

City of Lansing Charter Commission

Regular Meeting Agenda



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

April 15, 2025 at 6:30 PM

1. Call to Order

2. Roll Call

3. Adopt the Agenda

4. Approval of Minutes

- A. April 1, 2025 Minutes

5. Public Comment

- A. People wishing to share public comment virtually may do so. The deadline to register to comment this way is 6PM, 30 minutes before the start of the meeting. Sign up at this link: <https://events.gcc.teams.microsoft.com/event/49d4637a-5089-4d6c-9819-19fd8035f494@87509dee-095b-4ff8-ba5a-0035cdfc715d>
People sharing public comment in person at the meeting may sign up when they arrive to the meeting.

6. Officer Reports

- A. Chair
- B. Vice-Chair
- C. Clerk

7. Old Business

- A. Article 5: Line-by-Line Review

8. Public Comment

9. Commissioner Remarks

10. 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.

Minutes for the City of Lansing Charter Commission

Regular Meeting | Tuesday, April 1, 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: none

Staff Present: City Clerk Swope, Deputy Clerk Drever, Attorney Rewa

Call to Order

The meeting was called to order by Chair Jeffries at 6:31 PM.

Roll Call

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

Adopt the Agenda

Moved by Vice-Chair Adams Simon to adopt the agenda as presented.

Motion carried.

Approval of Minutes

Moved by Commissioner Bauer to approve the March 25, 2025, minutes as presented.

Motion carried.

Public Comment

Darren Calis, chairman for UAW for City of Lansing, spoke about proposed language for 3-206 and 3-207 and how they impact employees.

Loretta Stanaway spoke about the City Council having their own legal counsel.

Linda Keefe spoke about the Board of Water and Light and sustainability efforts in the Charter.

Officer Reports

Chair

Chair Jeffries did a quorum call for the following Tuesdays: April 8, 22; May 6, 20; June 3, 17; with the intent to start meeting weekly.

Vice-Chair

No report.

Clerk

Clerk Swope acknowledged written communications and late additions in the packet.

Presentation

A. Charles Randall, Internal Auditor

Charles Randall, the City's Internal Auditor, presented to the Commission on his role with the City and the audit language in Article 3 Chapter 4 of the Charter. Then, he took questions from the Commission on the schedule of audits, optimizing information sharing, who decides what audits to conduct, and the Council's audit committee.

Old Business

A. Article 5: Line-by-Line Review

5-202

Attorney Rewa overviewed the March 21 legal opinion that addresses 5-202.

Moved by Commissioner Boyd to have the General Manager hold public meeting twice a year, instead of quarterly.

Motion failed.

Moved by Commissioner Boyd to allow the quarterly meetings to be conducted by the General Manager or a designee.

Motion carried by the following roll call vote:

YEA (5)- Commissioners Jeffries, Lopez, Qawwee, Bauer, Boyd

NAY (4)- Commissioners Dowd, Washington, Adams Simon, Anderson

Moved by Commissioner Qawwee to approve the language for 5-202.3 that reads: "The General Manager or a designee shall hold a public meeting at least quarterly to interact with the public and ratepayers on the services provided by the Board. Notice for the meeting shall be published by posting to the Board's website and by any means determined by the Board to achieve widespread dissemination to the general public within the Board's service area to inform on matters of municipal concerns."

Motion carried by the following roll call vote:

YEA (5)- Commissioners Jeffries, Lopez, Qawwee, Bauer, Boyd

NAY (5)- Commissioners Washington, Adams Simon, Anderson, Dowd

5-103

Moved by Commissioner Boyd to delete 5-103.12 from the Charter

Motion carried.

5-205

Attorney Rewa overviewed the legal opinion that addresses proposed changes to 5-205.

Dick Peffley, BWL General Manager, and Heather Shawa, BWL Assistant Manager, sat before the Commission to answer questions. Mark Matus, BWL General Counsel, was also available.

Commissioners clarified the intended number and locations of public hearings on rate increases.

Moved by Commissioner Boyd to amend 5-205.2 to call for two public hearings for rate increases.

Commissioner Washington expressed opposition to the amendment due to not seeing the need for a second public hearing.

Motion carried 8-1, with Commissioner Washington voting against .

Moved by Commissioner Anderson to amend the proposed language to elaborate on the notice process.

