



MINUTES
Committee of the Whole
Monday, May 13, 2019 @ 5:00 p.m.
Tony Benavides Lansing City Council Chambers

CALL TO ORDER

Council Member Wood called the meeting called to order at 5:00 p.m.

PRESENT

Councilmember Kathie Dunbar- excused
Councilmember Jeremy A. Garza
Councilmember Adam Hussain
Council Member Brian T. Jackson
Councilmember Peter Spadafore
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood

OTHERS PRESENT

Sherrie Boak, Council Staff
Eric Brewer, Council Internal Auditor
Jim Smiertka, City Attorney
Angela Bennett, Finance Director
Samantha Harkins, Executive Staff, Mayor's Office
Chris Swope, City Clerk
Brian Jackson, Deputy City Clerk
Dennis Parker, UAW
Loretta Stanaway
Tom Krub, LPD Union Representative
Sgt. Ryan Wilcox, LPD
Lynne Meade, Teamsters
LFD Union Representative
Brian Lefler, FHT Representative
Nick Tate, City Labor Counsel

Minutes

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM MAY 2, 2019 AS PRESENTED. MOTION CARRIED 7-0.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM MAY 6, 2019 AS PRESENTED. MOTION CARRIED 7-0.

Public Comment on Agenda Items

Ms. Stanaway referenced a letter she submitted prior to the meeting. The letter noted emails on the plant replacement at the Sunken Gardens done by BWL, and she had found out that BWL also purchased new plants.

Mr. Lefler referenced a letter he sent shortly before the meeting from the FHT with the recommendation to have the Mayor and City Council look at year round pension support and a long term Chief Strategy or Legacy Officer.

Presentation

Department Budget Presentations

City Clerk

Mr. Swope and Mr. Jackson went through presentation their department budget presentation beginning with their primary functions and major changes in the department. Council Member Spadafore asked if anyone took advantage of the vote early or at home ballot, and Mr. Swope confirmed there was a handful. Mr. Swope then went on to talk about the departments other election projects including participating in an Audit Election Results for the 2018 Election, and doing the PILOT for the recent election and work with the Bureau of Elections. The presentation went in to the use of SWOC, Proposal 3 impact and onto Medical Marihuana Licensing. Council Member Spitzley inquired into statements made that the application fee is taking in more funds then needed to process the application. Mr. Swope stated they have 8,000 hours of staff time in his office alone from December 2017 to the current, then there is staff time in LPD, LFD and the Attorneys offices. He confirmed they are tracking expenses and believe they are breaking even. Mr. Smiertka confirmed his office is conducting a study calculating the time to the current date of the costs incurred by the City. Mr. Swope continued by stating that by May 28, 2019 they will have their first phase of licenses issued, and they will then open up for Phase 2 for 30 days. Mr. Swope provided the Committee with the following statistics on licenses:

- Processers- 22 applications - 18 approved
- Transport - 6 applications - 5 approved
- Grower - 74 applications - 54 approved
- Testing/ safety compliance-1 application – 1 approved

Regarding FY2020 budget changes, Mr. Swope said his budget will include \$35,000 for equipment for absentee ballots in Miscellaneous, \$12,500 to replaced 20 Election Day laptops. Council Member Spadafore asked why the 20 election computers were not covered in his IT budget. Mr. Swope noted that the computers are network computers, and deployed only 3 times a year. Council Member Hussain asked why the line item reflected a \$30,000 increase not the \$35,000 just mentioned and asked why. Mr. Swope briefly reviewed and clarified it would be \$30,000. Mr. Swope then was asked why his utility line item as only \$13,000. Mr. Swope was not able to provide details and deferred to Ms. Bennett. Ms. Bennett was not able to clarify either other than to assume the amount was the amount at the time of the budget, but that they did have \$30,000 in year end. Ms. Bennett stated she would look into the correct amount. Council President Wood asked the process they use when they replace and dispose of election computers, and Mr. Swope assured her that during the elections when they are used the WIFI is disabled, and after the election within 7 days, the stored voter data is removed, and WIFI is turned back on. Council President Wood asked what changes are being made for Phase 2 of the licensing, and Mr. Swope said the main thing is criteria for processing on points because one condition is proximity to another dispensary and with the first batch there weren't any yet, but now with this Phase there will be all the ones from Phase 1 they will have to consider. They are also looking at the investment and construction as points.

Council Member Jackson stepped away from the meeting 5:35 p.m.

Council Member Spitzley asked when they would start accepting for Phase 2, and was told May 28, 2019.

Union Leaders Budget Proposal Considerations

Council Member Jackson returned to the meeting at 5:40 p.m.

