

CITY OF LANSING - BOARD OF ETHICS

REGULAR MEETING

September 12, 2023 5:30 P.M.

CONFERENCE ROOM

2500 SOUTH WASHINGTON

AGENDA

CALL TO ORDER

ROLL CALL

☐ Janielle Houston, Chairperson	☐ R Cole Bouck,
☐ Jim DeLine Vice-Chairperson	☐ Keith Kris
☐ Jim Cavanagh	☐ John Folkers
☐ Trini Lopez-Pehlivanoglu	☐ Louise Alderson

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:

NEW BUSINESS

Affidavit of Disclosure Jaime Montemayor Lansing Police Department

Affidavit of Disclosure Sean Mills Lansing Police Department

CITY ATTORNEY'S REPORT

Closed Session

Pursuant to MCL 15.268(h) of the Open Meetings Act, I hereby move that the Board recess into closed session to consult with the City Attorney to consider material exempt from discussion or disclosure by state statute. Specifically, to discuss written legal opinions from the City Attorney provided under attorney-client privilege and attorney work-product, and which is also exempt from disclosure under the Freedom of Information Act pursuant to MCL 15.243(1)(g).

For this session, the topic is

Written Analysis on Complaint 2023-002

CHAIR'S REPORT:

TABLED ITEMS:

UNFINISHED BUSINESS

ADJOURNMENT

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

**DRAFT MINUTES
LANSING CITY BOARD OF ETHICS
REGULAR MEETING
July 11, 2023 5:30 PM**

Conference Room
South Washington Office Complex
2500 S. Washington

The meeting was called to order at 5:30 p.m.

MEMBERS PRESENT:

R Cole Bouck
Janielle Houston
Keith Kris
Jim DeLine
John Folkers
Jim Cavanagh
Louise Alderson
Trini Lopez-Pehlivanoglu

ABSENT: None.

A QUORUM WAS PRESENT

OTHERS PRESENT:

Joe Abood, City Attorney's Office
Amany Williams, City Attorney's Office
Chris Swope, City Clerk
Brian P Jackson, City Clerk's Office
Grace Hocking, City Clerk's Office
Members of the Public

WELCOME AND INTRODUCTION OF NEW MEMBERS

PUBLIC COMMENT:

Michael Lynn spoke about the Communication from Erica Lynn.

Erica Lynn spoke about the Communication from herself.

APPROVAL OF AGENDA:

MOVED by Keith Kris to approve the agenda as submitted.

MOTION CARRIED

SECRETARY'S REPORT:

Approval of Minutes

MOVED by Keith Kris to approve the Minutes of June 6, 2023.

MOTION CARRIED

Communication from Erica Lynn

MOVED by Janielle Houston to receive communication and place on file.

MOTION CARRIED

Update on South Washington Election Unit as a Future Meeting Location

Brian Jackson provided an update on the need to move to a new location as the South Washington Office complex will be demolished.

NEW BUSINESS

1. Election of Chairperson and Vice-Chairperson (8.2 and 8.3 of Procedure)

MOVED by Keith Kris to nominate Jim DeLine for Vice-Chairperson

MOTION CARRIED

MOVED by Louise Alderson to nominate Janielle Houston for Chairperson

MOTION CARRIED

2. Statement of Financial Interests, Daphine Whitfield, Human Resources Community Service Department

MOVED by Cole Bouck to place the 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 CARRIED

3. Affidavit of Disclosure, Jeffrey Brown, City Council

MOVED by Cole Bouck to place the Affidavit of Disclosure on file, having found no violation of the Ethics Ordinance or other issues to further debate or discuss at this time.

MOTION CARRIED

4. Statement of Financial Interests, Jeffrey Brown, City Council

MOVED by Louise Alderson to place the 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 CARRIED

CITY ATTORNEY'S REPORT:

MOVED by Janielle Houston that pursuant to MCL 15.268(h) of the Open Meetings Act, the Board shall recess into closed session to consult with the City Attorney to consider material exempt from discussion or disclosure by state statute. Specifically, to discuss written legal opinions from the City Attorney provided under attorney-client privilege and attorney work-product, and which is also exempt from disclosure under the Freedom of Information Act pursuant to MCL 15.243(1) (g). For this session, the topic is the Preliminary Written Analysis on Complaint 2023-002.