Motion carried. 5-205.2 now reads “The Board shall conduct at least two public hearings at least 45 days prior to the effective date of any changes in rate structure. The public hearings shall be held at different times of day to maximize the opportunity for public attendance. At least 60 days before the first public hearing, the Board shall file with the City Clerk a statement explaining the new rates and charges together with a notice of the public hearings. Notice shall also be published by posting to the City’s and the Board’s website and by any means determined by the Board of Water and Light to achieve widespread dissemination to the general public within the Board’s service area to inform on matters of municipal concern.”

5-206

Moved by Commissioner Boyd to strike from 5-206.3 “The hearing officer shall report to the Board and the Mayor the results of each hearing conducted and shall make recommendations to the Board on any hearing which has not been resolved. The Mayor may make recommendations to the Board on each unresolved hearing. The Board shall report its final action on any unresolved dispute, together with the hearing officer's report and recommendations to the Mayor and the City Council.”

Motion carried. 5-206.3 now reads “The Board shall establish a procedure for the resolution of disputes between the Board of Water and Light and any of its customers concerning services or billing for services furnished in accordance with filed rates, rules and regulations, and established Board policies and procedures. The procedure shall incorporate the designation of an independent hearing officer.”

The Commission moved to item C, Article 4: Line-by-Line Review.

C. Article 4: Line-by-Line Review

Attorney Rewa overviewed the March 28 legal opinion that addresses 4-304. She answered questions from commissioners regarding the relationships between councils, mayors, and attorneys across the state.

City Attorney Venker and Deputy Attorney Hager-Lawrence answered questions about the nature of their work and the language in the Charter.

No action taken.

The Commission moved to item B, Article 2: Line-by-Line Review

B. Article 2: Line-by-Line Review

Attorney Rewa overviewed the March 14 legal opinion that addresses 2-104, followed by discussion among the commissioners.

Moved by Commissioner Boyd to keep 2-104.1 as is.

Motion carried.

Moved by Commissioner Dowd to keep 2-104.2 as is

Motion carried.

Moved by Commissioner Bauer to keep 2-104.3 as is.

Motion carried.

The Commission will review and decide on the Internal Auditor and City Attorney language at a later meeting.

The Commission revisited Item A: Article 5: Line-by-Line Review to discuss 5-103.

A. Article 5: Line-by-Line Review

Chair Jeffries overviewed the proposed language for 5-103.8 that addresses 8-member boards and commissions. Commissioner Washington encouraged the Commission to consider how appointments are made to boards and commissions.

Moved by Commissioner Qawwee to amend 5-103.8 and .9 to read:

“.8 Each Board established by this Charter shall be composed of eight members. ~~Four~~ **Three** members shall be from the City at-large and one member shall be appointed from each of the ~~four~~ **five** wards of the City in the following pattern:

(a) The First ward member shall have a term expiring in ~~1981~~ **2029** and every four years thereafter.

(b) The Second ward member shall have a term expiring in ~~1982~~ **2026** and every four years thereafter.

(c) The Third ward member shall have a term expiring in ~~1979~~ **2027** and every four years thereafter.

(d) The Fourth ward member shall have a term expiring in ~~1980~~ **2028** and every four years thereafter.

(e) The Fifth ward member shall have a term expiring in 2029 and every four years thereafter.

.9 ~~The members~~ One member from the City at-large shall ~~be appointed to staggered terms, at least one of which shall expire each year.~~ **have a term expiring in 2026 and every four years thereafter. One member from the City at-large shall have a term expiring in 2027 and every four years thereafter. One member from the City at-large shall have a term expiring in 2028 and every four years thereafter.**

Motion carried.

Public Comment

No comments.

Commissioner Remarks

Commissioners discussed their additional meetings.

Adjournment

The meeting was adjourned by Chair Jeffries at 8:37 PM.

ARTICLE 5 – BOARDS AND COMMISSIONS

Chapter 1. GENERAL PROVISIONS FOR BOARDS

5-101 Citizen Involvement In Government

.1 The people of the City of Lansing have placed the basic responsibility for the management of this City in their elected officials. This Charter recognizes the important role that individual citizens play in reviewing and evaluating the needs of the City through the structure of boards and commissions. For this reason, boards, commissions and advisory committees shall be encouraged by the City of Lansing.

.2 Citizen involvement for the operation of the City shall be provided through three types of boards: an administrative board, review boards and advisory boards.

5-102 Types Of Boards

.1 The Board of Water and Light is an administrative board and has been delegated executive and policymaking responsibilities necessary to the proper operation of the agency.

.2 Review boards include those boards, which are not administrative or advisory and whose recommendations or decisions have legal significance. Examples of review boards are the Planning Board, the Board of Review and the Board of Zoning Appeals. The City may create review boards by ordinance.

.3 Advisory boards include boards, commissions and committees established by ordinance or this Charter and composed of citizens sharing the common goal of improving the general welfare through their advice and assistance to the elected and appointed full time City officials.

.4 The Board of Fire Commissioners and the Board of Police Commissioners shall act as advisory boards with the additional responsibilities described in this Charter.

.5 All other boards shall be advisory boards.

.6 The provisions of this Chapter shall not apply to the boards established for the purpose of managing employee retirement systems.

5-103 Appointment Of Board Members

.1 Every member of a board, commission or committee established by Charter or ordinance shall be an officer of the City and shall possess the qualifications required by this Charter for holding office, except that a felony conviction shall not render an individual ineligible for appointment or membership.

.2 Except as otherwise specifically provided in this Charter or State law, the Mayor shall appoint persons to all such boards, commissions and committees with the advice and consent of the Council. No such appointment shall be effective until the Council has confirmed it.

.3 The terms of the boards established in this Charter or by ordinance shall be four years commencing July 1, unless otherwise provided.

.4 The City Clerk shall report to the Mayor and Council, prior to the first Council meeting in March, a list of the terms on City Boards which shall end on June 30.

.5 The Mayor shall establish and make public a procedure, which will provide for receiving either applications or recommendations of individuals for membership on City boards, commissions or committees.

1 .6 The Mayor shall file a list of appointments to the several boards prior to the first Council meeting in
2 May of each year and the Council shall act on each appointment at or prior to its first meeting in June.
3 .7 Appointments to fill vacancies shall be made upon the occurrence of the vacancy and each person
4 so appointed shall take office immediately upon the confirmation of the Council to serve for the
5 remainder of the unexpired term. In the event a vacancy is not filled within 60 days after the
6 occurrence of the vacancy, the Council shall appoint a committee of three of its members to act
7 instead of the Mayor in the making of such appointments.
8 .8 Each Board established by this Charter shall be composed of eight members. ~~Four~~ Three
9 members shall be from the City at-large and one member shall be appointed from each of the ~~four~~
10 five wards of the City in the following pattern:
11 (a) The First ward member shall have a term expiring in ~~1981~~ 2029 and every four years thereafter.
12 (b) The Second ward member shall have a term expiring in ~~1982~~ 2026 and every four years
13 thereafter.
14 (c) The Third ward member shall have a term expiring in ~~1979~~ 2027 and every four years thereafter.
15 (d) The Fourth ward member shall have a term expiring in ~~1980~~ 2028 and every four years thereafter.
16 (e) The Fifth ward member shall have a term expiring in 2029 and every four years thereafter.
17 .9 ~~The members~~ One member from the City at-large shall have a term expiring in 2026 and every four
18 years thereafter. One member from the City at-large shall have a term expiring in 2027 and every four
19 years thereafter. One member from the City at-large shall have a term expiring in 2028 and every four
20 years thereafter ~~be appointed to staggered terms, at least one of which shall expire each year.~~
21 (04/01/2025)
22 .10 Appointments to each board, commission and committee shall be made with regard to the
23 diversity of Lansing citizens, their variety of interests and the experience and expertise that each can
24 contribute to the common good of the City.
25 .11 An ordinance creating a board, commission or committee may set forth a different size for the
26 body or a different length of term for the members than required in this section if the Council finds that
27 the change is appropriate.
28 ~~.12 The Board of Water and Light Board Members shall include three non-voting advisory members~~
29 ~~representing utility customer communities outside the City of Lansing. Each non-voting advisory~~
30 ~~member shall be a Board of Water and Light customer, shall reside in and be appointed by the~~
31 ~~governing body of the municipality. One member shall represent the City of East Lansing and shall~~
32 ~~serve a term of four (4) years commencing July 1. One member shall represent Delta Township and~~
33 ~~shall serve a term of four (4) years commencing July 1. One member shall be at-large and shall~~
34 ~~represent the remaining municipalities and shall serve a term of one (1) year commencing July 1. The~~
35 ~~at-large representative shall serve on a rotating annual basis and be appointed by the governing body~~
36 ~~of the following municipalities in succession: Meridian Township, Delhi Township, DeWitt Township~~
37 ~~and Lansing Township. Except as provided herein, Section 2-103, Section 5-105, or State law, the~~
38 ~~provisions of this Charter shall not apply to the non-voting advisory members of the Board of Water~~
39 ~~and Light.~~

40 5-104 Ineligibility For Boards

41 No person holding another City office or activity employed by the City shall be eligible to be a voting
42 member on any board.

5-105 Organization Of Boards - Rules Of Procedure

- .1 Each board shall organize itself for the conduct of its business and select its own officers including a Secretary who shall take the minutes of the board meetings.
- .2 Each board shall adopt its own rules of procedure consistent with this Charter.
- .3 The rules shall state the schedule of the regular board meetings. The schedule shall not conflict with regular meetings of the City Council.
- .4 The rules shall require that public notice of all meetings shall be given in the manner provided by statute for meetings of public bodies.
- .5 The rules shall require that the public have a reasonable opportunity to be heard at all regular meetings of the board.
- .6 All board meetings shall be required to be open to the public to the same extent as meetings of the City Council.
- .7 The rules shall define the extent to which nonattendance at meetings may be grounds for removal from office.
- .8 All rules of procedure shall be submitted to the City Attorney for approval as to form. The rules shall then be submitted to the City Clerk for transmission to the City Council. The rules shall be effective at the conclusion of the Council meetings at which they are received unless the Council directs otherwise.
- .9 The Council may object to the rules in whole or in part and may return them to the board proposing their adoption with a statement of its objections and recommendations.
- .10 The minutes of all board meetings; shall be filed in the office of the Clerk as a public record. No official action taken by any board at any meeting shall be valid or effective until a copy of the minutes at which the action was taken is filed with the Clerk.
- .11 Members of advisory boards shall serve without compensation, but the City Council may authorize the payment of the actual and necessary expenses of board members.

5-106 Advisory Board Functions

- .1 Each advisory Board shall at its regular meetings review the progress and planning of the head of the agency it serves to insure that all activities are in accordance with City policy. Each board may propose changes in agency operations for the purpose of making its program more effective.
- .2 Proposed policies and programs or changes in existing policies or programs requiring Council action shall be submitted by an agency head to the appropriate advisory board prior to submission to the Mayor and Council for action. The advisory board's written recommendations concerning the proposals shall be submitted to the Mayor along with the agency's proposal. When the Mayor submits the proposal to the Council for action, the board's recommendations shall also be transmitted to the Council along with that of the Mayor.
- .3 An agency's budget material, including capital improvement proposals, shall be submitted to the advisory board before submission to the Mayor and the board's written recommendations shall be submitted to the Mayor along with the agency's recommendations. The Mayor shall transmit the board's recommendations to the Council along with budget material for that agency.
- .4 Each advisory board shall, prior to December 1, prepare a written report evaluating the effectiveness and analyzing the status and priorities for services and activities of the agency it advises. Copies thereof shall be filed with the Mayor, the Council and the Clerk.

.5 Each advisory board may develop its own proposals for new or altered policies and programs and transmit these to the Mayor and City Council.

.6 Each City officer who directs an agency or activity within the scope of an advisory board shall attend all of its meetings and supply necessary secretarial services.

5-107 Continuation Of Existing Boards

.1 All City Boards not established in this Charter and existing on the effective date of this Charter, whether established in the previous Charter or created by ordinance or resolution, shall continue as if created under ordinance with the status provided in this Charter.

.2 The terms of all persons serving on boards on the effective date of this Charter shall continue in accordance with law.

5-108 Limitation On Powers Of Boards

.1 The Board of Water and Light shall exercise administrative, executive and policy-making authority over the operation of those City utility services assigned to it in accordance with the provisions of this Charter.

.2 No other board, commission or committee shall exercise any administrative, appointive or policy making authority except as permitted by this Charter or required by State law.

.3 Notwithstanding any other provision of this Charter, the Board of Water and Light shall be subject to the emergency powers provided the Mayor by city ordinance and state law and shall include administrative and executive authority.

Chapter 2. BOARD OF WATER AND LIGHT

5-201 Board Of Water And Light

The Board of Water and Light, hereinafter known as the Board, shall have the full and exclusive management of the water, chilled water, thermal energy, including heat or hot water and, steam and electric services and such additional utility services of the City of Lansing as may be agreed upon by the Board and City Council. The board shall be responsible to the Mayor and the City Council for the provision of these services in a manner consistent with the best practices. (03/18/2025)

5-202 ~~Director~~General Manager, Internal Auditor, Secretary

.1 The Board shall appoint a ~~Director~~General Manager who shall be responsible to the Board for carrying out the duties assigned by the Board and shall serve at its pleasure.