Mr. Krub stated he was the representative for all sworn LPD officers, and asked the Council consider whether they want to be reactive or proactive. He then appealed for more staffing in the LPD and stated sometime they only have eight (8) officers to handle all calls and are using a larger resource of mutual aid than what mutual aid was set up for. Referring to the proposed budget, he recommended taking the proposed \$50,000 for WIFI in parks to be used for an officer. Council Member Spitzley asked how many officers he would want to be a full responsible department, and she was told 20 would fill the vacancies. Council Member Garza then asked how long the State Police will be on loan, and was told they were not sure but they are in the City a lot and do supplement the force. There are currently nine (9) State Police now, six (6) in Crime Initiative. In his opinion the City has to have something in place if the MSP ever leaves. Council Member Hussain asked how many Community Policing Officers they thought would be needed for 24/7 a week, and Sgt. Wilcox stated 4-5. Council Member Spadafore referred back to the earlier statement of a need for 20 more officers and asked if that was on top of the filling the vacancies and it was confirmed that number included the vacancies. Council Member Jackson asked if their overtime was for court related appearances on City Ordinances and if they had any suggestions on making it more efficient. Sgt. Wilcox acknowledged they have attempted other options in the past, but in the case of court appearances you never know if the defendant will show up, and if you don't go and get called in it could take 30 minutes to get to the court. He then noted that the overtime is staffing overtime not court overtime. Council Member Jackson encouraged them to look into options for the overtime. He then asked what role the FHT recommendations had. Council President Wood suggested that they be careful with their questioning due to negotiation of contracts. Mr. Krub agreed and stated that in no way are they here to negotiate directly with Council, and noted however that in the last 2 contracts they have given to City changes in pension for active, and changes in health care, and retiree health care. Council Member Washington pointed out that the department goes through their entire overtime budget in the first six (6) months of the fiscal year Issue, and also looked into their technology budget wondering if technology is more important for funding than staffing or overtime budget. Sgt. Wilcox confirmed that unfortunately with what they deal with daily is more technology. The boots on the ground get to the point, and get them access, then they have to break down and analysis and put into something. In their opinion both are important. Council President Wood inquired into details on their case load, and Sgt. Wilcox stated that the case load for major detective range from 5-15, and if they lost the Michigan State Police detectives it would be more because they have 5-15 cases. The Violent Crime Initiative has had a huge impact on the crime rate dropping. Council President Wood then asked about "Cops and Courts". Sgt. Wilcox stated they are making changes all the time to adjust to the case, and the courts often ask for suggestions regularly.

The LFD representative noted for their division they reflect the same sentiments the LPD representatives stated, and their question also would be if Council is looking to be proactive or reactive. In 2008 they had 52 personnel, and in 2018 they had 42 personnel, with a 72% increase in calls. They have asked for six (6) additional staff in their budget but it was removed. Council Member Spitzley inquired into the last statement and it was confirmed they asked for more staff, but the final budget does not reflect that. She then asked if there were five (5) retiring in the next couple months, and was told he could not talk about negotiations but that answer could be decided by negotiations. At this time he stated they are working on the bare minimum for staffing. Council Member Garza asked Ms. Harkins to explain why if the

department asked for budgeting funds for six (6) more staff why was it removed. Ms. Harkins answered that there has been no staffing reductions in the last couple years. Council President Wood expanded for Ms., Harkins that all department budgets go to the Mayor and the he puts together the final budget, and just as Council had asked for a staff position in a Legal Analyst and the Mayor chose to remove from their budget, why did the Mayor chose to remove the requested 6 LFD officers from that budget. Council Member Hussain agreed in the frustration that the proposed budget is asking Council to approve new positions that are not critical, but the Mayor removed six (6) LFD officers, so Council needs to work on the funding for that in this budget. He then inquired with the representative on the current ladder trucks in the fleet. He was provided with the details that most fire department standards would be to have 3-4, however Lansing is running with 2. Council Member Hussain then asked about what percentage of the people in EMT transition to paramedics. He was told that a third group was sent through the class equaling 9 paramedics.

Ms. Meade, Teamsters 243, representing all the City clerical, technical, professional and supervisory, with members in every department. She stated her concerns and issues are with the job vacancies and the lack of funds going into the pension because of that.

Council Member Hussain stepped away from the meeting at 6:31 p.m.

Council Member Garza asked about those employees benefits and was told the new employees do not get the benefit of retiree health care. The employees in what they call the "highbred plan" contribute 5% in defined benefit, 3% in defined contributions so a total of 8% of their salary goes into pension. The City puts 3% into the defined benefit.

Council Member Hussain returned to the meeting at 6:32 p.m.

Council Member Washington asked for Ms. Meade's opinion on why positions are not filled. Ms. Meade did not have information on why. Council President Wood asked Ms. Bennett what the vacancy factor was in the proposed budget and was told \$700,000 which is higher than the current \$500,000. She noted it was higher because of the number of vacancies they have now that will not be filled until next fiscal year. Council Member Spitzley noted it appears that the HR process has deficiencies, and so asked Ms. Harkins was had changed. Ms. Harkins supported the HR Director stream lining the process. Council President Wood added that there are contract positions not filled by FT employees but staying contract, therefore not paying into the pension system either. It has also been stated to Council over multiple years that when there is a vacancy some departments are not filling it but keeping it vacant or contracted for years until they determine if they want to keep it or reclassify it.

Mr. Parker with the UAW, provided an example where the HR Department takes up to 3 weeks to fill a seasonal position but only taking each step in the process a week at a time. He then clarified that he represents the UAW which covers seasonal, part time, parking, mechanics in the service garage and laborers. Mr. Parker recommended hiring a Chief Operation Officer to look at the issues, which can be funded from the proposed \$285,000 Green Energy option and they could also address energy stability as part of the role.