MOTION CARRIED, by unanimous vote.

CLOSED SESSION

Board Arise and returns to **OPEN SESSION**

MOVED by Cole Bouck to accept the recommendations from the City Attorney's office and place the recommendation on file. Additionally, that items discussed in closed session remain confidential.

MOTION CARRIED

CHAIR'S REPORT:

Chairperson Houston thanked Cole Bouck for his contributions to the Ethics Board as the Chairperson for the last two terms.

TABLED ITEMS: None.

UNFINISHED BUSINESS:

ADJOURNED 6:12 p.m.



Lansing Police Department

Supplemental Off-Duty Employment Request Form

☐ Renewal

☒ Reg. Off-Duty Employment

Date: 6.28.23

Employee Requesting Approval: Jaime Montemayor Badge No: 512
Current Duty Assignment: Detention officer
Hours: 0700AM - 0700PM Division: Detention

SUPPLEMENTAL EMPLOYMENT INFORMATION

Name of Employer: Lansing Party Animals
Type of Business: Bounce House / Party rentals
Business Address: N/A
Owner or Manager's Name: Jaime Montemayor Telephone No: (517) 977-8023
Location of Employment: N/A
Description of Work Duties: Rent Bounce houses, Tables, chairs, Party equipment.
Work Schedule: varies, whenever a party is booked.
Number of Hours Per Week: varies Duration of Employment: owned for 7 months

Does this employment require any security or law enforcement responsibility including the enforcement of any state or local law or the exercise of any police power on behalf of the employer? ☐ Yes ☒ No

I understand that in cases of supplemental employment, the only liability insurance coverage or workers compensation coverage available would be that which may be supplied by the supplemental employer. Insurance procured by the City of Lansing and other benefits are not applicable.

I understand that in cases of private security supplemental employment, the only liability insurance coverage or workers compensation coverage available would be that which is supplied by the supplemental employer. While an indemnification agreement and certificate of insurance is a prerequisite, these forms do not constitute a guarantee by the City or the Police Department that insurance exists, is adequate, or has not been canceled without notice to the Police Department or employee. Insurance procured by the City of Lansing and other benefits are not applicable.

Jaime Montemayor
Employee Signature

Before any supplemental employment begins, this form must be filled out, signed, and approved by the Chief of Police or the Chief's Designee. Approval may be revoked at any time by the Chief of Police.

Captains Recommendation Date: 7-17-23 Initials: MRK ☒ Approved ☐ Disapproved

Captain's Comments: NO CONFLICT FOR DETENTION DUTIES

Ellery Sosebee Date: 7/17/2023 ☒ Approved ☐ Disapproved
Ellery Sosebee, Chief of Police

Copy of form sent to employee on 7/18/23



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 6.28.23

I, Jaime Montemayor make the following disclosure under oath:
Name (please print)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

Yes No

1. ☒ ☐ I am an ☐ elected or ☐ appointed ☐ officer or ☒ employee of the City of Lansing holding the position of Detention officer in the Lansing Police Department.

☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department.

☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.

2. ☐ ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from any City action detailed below. (Charter 5-505.1)

☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(I) of the Code of Ordinances]

☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]

☐ ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. Name of the activity/business in question: Lansing Party Animals

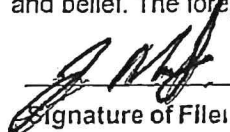
5. Do you have ownership or interest in the activity/business? Yes ☒ No ☐

Updated Feb 2022

6. Does this activity/business conduct business with the City of Lansing? Yes _____ No X
If yes, please explain: _____
7. Does the activity/business depend on you being an employee of the City of Lansing?
Yes _____ No X
If yes, please explain: _____
8. Who are the clients/customers of the activity/business?
Civilians within Lansing
9. Does this activity/business require your using equipment/facilities of the City of Lansing?
Yes _____ No X
If yes, please explain: _____
10. Does the activity/business use any advertisements or circulars that reference your employment with the City of Lansing? Yes _____ No X
If yes, please attach copies. _____
11. Explain what you will be doing in the activity/business:
Dropping Party rental equipment off, setting up equipment at residence or booking locations, picking up equipment after booking is completed.
12. Explain why you believe a conflict may/may not exist with this activity/business:
I co-own this business and split work load around my work schedule.
13. Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? Yes _____ No X
If so, please describe: _____

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information and belief. The foregoing Affidavit of Disclosure was executed on this 28 day of June, 2023.