.2 The Board shall appoint an Internal Auditor who shall report directly to the Board. The Internal Auditor shall serve at the pleasure of the Board.

.3 The General Manager or a designee shall hold a public meeting at least quarterly to interact with the public and ratepayers on the services provided by the Board. Notice for the meeting shall be published by posting to the Board's website and by any means determined by the Board to achieve widespread dissemination to the general public within the Board's service area to inform on matters of municipal concerns. (04/01/2025)~~The Board shall appoint its own Secretary who shall be responsible to the Board and shall serve at its pleasure.~~

5-203 Powers Of The Board

.1 The Board shall make all contracts pertaining to the conduct of the Board of Water and Light business and shall have the authority to settle litigation involving the Board of Water and Light.

.2 The Board shall have the power to acquire property, both real and personal, and interests in property in the name of the City for purposes of the Board of Water and Light.

.3 The Board shall have the power to sell real property and interests in real property not needed for the operation of the Board of Water and Light, subject to the approval of ~~six-a~~ 2/3 majority of City Council Members elected and subject to the limitations on the sale of real property by the City contained in this Charter.

.4 The Board shall adopt policies and procedures to assure fairness in procuring personal property and services and disposing of personal property. These policies and procedures of the Board shall parallel the policies and procedures adopted by the Council for the purchase and sale of personal property and services unless the Board makes a specific finding that a City policy or procedure is not consistent with the best practices for public utility operation.

.5 The Board shall prepare and adopt its annual budget by June ~~1~~ of each year, and implement it with whatever modifications the Board may adopt from time to time. The budget and any amendments shall be filed with the City Clerk within 10 days after adoption.

.6 The Board shall submit to the Mayor, prior to October 1 of each year, its capital improvements plan for the next six years pursuant to Section 7-109.

.7 In the best interest of the City, the Board and other agencies of the City are encouraged to cooperate on projects deemed to be beneficial and to utilize each other's services.

.8 The Board of Water and Light may utilize the streets, alleys, bridges and other public places of the City for the furnishing of public utility services. In the exercise of this right, the Board of Water and Light shall furnish timely information about proposed uses to the officials of the City and to the agencies which will be most directly affected by the use.

.9 The Board may conduct whatever audits of Board of Water and Light ~~the~~ activities it deems appropriate and shall be responsible for the cost of such audits ~~compensate the City for the cost of that portion of the annual audit of the City which covers the Board of Water and Light~~.

.10 The Board may provide for the pensioning of any employee of the Board of Water and Light or the surviving spouse or dependent of any deceased employee.

.11 The Board, except as otherwise provided in this Charter, shall be responsible for and have authority over the compensation, benefits, bonding, conditions of employment, and labor management activities for all employees of the Board of Water and Light.

5-204 Withdrawal Of Funds

.1 The funds and revenues of the Board of Water and Light shall be deposited in the City Treasury ~~and shall be credited only to the funds and~~ accounts of the Board of Water and Light. ~~They shall not be withdrawn or used for any other purpose whatsoever.~~ The Board shall have and exercise full control over all of the funds of the Board of Water and Light ~~in the City Treasury~~.

.2 All warrants drawn for the payment of money under the authority of the Board shall be signed by the General Manager and countersigned by the Secretary of the Board ~~and countersigned by the City Controller~~.

.3 Whenever warrants are issued and there is no money for the payment of the warrant, the City Treasurer Board shall, upon presentation of the, warrant, stamp the date of presentation on the face of the warrant, together with a statement that the warrant will bear interest thereafter at the rate of 6

percent per year. The interest shall cease after notice has been given to the holder, in the manner determined by the Board, that there is sufficient money of the Board of Water and Light on hand to pay the warrant with interest. Warrants of the Board of Water and Light are not general obligations of the City.

.4 The Council may provide by ordinance procedures for the disbursement of monies of the Board of Water and Light by check issued by the Secretary of the Board in accordance with the ordinance.

5-205 Rates

.1 The Board may fix just and reasonable rates and other charges as it may deem advisable for services furnished by the Board of Water and Light.

.2. The Board shall conduct at least two public hearings at least 30-45 days prior to the effective date of any changes in rate structure. The public hearings shall be held at different times of say to maximize the opportunity for public attendance. At least 45-60 days before the first public hearing, the Board shall file with the City Clerk a statement explaining the new rates and charges together with a notice of the public hearings. Notice shall also be published by posting to the City's and the Board's website and by any means determined by the Board of Water and Light to achieve widespread dissemination to the general public within the Board's service area to inform on matters of municipal concern. (04/01/2025)~~Notice to the public shall be given in the same manner as is required for proposed ordinances.~~

5-206 Collection And Hearing Procedure

.1 Upon the request of the Board, the City Council shall provide by ordinance for the collection of unpaid charges for public utility services furnished by the Board of Water and Light and for the imposition and enforcement of liens upon property served by the Board of Water and Light.

