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MINUTES

Elected Officers Compensation Commission
Thursday, March 14, 2019 @ 1:30 p.m.
City Hall, City Council Conference Room, 10th Floor

ROLL CALL

Liisa Speaker, Chairperson
Gillian Dawson, Vice Chairperson
Brian Huggler, Member
Jeff McAlvey, Member- arrived at 1:37 p.m.
Derek Melot, Member
Cassie Alley, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, Chief Deputy Attorney
Kyle Kaminski, Lansing City Pulse

CALL TO ORDER

Chairman Speaker called the meeting to order at 1:30 p.m.

ROLL CALL

Chairman Speaker called roll.

EXCUSED ABSENCE

APPROVAL OF AGENDA

MOTION BY MEMBER ALLEY, SECONDED BY HUGGLER TO APPROVE THE AGENDA AS PRESENTED FOR MARCH 14, 2019. MOTION CARRIED 5-0.

APPROVAL OF MINUTES

MOTION BY MEMBER HUGGLER, SECONDED BY MELOT TO APPROVE THE MINUTES FROM MARCH 7, 2019 AS PRESENTED. MOTION CARRIED 5-0.

COMMUNICATIONS/BUSINESS

Reports, Presentations, Commission Questions and Discussion

The Commission had made available to them minutes from a City Council meeting from 1983, emailed information from the City Attorney to Council Staff on explanations and opinions on Home Rule Act 117.5c; and questions on separation recommendations. Mr. Smiertka then explained an ordinance was adopted in 1973 and it must be read in connection with the State Statute, pursuant to the Home Rules City Act. That act provision requires the EOCC to make a decision on each member, and he his opinion was that Council can reject for each member.

The Commission then discussed five (5) categories (Mayor, Clerk, President, Vice President, and Council Members) and if they should put in one recommendation letter as has been customary,

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because unless a Council Member calls the question to divide the answers, they can reject all if the Chair treats it all as one. The Commission then considered five (5) letters, one letter per recommendation; Mayor, Clerk, Council President, Vice President and Council Members. Member Melot asked Law if the Commission does five (5) letters, does the Council have the authority to pull together and take one action. Mr. Smiertka stated a Council Member Would have to move it that way, but with five (5) letters it will be referred as five (5) separate items. Member Speaker stated her interpretation of the Home Rule Act and the ordinance was the recommendation on each elected official and there was nothing to say it cannot be done in one letter, and if someone wanted to separate vote they could. Mr. Smiertka agreed. Member Melot recommended five (5) letters and Member Speaker recommended the option of three (3) letters with Council positions all listed in one letter. Council Member Alley asked her fellow Commission members what they were proposing to consider.

Mr. Melot then provided his opinion and overview of how the presentation went with Council on Monday, stated he believed there is an overwhelming opinion they will reject, figuring his opinion five (5) would vote down anything, and they are not comfortable with the EOCC. Member McAlvey stated in his opinion, Council was not like that, but his impression was that they felt uncomfortable that they were determining how they got paid. Member Melot answered that in his opinion the EOCC exists to do the work and make the determination, and if Council does not want to formally act they do not have to, and in turn the recommendation would be in effect. Member Huggler's opinion from watching the meeting tape, he said, was that Council did not feel comfortable going back to 2017 on what they already overturned. The 20% in 2015, was large, and granted but at the time a lot to swallow, so he understood why they were reluctant in 2017. He saw that Council had stronger support of increases from 2018, but not the catch-up from 2015-2017.

Member Gillian asked if the Commission could do multiple recommendations; one for each year. Mr. Smiertka stated they cannot go back 30 days out, and the determination should be of the salary the EOCC is important today. Member Speaker noted that the EOCC is making a recommendation, and it is Council's determination to accept or reject. Mr. Smiertka corrected and clarified that under the State Statute the EOCC makes the "determination" not a "recommendation" and anywhere it is stated as such it should be changed to "determination". Member Melot again stated he did not believe that Council understand they do not have to do anything. Mr. Smiertka noted to the Commission that what they saw from the Council on Monday was them signaling their personal preferences. Member McAlvey noted he did not hear a defined determination from the Council. Member Melot pointed out to the Commission their charge is to a determination of what is best for the City, regardless of how City Council will vote, and if in the end the result is no one gets anything, they need to consider the ordinance. The Commission began a discussion on proposed options and what was presented to the Council on Monday. Member Melot distributed a document that listed each of the five (5) positions:

Mayor – 2019-\$134,099; 2020-\$136,781; 2021-\$139,653
Clerk – 2019-\$90,903; 2020-\$92,721; 2021- \$94,668
Council President – 2019-\$27,813; 2020-\$28,369; 2021-\$28,965
Council Vice President – 2019-\$26,247; 2020- \$26,772; 2021-\$27,334
Council Members – 2019-\$25,496; 2020-\$26,006; 2021-\$26,552

Member Melot noted that he based the new numbers on starting with the 2018 inflation rate of 2.46% and 2019 inflation rate of 1.90% for the first increase, then the annual inflation rates for 2020 and 2021; taking them up until the EOCC meets again. The Commission reviewed and briefly discussed the letter, which would be drafted by Member Speaker. It was noted to change "recommendation" to "determination" wherever it appears, do five (5) letters and each would have three columns; 2019, 2020 and 2021.

MOTION BY MEMBER HUGGLER, SECONDED BY MEMBER MELOT THAT THE COMMISSION DETERMINED THE SALARY BREAKDOWN DISTRIBUTED BY MEMBER MELOT TITLED

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“PROPOSAL FOR DETERMINATION, MARCH 2019” WOULD BE LABELED “EXHIBIT A” OUTLINING THE FIGURES FOR 2019, 2020 AND 2021 FOR MAYOR, CLERK, COUNCIL PRESIDENT, COUNCIL VICE PRESIDENT AND COUNCIL MEMBERS. MOTION CARRIED 6-0.

Mr. Smiertka acknowledged he would hand deliver the document (Exhibit A) to the finance department for verification of the numbers.

MOTION BY MEMBER MELOT, SECONDED BY DAWSON TO APPROVE THE DETERMINATION IN EXHIBIT A, AS VERIFIED BY THE FINANCE DEPARTMENT, IN FIVE (5) SEPARATE LETTERS BASED ON THE POSITIONS LISTED. MOTION CARRIED 6-0.

Member Melot asked if another meeting was needed to sign the letters, and Mr. Smiertka stated that they made their decision and took action on that in an open meeting so there was not need.

Member Speaker stated she would finalize the letters, get a copy to Ms. Boak who will do the final formatting and send to each member individually for one last proof, and once finalized Ms. Boak will inform the Members and they can come into the office to sign the letters.

It was confirmed with Mr. Smiertka that he would have finance verify the exact numbers.

Old Business

No old business.

New Business

No new business.

Commission Member Comments

Member McAlvey noted for the record that the Commission went to Council to ask for feedback; they got feedback, listened and both parties were receptive.

OTHER

No other items to discuss.

PUBLIC COMMENT

No public comment.

ADJOURN

Adjourned at 2:02 p.m.

Respectively submitted by:

Sherrie Boak, City Council Office Manager

Approved by Committee on: