



**CITY OF YPSILANTI
Board of Ethics MEETING
Thursday, May 30, 2019 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. CALL TO ORDER

II. ROLL CALL

Patricia Berry
Beth Currans
Brian Geiringer
Steven Landstrom
Sally Lusk

III. INVOCATION

IV. AGENDA APPROVAL

V. INTRODUCTIONS

VI. PRESENTATIONS

VII. PUBLIC COMMENT (3 MINUTES)

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Approving the Minutes of April 18, 2019
- B. Discuss the creation of Board Bylaws
- C. Presentation of the Open Meetings Act
- D. Election of Vice Chair
- E. Discussion regarding amendments to the ordinance regarding the Board of Ethics.
- F. Schedule further Special Meetings

IX. PUBLIC COMMENT (3 MINUTES)

X. ADJOURNMENT



MINUTES

Board of Ethics Meeting

7:00 PM - Thursday, April 18, 2019
Council Chambers

The Board of Ethics of the City of Ypsilanti was called to order on Thursday, April 18, 2019, at 7:00 PM, in the Council Chambers, with the following members present:

I CALL TO ORDER

The meeting was called to order at 7:05 p.m.

II ROLL CALL

Patrcia Berry	Present	
Beth Currans	Absent	
Brian Geiringer	Present	
Steven Landstrom	Present	
Sally Lusk	Absent	Telephonic

Board Member Landstrom moved to excuse the absences of Board Members Currans and Lusk.

On a voice vote, the motion carried, and the absences were excused.

III INVOCATION

Clerk Hellenga asked all to stand for a moment of silence followed by the Pledge of Allegiance.

IV AGENDA APPROVAL

Board Member Landstrom moved to approve the agenda, seconded by Board Member Berry.

Board Member Geiringer moved to add a discussion regarding the scheduling of a meeting concerning Board operations.

On a voice vote, the motion carried, and the agenda was approved as amended.

V PUBLIC COMMENT (3 MINUTES)

None

VI RESOLUTIONS/MOTIONS/DISCUSSIONS

a) Selecting a Board Chair

Board Member Landstrom moved to nominate himself, seconded by Board Member Berry.

No other Board Member was nominated as Chair.

On a voice vote the motion carried, and Board Member Landstrom was elected Chair of the Board

b) Create Process for the city to engage the Board of Ethics

Board Chair Landstrom asked Clerk Hellenga for guidance on this item. Clerk Hellenga responded he provided the ordinance governing the Board to the members. he explained Section 46-34 of the Code outlines the process for the public to submit complaints to the Board. Mr. Landstrom asked if the Board has had time to read the code. Board Member Geiringer stated Section 46-34 is not what he would like to amend. he would like to amend different terms of public engagement. Mayor Bashert explained there are times when there are gaps in the process, and she would like the Board to be familiar with each step. She added there has not been a complaint submitted to the Ethics Board in some time, there have been complaints submitted, however, they were not deemed ethics violations by the City Attorney. Board Member Berry asked if the first step of the process is to submit a complaint to the City Attorney. Mr. Hellenga responded in the affirmative. Ms. Berry stated the board only engages with a complaint after it has been vetted.

Board Member Berry asked if the public has a right to speak at an Ethics Board meeting. Mr. Hellenga responded there is a time for public comment as required by the Open Meetings Act. Ms. Berry asked if a complaint could be made during public comment. Mayor Bashert responded the board should explain the process to the individual in order to engage with the process properly. Mr. Hellenga added the complaint must be submitted in written form.

Board Member Geiringer stated the Board can make studies of ethical problems. Mr. Hellenga responded in the affirmative. Mr. Geiringer asked if the study could be a specific complaint. Mr. Hellenga responded a study would be more broad, examining systemic issues. Mayor Bashert added this board advises Council, and if there is a process in conflict with ethical standards, or could lead to ethics violations the board could recommend an amendment to the process.

Board Member Landstrom stated he is okay with the process outlined in the City Code. Board Member Berry added the board does have the leeway to suggest amendments if there are deficiencies, but she is okay with the current process. Board Member Geiringer agreed, but would recommend developing a more informal process for submitting an ethics complaint. He suggested an online portal. Board Member Berry replied it could subvert the process of not

being directed to the City Attorney. Mr. Hellenga replied in online submission could be automatically directed to the City Attorney. Mayor Bashert added this ordinance was drafted prior to the age of the internet, and discuss processes for individuals without access to the internet, or individuals that might need assistance with the complaint form.

Board Member Geiringer stated a process could be developed to inform the city the Board of Ethics exist. Board Member Landstrom stated he does not see a problem with making the city aware.

Board Member Berry asked who takes notes and sets agendas for the Board. Mr. Hellenga replied a member of the Clerk Department will take notes and the Board Chair sets the agenda.

Mr. Hellenga and Mayor Bashert discussed the Open Meetings Act.