.2 When any person fails or refuses to pay any sums due on utility bills, the service upon which the delinquency exists may be discontinued and suit may be brought for the collection of the money owed.

.3 The Board shall establish a procedure for the resolution of disputes between the Board of Water and Light and any of its customers concerning services or billing for services furnished in accordance with filed rates, rules and regulations, and established Board policies and procedures. The procedure shall incorporate the designation of an independent hearing officer. ~~The hearing officer shall report to the Board and the Mayor the results of each hearing conducted and shall make recommendations to the Board on any hearing, which has not been resolved. The Mayor may make recommendations to the Board on each unresolved hearing. The Board shall report its final action on any unresolved dispute, together with the hearing officer's report and recommendations to the Mayor and the City Council.~~

5-207 Sale Or Exchange Of Facilities

The Board shall not, unless approved by the affirmative vote of three - fifths of the electors voting thereon at a regular or special City election, sell, exchange, lease, or in any way dispose of any property, easement, equipment, privilege, or asset needed to continue the operation of the Board of Water and Light. The restrictions of this section shall not apply to the sale or exchange of articles of machinery or equipment of the Board of Water and Light, which are no longer useful or which are replaced by new machinery for the operation of the Board of Water and Light, or to the exchange of property or easements for other needed property or easements.

Chapter 3. BOARD OF POLICE COMMISSIONERS

5-301 Duties

.1 The Board of Police Commissioners, hereinafter known as the Board, is established pursuant to Article 5, Chapter I of this Charter and shall have all the powers, duties and responsibilities of advisory boards in addition to the following duties:

.2 The Board shall establish administrative rules for the organization and overall administration of the department including promotional and training procedures in consultation with the Chief of Police and Mayor. These administrative rules shall not be effectuated in accordance with Section 5-105. 8 of this Charter but shall become effective upon filing with the City Clerk.

.3 The Board shall approve rules and regulations for the conduct of the members of the Department, in consultation with the Chief of Police and the Mayor.

.4 The Board in their rules shall establish a procedure for receiving and resolving any complaint concerning the operation of the department.

.5 The Board shall review and approve the departmental budget before its submission to the Mayor.

.6 The Board shall act as the final authority of the City in imposing or reviewing discipline of the department employees consistent with the terms of State law and applicable collective bargaining contracts.

.7 The Board shall render an annual report to the Mayor and City Council, which shall include a description and evaluation of the department's activities during the previous year, including the handling of crime and complaints, if any, and proposals for future plans.

5-302 Investigatory Power

Whenever necessary to carry out its assigned duties, the Board of Police Commissioners shall have the same power to subpoena witnesses, administer oaths and require the production of evidence as the City Council.

Chapter 4. BOARD OF FIRE COMMISSIONERS

5-401 Duties

.1 The Board of Fire Commissioners, hereinafter known as the Board, is established pursuant to Article 5, Chapter 1, of this Charter and shall have all the powers duties and responsibilities of advisory boards in addition to the following duties.

.2 The board shall establish administrative rules for the organization and overall administration of the Department, in consultation with the Chief of the Fire Department and the Mayor. These administrative rules shall not be effectuated in accordance with Section 5105.8 of this Charter but shall become effective upon the filing with the City Clerk. .3 The Board shall approve rules and regulations for the conduct of the members of the Department, in consultation with the Chief of the Fire Department and the Mayor.

.4 The Board, in their rules, shall establish a procedure for receiving and resolving any complaint concerning the operation of the department.

.5 The Board shall review and approve the departmental budget before its submission to the Mayor.

.6 The Board shall act as final authority of the City in imposing or reviewing discipline of the department employees consistent with the terms of the State law and applicable collective bargaining contracts.

1 .7 The Board shall render an annual report to the Mayor and City Council, which shall include a
2 description and evaluation of the department's activities during the previous year, including the
3 handling of complaints, if any, and proposals for future plans.