Signature of Filer

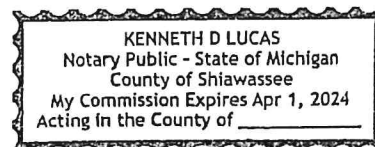
STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

JUN 28 2023

The foregoing instrument was acknowledged before me this _____ day of _____,
_____(year), by Kenneth D. Lucas (Notary Signature)

KENNETH D. LUCAS (Print Name)

Notary Public, _____ County,
Acting in _____ County,
My Commission Expires: _____



1161 AM

ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? ____;
Party equipment rentals, I own 80% of Business %
- Are you self-employed? Yes
- Who is your employer, if applicable? Lansing Police Department

- What are the things you actually do in the business? Purchase party rental
equipment (Bounce houses, tables, chairs, games) rent out
for Birthday parties and events around Lansing.

- Who are your clients and who receives your goods or services? Civilians
around Lansing.

- How and where are your services performed? My partner or myself
drop off and pick up equipment. Services are mainly
at residence.

- How often do you do outside work?
only if there is an event outside of my regular
work schedule.

Does your business or employer contract with the City? NO

- In performing your business or outside employment, do you use any City facilities or equipment?

NO If so, describe: _____

- Is any of your business or employment conducted in the City? Yes If so, describe:

We provide services to all of the Lansing
area residence.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? My business does advertise.

within the city of Lansing area. No advertisements
reference to my city employment.

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: NO

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

LANSING CITY CHARTER

(Excerpt)

5-505 CONFLICT OF INTEREST

.1 At least ten (10) days prior to the first of any of the events set forth in (A), (B), (C), (D), and (E) below, a City officer or employee who may derive any income or benefit, directly or indirectly, from a contract with the City or from any City action, shall file an affidavit with the City Clerk detailing such income and benefit to be derived:

- (A) The bidding of the contract;
- (B) The negotiation of the contract;
- (C) The solicitation of the contract;
- (D) The entry into the contract;
- (E) Any City action by which the City officer or employee may derive any income or benefit, directly or indirectly.

The above provisions shall not apply to individual or collective bargaining agreements pursuant to which a City officer or employee directly or indirectly receives income or benefits in the form of official remuneration as an officer or employee, or any City action pursuant to which a City officer or employee directly or indirectly receives income or benefit as a member of the public at large or any class thereof. At the first regularly scheduled City Council meeting following the filing of an affidavit pursuant to this section, the City Clerk shall notify the City Council of such filing. In particular cases and for good cause shown, the Board may waive the ten (10) day prior notice requirement contained herein.

.2 An officer or employee who has any other conflict between a personal interest and the public interest as defined by State law, this Charter, or ordinance shall fully disclose to the City Attorney the nature of the conflict.

.3 Except as provided by law, no elective officer, appointee or employee of the City may participate in, vote upon or act upon any matter if a conflict exists.



Lansing Police Department
Supplemental Off-Duty
Employment Request Form

☐ Renewal
☐ Reg. Off-Duty Employment
Date: 8/14/2023

Employee Requesting Approval: Sean Mills Badge No: 365
Current Duty Assignment: Patrol Lieutenant Platoon 1
Hours: 0600 - 1600 Division: Patrol

SUPPLEMENTAL EMPLOYMENT INFORMATION

Name of Employer: DFL Honor Guard Training
Type of Business: Training organization for ceremonial team for police, fire, & EMS
Business Address: N/A
Owner or Manager's Name: Randy Kantner Telephone No: 574-312-0158
Location of Employment: Alpena, MI
Description of Work Duties: Honor Guard Instructor
Work Schedule: 1 week per year in September
Number of Hours Per Week: 40 Duration of Employment: 1 week per year

Does this employment require any security or law enforcement responsibility including the enforcement of any state or local law or the exercise of any police power on behalf of the employer? ☐ Yes ☐ No

I understand that in cases of supplemental employment, the only liability insurance coverage or workers compensation coverage available would be that which may be supplied by the supplemental employer. Insurance procured by the City of Lansing and other benefits are not applicable.