Board Member Geiringer asked how a meeting can be called. Mr. Hellenga replied the Chair would call a meeting, and the Board would be polled to select a date for the meeting. Mr. Geiringer asked how a member that isn't the chair could call a meeting. Mr. Hellenga responded since the Board does not have bylaws the chair would be required to call the meeting.

Board Member Berry asked if quorum is off of city members. Mr. Hellenga responded in the affirmative.

Board Member Berry moved to accept the current process, seconded by Board Member Geiringer.

On a voice vote the motion carried, and the current process was accepted.

- c) Schedule an annual meeting to create a report for City Council

Board Member Landstrom asked when the report is due before Council. Mr. Hellenga responded the end of the calendar year. Board Member Berry asked if it needs to be written, or can it be provided orally. Mr. Hellenga responded the report must be provided in written form. Mayor Bashert replied the Board will want to hold a meeting with enough time to develop and approve the report. Board Member Berry suggested scheduling a meeting for October. Board Member Landstrom agreed.

Board Member Berry moved to schedule a meeting on October 17, 2019 to approve the annual report, seconded by Board Member Geiringer.

On a voice vote the motion carried, and October 17, 2019 was scheduled.

- d) Schedule a meeting to discuss Board Operations **(added)**

Board Member Geiringer asked to begin by thinking about a date for this meeting. he proposed either the third Thursday in May or June. Mayor Bashert stated developing bylaws can take some time.

Board Member Geiringer moved to schedule a Special Meeting on May 30, 2019 to discuss Board operations, seconded by Board Member Berry.

On a voice vote the motion carried, and May 30, 2019 was scheduled.

VII PUBLIC COMMENT (3 MINUTES)

None

VIII ADJOURNMENT

Board Member Landstrom adjourned the meeting at 8:10 p.m.

BYLAWS
BOARD OF ETHICS
YPSILANTI, MICHIGAN
DATE

ARTICLE I. NAME AND PURPOSE

Section 1 **Board of Ethics**

Established by the City Charter (portion and date) and amended by Resolution XXX -date

Section 2 **Purpose**

The purpose of the Board is: to provide an orderly procedure for consideration and review of the issues which may arise concerning questions of standards of conduct for public officers and employees.

ARTICLE II. MEMBERSHIP

The Board of Ethics shall consist of five members appointed by the mayor with the approval of the city council.

No city council member, officer or employee and no officer or employee of any other governmental unit shall be a member of the board ethics.

No more than three members of the board of ethics shall be members of the same political party. Each member of the board of ethics shall file an affidavit of party affiliation prior to taking office. The board member need not be a member of any political party and may serve as an independent with no political party affiliation.

Members of the board of ethics shall be city residents. The mayor shall, with the majority consent of the city council, appoint members of the board of ethics.

ARTICLE III. BOARD

Section 1 **Powers and Duties of the Board**

The board of ethics shall make studies of ethical problems in city government. The board of ethics shall from time to time make recommendations to the city council for amendments to ordinances related to ethics for city officers and employees, and standards of conduct for officers and employees of the city.

The board of ethics shall file an annual report with the city clerk on or before December 31 of each year which shall be delivered to the city council and all department heads. The board of ethics shall appear and report to the city council in person as reasonably requested.

The board of ethics will review all complaints received, and schedule hearings as needed. The board will be guided by the City Attorney in determining the appropriate process for each complaint.

Section 2 **Number of Members.**

The Board of Ethics shall consist of five members appointed by the mayor with the approval of the city council.

Section 3 **Term**

The first five persons shall be appointed to the board of ethics for terms of one year, two years, three years, four years and five years so that one member's term shall expire each year. Thereafter all terms shall be five years.

The Board chair shall be selected by the members for a term of one year.

No person shall serve more than one full five-year term, provided that a person serving an initial term of two years or less, and a person appointed to fill a vacancy of a remaining term of two years or less shall be eligible for appointment to one additional five-year term.

Section 4 Quorum

A quorum will consist of a simple majority (51%) of the Board of Directors. A quorum of the Board of Directors must be present to conduct business.

Section 5 Meetings

Regular meetings of the Board of Directors shall be held as determined by the Board. Special meetings of the Board of Directors may be held at any time upon twenty-four (24) hour notice, oral or written, by the President, Secretary, Treasurer, or by three other members of the Board of Directors.

Section 6 Notice of Meetings

Section 7

Section 8 Resignations, Termination and Absences

Section 9 Vacancies

ARTICLE IV. OFFICERS

Section 1 General

Section 2 Election and Terms of Office

Section 3 Resignation and Removal

Section 4 Duties and Responsibilities of Officers

The Officers shall possess such powers and perform such duties as shall be determined by the Board of Directors.

ARTICLE V. COMMITTEES

Section 1 Committee formation

ARTICLE VI. EXECUTION OF DOCUMENTS

Section 1 Documents, Obligations and Disbursements

ARTICLE VII. PARLIAMENTARY AUTHORITY

Section 1 Parliamentary Authority

The most recent edition of *Robert's Rules of Order* shall serve as the Parliamentary Authority for the organization.

ARTICLE VIII. AMENDMENTS

Section 1. Amendments