4 CHAPTER 5. BOARD OF ETHICS

5 5-501 Standards Of Conduct

6 .1 The people of this City recognize that the continuation of the proper operation of the City requires
7 that public officers and employees be independent, impartial and responsible to the people; that
8 decisions and policy be made in the proper channels of governmental structure; that members of the
9 public have access to information upon which decisions affecting their City are made; that public
10 office and employment not be used for personal gain; that the integrity and operation of City
11 government to be subject to scrutiny of the public; and that acts or actions not compatible with the
12 best interests of the City be defined and prohibited.

13 .2 In order to provide an orderly procedure for consideration and review of the issues, which may
14 arise concerning questions of standards of conduct for public officers and employees, a Board of
15 Ethics is created.

16 5-502 Membership

17 .1 The Board of Ethics shall be a review board and shall consist of eight members; four members
18 shall be appointed by the City Council, one from each city ward, and four shall be appointed by the
19 Mayor. The City Attorney shall assist and advise the Board and the City Clerk shall serve as
20 Recording Secretary to the Board and provide such administrative services to the Board as may be
21 necessary; however, neither shall be eligible for appointment as board members.

22 .2 Of the members appointed to the initial Board, the Mayor and the City Council shall each appoint
23 members for a one-year, a two-year, a three year, and a four-year term. A member shall hold office
24 until a member's successor is appointed. Thereafter each Mayoral-appointed member and each
25 Council-appointed member shall serve for a term of four years. An appointment to fill a vacancy shall
26 be made by the Mayor to fill a vacant Mayoral appointed member position and by the City Council to
27 fill a vacant Council-appointed member position. Persons serving as members of the Board of Ethics
28 on the effective date of this section shall continue as members until the expiration of their original
29 terms.

30 .3 Members of the Board of Ethics shall be residents of the City and shall hold no elected public office
31 and no other City office or employment.

32 .4 The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to
33 the approval of City Council. Special meetings may be held when called in the manner provided in the
34 rules of the Board. The Board shall select its own presiding officer from among its members.

35 .5 If any issue before the Board involves any member of the Board, such member may not participate
36 in Board deliberations pertaining to the member's issue nor shall such involved member be eligible to
37 vote on any actions concerning the issue.

38 .6 All City employees and elected or appointed officials of the City shall cooperate with any
39 investigations by the Board; such cooperation shall include the compilation and production of any
40 information requested by the Board during an investigation unless the information requested is
41 exempt from disclosure under the applicable state law.

1 .7 If any issue before the Board involves the office of the City Attorney, the Board may engage the
2 services of outside counsel upon terms and arrangements approved by City Council.

3 5-503 Duties

4 .1 At the request of a person, the Board of Ethics may render an informal opinion with respect to the
5 prospective conduct of such person. An informal opinion need not be written and may be provided
6 directly to the requestor of such opinion. All written opinions of the Board of Ethics shall be filed with
7 the City Clerk and are open to public inspection. Written informal opinions shall be drafted in such a
8 way as not to reveal information exempt from public disclosure under the applicable state law.

9 .2 The Board of Ethics on its own initiative or upon request may render and publish a formal opinion
10 on any matter within the scope of the Board's authority which it may deem appropriate.

11 .3 The Board of Ethics does not have the authority to reverse or modify a prior action of the Mayor,
12 City Council, or an officer or employee of the City. If the Board finds a prior action of the Mayor,
13 Council, officer, or employee to have been ethically improper, the Board may advise the appropriate
14 party or parties that the action should be reconsidered. Upon such advice by the Board, the action
15 shall be reconsidered by the appropriate person or public body. If the Board determines an existing
16 City contract to be ethically improper, after such determination and advice from the Board the City
17 may void or seek termination of the contract if legally permissible. The Board may refer a matter to
18 the City Attorney for review and consideration for appropriate action. Upon completion of review and
19 consideration, the City Attorney shall report its findings to the Board.

20 .4 The Board of Ethics may recommend to the Council standards of conduct for officers and
21 employees of the City and changes in the procedures related to the administration and enforcement
22 of those standards.

23 .5 The Board of Ethics shall review, at least annually, any documents required to be filed under
24 ordinances adopted by the City for the purpose of establishing standards of conduct for officers and
25 employees.

26 .6 The Board, when it deems it appropriate, may request the City Attorney's Office for assistance in
27 compelling the production of documents and witnesses to assist the Board in the conduct of any
28 investigation.

29 .7 Within one year from the effective date of this section the City shall provide an ethics manual for
30 the use of all City officers and employees. Such manual shall first be approved by the Board of Ethics
31 before distribution. Each City officer and employee shall acknowledge receipt of said manual.

