



MINUTES
Committee of the Whole
Monday, October 2, 2023 @ 5:30 p.m.
Tony Benavides Lansing City Council Chambers

CALL TO ORDER

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

PRESENT

Council Member Carol Wood
Council Member Jeremy Garza
Councilmember Adam Hussain
Councilmember Peter Spadafore-excused
Councilmember Patricia Spitzley
Councilmember Brian T. Jackson
Councilmember Jeffrey Brown
Councilmember Ryan Kost

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Jim Smiertka, City Attorney
Lisa Hagen-Lawrence, City Attorney
Emily Linden, Internal Auditor
Mark Lawrence, Mayor's Office
Amanda O'Boyle, City Attorney
Loretta Stanaway

Minutes

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM SEPTEMBER 18, 2023. MOTION CARRIED 7-0.

Public Comment

Ms. Stanaway spoke on the current warming and cooling centers.

DISCUSSION/ACTION

DISCUSSION – Requested Reports in the Budget Policies from the Adopted FY 2023/2024 Budget Resolution; Cost of Warming and Cooling Centers; Stump Grinding; Community Mental Health Social Worker Housing Outreach Specialist

Council President Wood referred to the September 1, 2023 reports from the Mayor's office pursuant to the Budget Policy request. The document in the packet is a follow up from Ms. Linden, the Internal Auditor.

Ms. Linden outlined the questions from report, specific to stump grinding. The administration stated they are holding discussions with the staff. The Mayor has not decided and the conversations are

ongoing. No questions from the Council at this time, and the Mr. Lawrence had no additional comments.

Ms. Linden then outlined the request for warming and cooling centers in the report. The Administration response was included in the report and breakdown of cost. They stated they could not provide an exact cost but provided details in the report.

Council Member Garza stated there is no community center in Ward 2, so no warming and cooling in Ward 2.

Council Member Kost asked about Letts that was referenced in the report, but no comment from all the warming and cooling centers. Mr. Lawrence stated this was all the information he has. Council Member Kost stated since budget passed where warming and cooling centers were asked for, what progress was made. Mr. Lawrence stated progress has been made.

Council Member Spitzley referred back to the budget policies which asked for a report and study on the proposal and estimation on the four community centers; how much it would cost. Surely there could be an estimate of cost for one cold day or one warm day, and it was asked for 60 days, but the intention was to get a cost if the warming or cooling center needed to be activated.

Council Member Jackson referred to the responses from Mr. Lawrence, where it spoke on the HRCS funding with State and Mayor, which is roughly \$1 million. He asked Mr. Lawrence what proposal they are working on. Mr. Lawrence stated they do not have \$800,000 from the State yet and spoke to HRCS director today, and they hope to have more information on October 16, 2023.

Council Member Kost asked Mr. Lawrence again about the timing of the \$800,000 but there was \$130,000 allocated July 1, 2023 in the current budget, and asked why it is taking long since the community centers are all open. Council Member Kost asked why the Administration never moved on the \$130,000 that was already allocated. Mr. Lawrence stated the community centers are staffed but not for this purpose. They would need staff for security and for overnight. Council Member Kost asked why security, and Mr. Lawrence stated they would need security and staff overnight. Council Member Kost voiced his frustration with nothing being done since July 1, 2023 start of the budget when there were hot days since then. He again asked Mr. Lawrence why there was a delay, and Mr. Lawrence stated it was not a delay but is about hiring more people, and other items. Council Member Kost stated the buildings are staffed with utilities.

Council Member Hussain asked again for the feasibility study referenced by Council Member Spitzley, which would provide an estimate on staffing, security costs, agencies for volunteers, and costs for a day. Council Member Hussain then referred to the stump removal piece, were Mr. Lawrence responses. Mr. Lawrence stated the information in the memo is all the information he has, and if they plan to do this intent. Council Member Hussain asked for information on if the City already has the equipment.

Council President Wood asked if they have asked the current contractor for City Hall security and if they provided any estimate. She also asked if there was outreach to partners for other staff to come to community centers to help. She encouraged the Administration to investigate options and work to have this addressed so in 30 days when the weather becomes cold there is information. Lastly, she asked who is making the decision on cooling and warming centers; HRCS or the Mayor. Mr. Lawrence stated is a group effort with HRCS and the Mayor, and he did not believe \$800,000 and \$130,000 is enough money. Council President Wood stated the largest population is in the south, so the need could be one in the south and north. Mr. Lawrence stated they need to look at the need and get back on October 16, 2023. Council President Wood stated you cannot estimate the number that would utilize it until there is something opened. The Ad Hoc on Homelessness and Solutions has

already heard about the number of people who utilize other resources, and the Administration should reach out to those agencies for their data.