I understand that in cases of private security supplemental employment, the only liability insurance coverage or workers compensation coverage available would be that which is supplied by the supplemental employer. While an indemnification agreement and certificate of insurance is a prerequisite, these forms do not constitute a guarantee by the City or the Police Department that insurance exists, is adequate, or has not been canceled without notice to the Police Department or employee. Insurance procured by the City of Lansing and other benefits are not applicable.

Sean D. Mills
Employee Signature

Before any supplemental employment begins, this form must be filled out, signed, and approved by the Chief of Police or the Chief's Designee. Approval may be revoked at any time by the Chief of Police.

Captains Recommendation Date: 8-14-23 Initials: MS ☒ Approved ☐ Disapproved

Captain's Comments: Supports the mission & only for 1 to 2 wks per year

[Signature] Date 8/15/2023 ☒ Approved ☐ Disapproved
Ellery Sosebee, Chief of Police

Copy of form sent to employee on _____.



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 8/14/23

I, Sean Mills make the following disclosure under oath:
Name (please print)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

Yes No

1. ☒ ☐ I am an ☐ elected or ☐ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of Lieutenant in the Police Department.

☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department

☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.

2. ☐ ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from any City action detailed below. (Charter 5-505.1)

☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2)
[Chapter 290.04(I) of the Code of Ordinances]

☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]

☐ ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:

☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. Name of the activity/business in question: DFL Honor Guard Training

5. Do you have ownership or interest in the activity/business? Yes _____ No X

Updated Feb 2022

6. Does this activity/business conduct business with the City of Lansing? Yes ☒ No ☐
If yes, please explain LPD Honor Guard members attend this school

7. Does the activity/business depend on you being an employee of the City of Lansing?
Yes ☐ No ☒
If yes, please explain: _____

8. Who are the clients/customers of the activity/business?

Police, Fire, and EMS Honor Guards

9. Does this activity/business require your using equipment/facilities of the City of Lansing?
Yes ☐ No ☒
If yes, please explain: _____

10. Does the activity/business use any advertisements or circulars that reference your employment with the City of Lansing? Yes ☐ No ☒
If yes, please attach copies.

11. Explain what you will be doing in the activity/business:

Training police, fire, and EMS Honor Guards

12. Explain why you believe a conflict may/may not exist with this activity/business:

No conflict. We have utilized this school for our personnel for years. I was just recently requested to join the staff as an instructor.

13. Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? Yes ☐ No ☒
If so, please describe:

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information and belief. The foregoing Affidavit of Disclosure was executed on this 14 day of August, 2023.

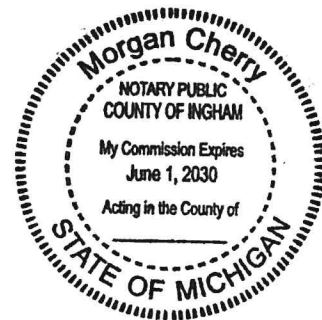
Sean D. Mill
Signature of Filer

STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 14 day of August,
2023 (year), by [Signature] (Notary Signature)

Morgan Cherry (Print Name)

Notary Public, Ingham County,
Acting in _____ County,
My Commission Expires: 6/1/2030



ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? Honor Guard Training School 0 %
- Are you self-employed? No
- Who is your employer, if applicable? DFL Honor Guard School
- What are the things you actually do in the business? Train police, fire,
and EMS Honor Guards
- Who are your clients and who receives your goods or services? Police, Fire, and EMS Honor Guards
- How and where are your services performed? Honor Guard School
in Alpena, MI / 1 week per year
- How often do you do outside work?
1 week per year

Does your business or employer contract with the City? Police Honor Guard
personnel attend the school.

- In performing your business or outside employment, do you use any City facilities or equipment?

No If so, describe: _____

- Is any of your business or employment conducted in the City? No If so, describe:

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment? No

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: No

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.