32 .8 Proceedings before the Board are subject to the applicable state law regarding the conduct of
33 public meetings. Records of the Board shall be filed with the City Clerk and are available for public
34 review as required by state law.

35 5-504 Protection Of Public Interest

36 .1 The City shall adopt, by ordinance, such standards for the conduct of public affairs as may be
37 deemed necessary to protect the public, including the ordinances referred to in this section.

38 .2 The City shall adopt, by ordinance, no later than one year after the effective date of this section,
39 restrictions similar to those enacted by the State of Michigan by statute, prescribing standards of
40 conduct for City officers and employees. To the extent permitted by law, the ordinance shall generally
41 include, but not be limited to, prohibiting the use of City office or employment for the private benefit of
42 any person; prohibiting the divulging of confidential information in advance of the time prescribed for

its authorized release to the public; prohibiting the use of City personnel resources for private gain; prohibiting the profit from an official position and acceptance of things of value by City officers or employees; requiring the financial disclosure by City officers and employees; and requiring lobbyist disclosure for all City officers and employees.

.3 Any violations of ordinances dealing with matters in this section shall be punishable to the maximum extent permitted by law and may be made punishable by forfeiture of office or position.

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.

Chapter 6. PLANNING BOARD

5-601 Planning Board

.1 There shall be a Planning Board.

.2 The members of the Planning Board shall be appointed and confirmed in the manner set forth in Section 5-103 of this Charter.

.3 In addition to the regular members of the Planning Board, the City Council shall nominate and appoint two Council members who shall serve as ex-officio members of the Board, without a vote, for a one-year term commencing on July 1 of each year.

5-602 Powers And Duties

.1 The Planning Board shall have all of the powers and duties granted to municipal planning commissions by statute and all the powers and duties of advisory boards provided by this Charter, together with such additional powers and duties as may be provided by this Charter or ordinance.

.2 The Planning Board is entitled to assistance from the staff of the Economic Development and Planning Department in evaluating or preparing any proposal relating to planning or development. All elective and appointive officers shall furnish to the Planning Board, within a reasonable time, available information required by the Planning Board.

.3 The Planning Board shall review and make recommendations on the Economic Development and Planning Department draft of the Capitol Improvement Plan prior to its submission to the Mayor and Council.

.4 The Board shall develop and maintain a master plan for the orderly development of the City. The plan shall include the consideration of the impact of social, physical, and economic factors.



ATTORNEYS AND COUNSELORS AT LAW

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Kristen L. Rewa
krewa@cnda-law.com

April 10, 2025

Via Email

Mr. Brian C. Jeffries
Chairperson
Lansing Charter Commission
124 W. Michigan Ave., 9th Floor
Lansing, MI 48933
Brian.Jeffries@lansingmi.gov

Re: Article 5, Chapter 2, Board of Water and Light (Sec 5-204).

Dear Mr. Jeffries:

This letter addresses Article 5 concerning the Board of Water and Light (BWL), specifically section 5-204.

I. 5-204 Withdrawal of Funds

The Commission discussed including language in the Charter addressing the Return on Equity Agreements. We agree that language should be included in the Charter. We reviewed the current Agreement for Return on Equity, model charter language from the American Public Power Association, and state law. We additionally obtained input from the City Attorney's Office and the counsel for the Board of Water and Light, which we have reviewed and accepted. The proposed language is provided for your review and consideration. The proposal changes the title of Sec 5-104 and adds a new section, 5-104.5 to address Return on Equity.

Proposed language:

5-204 Use of Funds

.5 Consistent with generally accepted practice in the municipal utility industry and in acknowledgement that the Board of Water and Light is a City owned public utility, which receives City services without cost and utilizes City property in the fulfillment of its purposes, the Board shall continue to be authorized to contribute payments to the City. All existing agreements for payments shall remain in full force and effect upon adoption of this Charter. Future agreements for payments shall be documented in writing, based on a formula and terms mutually

acceptable to the City and Board and comply with this Charter and state law. In determining the formula, the City and Board shall consider the following factors, but not to the exclusion of other factors that may be or become relevant: the financial burden of the payment on the Board or its ratepayers, the financial burden of use of services and property on the City or its taxpayers, and any and all shared services or infrastructure.

Very truly yours,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.



Kristen L. Rewa

cc: Vice Chair Lori Adams Simon (lori.simon@lansingmi.gov)
Chris Swope, MMC/MiPMC (Chris.Swope@lansingmi.gov)
Brian P. Jackson, MiPMC, (Brian.Jackson@lansingmi.gov)