opinion request the City Clerk may, in his or her discretion, delete the name of the person involved, substituting therefor any other designation which is not likely to be confused with any other person.

16. At the first meeting of each calendar year, the Board of Ethics shall request the City Clerk to provide the Board with any documents required to be filed under ordinances adopted by the City of Lansing for the purpose of establishing standards of conduct for officers and employees. Upon receipt of such documents, the Board of Ethics

shall review the same in a timely fashion and may take such action regarding said documents as it deems proper.

17. Nothing contained in these rules of procedure shall alter or amend the duties, functions and authority of the board of ethics as is prescribed in the Lansing city charter and the Lansing code of ordinances.

18. These rules of procedure may be amended by the board of ethics by a majority vote of the voting members serving on the board during any regular meeting, provided that all members were provided three days prior to said meeting with the full text of proposed amendment. Any amendment to these rules of procedure shall not take effect until approved by city council.