Council Member Spitzley stated she understood there is a need for one location with wrap around services, and asked the Administration look at the needs, what are they doing in their research, what agencies are they talking to, and address the immediate issue to have a place for people to go when it is extremely hot or extremely cold.

Ms. Linden then spoke on the last report which is the social worker housing outreach specialist. The Administration stated they do not have anything but Council can reach out to CMH directly.

Council President Wood confirmed with Mr. Lawrence would speak on outstanding questions at the October 16, 2023 Committee of the Whole agenda.

ORDINANCE - Amendment to Chapter 240, Section 240.02, 240.03, 240.04; Clarify role of Human Relations and Community Services (HRCS) Advisory Board

Mr. Smiertka referred to the City Charter and the definition of the Advisory Board. He then explained the proposed amendments was taken to the HRCS Board and reviewed with the Charter. The changes are striking out words that could be taken two different ways and was a clean up based on comments from the advisory board. Mr. Smiertka then went through the amendments.

Council President Wood referred the committee to page 2, line 6-8; page 4, line 20-22.

Council Member Jackson referred to page 2 line 6, and asked who makes final determination on the grants. Mr. Smiertka stated it is HRCS department but depends on the nature of the grant. The Advisory Board makes the recommendations. Council Member Jackson gave an example if there are funds towards programs, and contracted out, and already budgeted does Council say specifically were. Mr. Smiertka stated anything over \$25,000 would come back to Council. Council Member Jackson asked about those under \$25,000. Council President Wood stated any of the budget line in HRCS, they provide a list of all the providers the City is entering into a contract with, Council approves. There are also funds in the \$1.35 million given to HRCS; \$30,000-\$50,000, they can use to match grants or use towards issues that come up.

Council Member Spitzley explained that this section of the ordinance that is being proposed to amend, the grant applications come to HRCS, the advisory board looks them over and makes recommendations, but the issues that have come to light is that HRCS department makes the determination with the Mayor's office. The Advisory Board, per the Charter, says the Board has more authority. The change makes the language to match what is currently being done with HRCS and Mayor determination.

Council Member Brown concurred with Council Member Spitzley statement on Council hearing concerns from groups not receiving and Advisory Board reporting and then when they go to HRCS, HRCS is making doing other determinations, and then the Mayor is making changes. At that point Council never sees what the Advisory Board is grading and determining. He then referred to the sentence on page 2, line 6.

Council Member Hussain added that Council understands the importance of the ordinance, and it is in conflict with the Charter, so they need to look at changing the Charter. The HRCS Advisory Board makes decisions that effect the community. He would be interested in aligning this ordinance with the Charter.

Mr. Smiertka stated the whole funding process is not just in that amendment, but in the whole document and confirms the Advisory board does the ranking. Council Member Hussain stated that by the time the awards are given, it is far from the determination the Advisory Board made.

Council President Wood asked if it can be amended to stated “shall” not “may” in line 7 and add “and recommendations forwarded to Council during the budget process.” Mr. Smiertka stated that is okay to make those changes.

Council Member Spitzley stated there needs to be more work on the language so the Advisory Board makes the recommendation to Council. This needs to be looked at in a bigger picture, and that might involve a Charter change. She suggested to send it back for further discussion. Language should include something “and recommendations from the Advisory Board forwarded to Council during the budget process.”

Council Member Kost spoke on the HRCS Board meetings where there needs to be more work with the Board and fix a structural issue to make this right, because this Board has a strong effect on the community.

Council Member Jackson concurred that there needs to be changes in the Charter, and if Council should be involved in this now.

Council President Wood asked Committee, if there was nothing done at this point in ordinance changes, is the recommendation from OCA to HRCS, that since his estimation that this ordinance does not comport with charter, they cannot do anything. Mr. Smiertka stated it would depend on what decision is made by the Board, they would advise them, but he was not able to provide a blanket recommendation or advise. But in a case, they would have to advice HRCS Board they cannot do something.

Council Member Spitzley noted OCA says the Board does not have the authority to do things and encouraged the discussions to continue in this Committee.

Council President Wood stated her recommendation that when receive the HRCS budget also get the recommendations from the HRCS Advisory Board on the contract awards. Council Member Spitzley asked if Council has that authority, asking Mr. Smiertka. Mr. Smiertka stated the language proposed to change is “shall report”.

Council Member Jackson summarized if Council does not change the ordinance, and OCA has to make a clarification to the Board, then Council can get involved for oversight.

Council President Wood stated that previous Board members were not a tune to what their role was. And since that time there has been discussions on clarity of the ordinance, and there needs to be Board trainings for details on what all Boards responsibilities are.

Council Member Brown asked if the HRCS is an Advisory Board for the department or just the grants. So, he asked for clarification on reporting and issues in the department, adding language so they have access to the department.

Council President Wood asked for additional suggestions to be sent to the Council office manager so those can be moved onto OCA.

ORDINANCE -Amendment to Chapter 273, Section 273.01 and 273.04; Clarify Role of Human Relations and Community Services (HRCS) Advisory Board

Any suggestions be sent to Council Office manager to send to OCA.

ORDINANCE - Repeal Chapter 273, Section 273.06, "Examination of complaints; hearings and studies" to conform with the City Charter 5-106

Council President Wood confirmed that per recommendations from the OCA, they do not need to be repealed but can be placed on filed.

Council Member Spitzley asked for a motion to take action and a council vote.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 273, SECTION 273.06.

Council Member Brown asked for clarification on if a vote yes is to repeal. Council President Wood clarified that the City does not need to repeal, but there is a request for a vote, and a vote yes is to repeal Chapter 273, Section 273.06.

MOTION FAILS 0-7.

MOTION BY COUNCIL MEMBER GARZA TO PLACE ON FILE. MOTION CARRIES 5-2.

Council President Wood stated placing on file is to never to take action again.

MOTION BY COUNCIL MEMBER SPITZLEY TO RECONSIDER THE MOTION TO PLACE ON FILE. MOTION CARRIED 7-0.

MOTION TO RECONSIDER THE MOTION TO PLACE ON FILE. MOTION CARRIES 7-0.

ORDINANCE - Repeal Chapter 273, Section 273.08 "Prohibited discrimination by city departments or employees" to conform with the City Charter 5-106

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE TO REPEAL CHAPTER 273 SECTION 273.08. MOTION FAILS 0-7.

MOTION BY COUNCIL MEMBER GARZA TO PLACE ON FILE. MOTION CARRIED 7-0.

Closed Session

MOTION BY COUNCIL MEMBER GARZA AT 6:28 P.M. Pursuant to MCL 15.268(1)(e), to recess into closed session to consult with the City Attorney in connection with the following specific pending litigation. An open meeting will have a detrimental financial effect on the litigating or settlement position of the City of Lansing concerning these cases.

Atkinson, et al. v. City of Lansing, et al.
People of the City of Lansing v. Kolberg
City of Lansing, et al. v. Purdue Pharma, et al. (Opioid Litigation)
Deprekel v. City of Lansing, et al.
Downtown Capitol LLC v. City of Lansing
Hardy v. City of Lansing, et al.
Hulon v. City of Lansing, et al.
Khorrami v. Bradbury, Moore, Mapley, and City of Lansing
Legacy Five LLC v. City of Lansing
Lugo-Estok, Guadalupe v. City of Lansing
Lynn, Michael v. City of Lansing
Lynn, Michael v. Schor, et al. (2023)
Phillips v. City of Lansing, et al.
Stewart, G. v. City of Lansing, et al.

Stewart, S. v. City of Lansing, et al.

ROLL CALL VOTE, MOTION CARRIED 7-0.

Pursuant to MCL 15.268(1)(h) of the Open Meetings Act, City Council will 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 material 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).

The closed session will include Mr. Lawrence from the Mayor's office.

ROLL CALL VOTE, MOTION CARRIED 7-0.

Reconvene

Council President Wood reconvened the meeting at 7:09 p.m.

OTHER

No other topics at this time.

Adjourn

The meeting adjourned at 7:09 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary, Lansing City Council

Approved by the Committee October 16, 2023