

Minutes for the City of Lansing Charter Commission

Regular Meeting | Tuesday, January 21, 2025, 6:30 PM

Tony Benavides City Council Chambers,
Lansing City Hall, 10th floor, 124 W. Michigan Ave.

Present: Commissioners Adams Simon, Anderson, Bauer, Boyd, Dowd, Jeffries, Lopez, Qawwee, Washington

Absent: Commissioner Anderson (excused)

Staff Present: City Clerk Swope, Deputy Clerk Drever, Attorney Rewa (virtual)

Call to Order

The meeting was called to order by Chair Jeffries at 6:30 PM.

Chair Jeffries took a moment to congratulate Commissioner Dowd on his engagement and Commissioner Bauer on her birthday.

Roll Call

Clerk Swope called the roll of the Commission. A quorum was present.

Adopt the Agenda

Moved by Commissioner Qawwee to adopt the agenda as presented.

Motion Carried.

Approval of Minutes

Moved by Commissioner Bauer to approve the January 7, 2025, minutes as presented.

Motion Carried.

Public Comment

Nicklas Zande spoke about the elected officers of the City: recommendations for an elected city attorney, and to move away from at-large representation on the City Council to increase the wards that align with the established neighborhoods.

Randy Dykhuis spoke about restructuring the Board of Water and Light's audit procedure by expanding the annual report guidelines and involving the City's auditor.

Officer Reports

Chair

No Report.

Vice-Chair

No Report.

Clerk

Clerk Swope acknowledged written communications in the packet, late additions to the packet, the new intern Nick Saba, and he provided a budget update: the Commission has spent approximately \$164,666 with a remaining balance of approximately \$335,334.

Presentations

City Council President Kost and Member Hussain presented to the Commission on the City Council Structure: an odd number of Council members, increasing the number of wards, and expanding diverse representation across neighborhoods in the City; transparency with the City in Department Head hiring and information necessary to legislative processes; updates to the City Attorney's hiring process; expanding staff with more internal auditors and a policy analyst for Council; the role of money in elections; the City's bidding processes and sole source provisions; and checks and balances across the government.

Then they took questions from Commissioners about Council meeting attendance, per diems for Council members, annual reviews for department heads, legal counsel and support staff to the Council, the City Council structure, staggered elections.

Old Business

A. January – June 2025 Meeting Schedule

Commissioners discussed plans for the remaining articles to review. No action taken.

B. Article 2: Line-by-Line Review

Attorney Rewa overviewed the legal opinion which addresses 2-103.2 Ineligibility for Office: Default

Moved by Commissioner Qawwee to amend 2-103.2 to read “No person who is in default to the City shall be eligible to hold any City office, unless such default is eliminated within 30 days after written notice thereof by the City Clerk. Any officer in default to the City during the term of office is subject to forfeiture or dismissal. The City shall develop, through ordinance, such procedures to ensure that the provisions of this section continue to be met during an officer's term in office.”

Discussion followed regarding when default provisions take effect.

With no objections, the motion was withdrawn to wait for further language.

Attorney Rewa overviewed the legal opinion that addresses 2-302 Forfeiture and Removal for Cause.

Moved by Commissioner Dowd to amend 2-302 to read “.1 The City Council shall declare the forfeiture of the office of any elective officer or appointee and may remove for cause any person elected or appointed to an office for a fixed term. In every case there shall be a public hearing before the City Council with notice published in the same manner as notices of proposed ordinances. A Council member charged with conduct constituting grounds for forfeiture is permitted to attend and speak at the hearing but may not participate in the hearing as a council member or vote on the resolution of the charge.

.2 The position of an elective City officer or an appointee shall be forfeited if the officer:

(a) lacks at any time any qualifications required by this Charter.

(b) is convicted of a felony while holding the office or appointment.

(c) violates a provision of this Charter punishable by forfeiture.

(d) is determined by City Council to have engaged in misconduct in the performance of official duties of the office.

.3 Decisions made by the City Council under this section are not reviewable by the Mayor but are subject to judicial review in a hearing de novo. Any resident of the City may petition an appropriate court to require the City Council to hold a public hearing on the forfeiture of an office if the City Council has unreasonably refused to proceed.”

Motion carried.

C. Article 3: Line-by-Line Review

Attorney Rewa overviewed the legal opinion that addresses 3-205 Voting.

Moved by Commissioner Dowd to amend 3-205 to read “.1 An action of the Council shall become effective with an affirmative vote of a majority of the number of Council members elected, except as otherwise provided by this Charter for the filling of vacancies and resolving a conflict of interest of a Council member. A vote of two-thirds of the Council shall require an affirmative vote of two-thirds of the number of members elected. If there are one or more vacancies existing on the Council and a vote of two-thirds of the Council members serving is required, an affirmative vote of two-thirds of the Council members serving shall be sufficient to adopt.”

Motion carried, 7-1 with Commissioner Boyd against.

Chair Jeffries called to the Commission’s attention the language in 3-203 Quorum.

Moved by Commissioner Bauer to amend 3-203 to read “A majority of the council members elected”

Motion carried.

Attorney Rewa overviewed the legal opinion that addresses 3-307 Rights and Responsibilities of Council Members.

Discussion followed about protections for employees and the scope of compelling attendance.

Moved by Vice-Chair Adams Simon to amend 3-207.1 and add 3-207.4 and 3-207.5 to read “.1 Members of the City Council shall have all of the rights appropriate to city legislators as established by this Charter or by statute, including the right to compel the attendance of City officers at its meetings and the right to make inquiries of City officers and employees and receive specific information in response. ...
.4 It shall be the duty of every officer and employee to cooperate with any inquiry or investigation of the City Council. Such cooperation shall include the compilation and production of any information requested by the City Council as authorized by this Charter unless the information requested is exempt from disclosure under the applicable state law.
.5 No person shall willfully and without justification or excuse obstruct or interfere with an investigation or inquiry of the City Council authorized by this Charter. A person who violates this Chapter may be subject to one or more of the following:
a. If an employee, a recommendation that the employee be reviewed for disciplinary action;
b. If an officer, removal or forfeiture proceedings;
c. Prosecution by the City’s law department;
d. Any other penalty defined by the City Council through ordinance or rule.”

Discussion continued.

Motion carried 5-3, with Commissioners Bauer, Boyd, and Lopez against.

Chair Jeffries overviewed the proposed language for 3-309 from the Law Department.

Moved by Commissioner Washington to approve the proposed language to read “.1 As of the effective date of this charter, the Codified Ordinances in existence shall remain in effect.
.2 Any future codification or re-codification shall be enacted by ordinance and shall be published promptly in loose leaf form, together with this Charter and commentary and any amendments, pertinent provisions of

the State Constitution and other laws of Michigan, and other rules and regulations as the City Council may specify within the enacting ordinance.

.3 The compilation described in sub-sections .1 and .2 shall be known as the Codified Ordinances of the City of Lansing and shall be available electronically to all members of the public.

.4 No less than once per year the Clerk shall cause the Codified Ordinances to be updated to reflect amended, added, or repealed City Ordinances.”

Motion carried.

Public Comment

No comments.

Commissioner Remarks

Commissioner Bauer reminded the commissioners that former Mayor Hollister is available for discussion on the Charter.

Adjournment

The meeting was adjourned by Chair Jeffries at 9:42 PM.