Council President Wood asked each representative if they have been in constant contact with administration to look at redundancy in the budget or economic development. Mr. Parker confirmed he has been in constant contact, but again encouraged the funding for a Chief Operating Officer to look at revenue generating options. Ms. Meade stated she is not contacted, the LFD representative confirmed it is better than it used to be.

Council Member Hussain spoke in support of another Chief Financial Officer and asked Mr. Parker if he believed they could save money by not have a contract with United to do the landscaping at the parks, and Mr. Parker confirmed the City would because before they were seasonal staff.

Budget Review

This item was moved to the May 20, 2019 Committee meeting.

Council Member Garza stepped away from the meeting at 6:53 p.m.

Budget Wrap Up

This item was moved to the May 20, 2019 Committee meeting.

Budget Policies

Council Member Spadafore informed the Committee that during Committee on Public Service there was a discussion on non-motorized vehicle safety. He noted he also spoke to Mr. Kilpatrick with Public Service who confirmed they do have the materials/equipment to initiate in trouble spots now, including Saginaw & Capitol. He added he was not proposing City wide, but specific traffic areas, and potentially in the future the scooter fees can possibly expand to cover the cost.

NON-MOTORIZED VEHICLE SAFETY:

PUBLIC SERVICE IS ENCOURAGED TO DEVELOP A STRATEGY AND PROGRAM TO PROTECT BIKE LANES AT BUSY INTERSECTIONS TO INCREASE RIDER SAFETY AND EDUCATE MOTORISTS ON PROPER INTERACTION WITH BIKE LANES AT INTERSECTIONS. IF POSSIBLE, THE BARRIERS SHOULD BE REMOVABLE TO FACILITATE STREET SWEEPING AND SNOW PLOWING.

Council President Wood stated the Committee will discuss polices at the next meeting and so any other recommendations need to be submitted by May 15th to be prepared in draft form.

Discussion/Action:

RESOLUTION –CDBG Annual Action Plan for FY2019/2020

Ms. Bennett referred to documents she placed at the DIAS at the start of the meeting, which reflects the final allocations to amend the proposed budget to adjust for it.

Council Member Garza returned to the meeting at 6:55 p.m.

Mr. Kulhanek recapped that after they got the numbers from HUD, it reflects a slight increase in the CDBG and ESG and a large decrease in HOME of \$87,000.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE CDBG ANNUAL ACTION PLAN FOR FY19/20. MOTION CARRIED 7-0.

Executive Order 2019-05; Intent to Name “Beacon Park”

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE EXECUTIVE ORDER 2019-05 TO NAME BEACON PARK. MOTION CARRIED 7-0.

DISCUSSION – Resolution on Supplemental Appropriation; Revenue from the sale of the Townsend Parking Ramp (Committee approved April 29, 2019)

Council President Wood asked Mr. Smiertka if he had researched the assessment process the Committee asked about, specific to residential cost. The key question was if the City could pay the residential portion of the assessment. Mr. Smiertka stated that by State law, being a

special assessment, this must be done with equal protection for all properties, and to pull out a group of properties to not assess would not be legal. Under the Charter, the City Council has the ability to designate a portion that can be shared by the entire City. He added they can also consider allowing installment payments to spread the amount out over a number of years. Council President Wood reminded the Committee that the hearing on the Special Assessment is on the Council agenda tonight with action at Committee of the Whole and Council May 20, 2019. Council Member Washington asked what the total assessment was, and was told \$364,000 for all effected parcels by Mr. Smierka. Council President Wood added that the residential portion was \$48,000. Council Member Spadafore noted that the way he read the resolution the total was \$360,000 with the City paying half and the owner paying half, but was told by Council Member Wood that that was incorrect. Council Member Hussain asked if they could take the entire amount and spread the cost out over the entire City and was told by Law they could, and a special assessment needs to show a benefit to the property and equal across the board. Council Members Spitzley and Washington were opposed to the assessment. The Committee then discussed the resolution for the supplemental appropriation from the sale of the Townsend Ramp that was passed out of Committee on April 29, 2019. Council President Wood noted that she had received multiple questions from Council Members on some of the items in the breakdowns including the new website item. Ms. Harkins was asked how long ago the current website was started, and Ms. Harkins stated it had been 5-6 years, and the Administration does not believe it is user friendly. Ms. Boak was asked her recollection on the life of the website, and she stated it was new since her employment which has not yet been 6 years. Council President Wood then asked Ms. Harkins about the item for City wide paperless initiative, and Council Member Spitzley asked if that was the total cost, or there would be additional costs. Ms. Harkins explained the project would address paper being stored off site, and confirmed \$500,000 would be the initial cost but if they move in this direction they would bring back the total cost to Council before it starts. Council Member Hussain asked what the cost was for the current storage off site. Council Member Washington spoke in opposition to the funds for a new website or the paperless initiative.

ADJOURN

The meeting was adjourned at 7:13 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council

Approved by the Committee on May 20, 2019