



**CITY OF YPSILANTI
POLICE ADVISORY COMMISSION MEETING
Thursday, August 22, 2019 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

Page

I. CALL TO ORDER

II. ROLL CALL

COMMISSIONERS:

Andy Fanta
Heather Freeling
Kathleen McCormick
Herman Humes
Gail Wolkoff

STAFF LIASION:

Police Chief Tony DeGuisti

III. INVOCATION

IV. AGENDA APPROVAL

V. APPROVAL OF MINUTES

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- A. Approval of the July 25, 2019 minutes
[POLICE ADVISORY COMMISSION - 25 Jul 2019 - Minutes](#)

VI. PUBLIC COMMENT (3 MINUTES)

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Monthly Statistical Report - Chief DeGiusti

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- B. Review of potential recommendations for amendments to Ordinance 1295
[Adopted Ordinance 1295](#)

VIII. OLD BUSINESS

IX. PUBLIC COMMENT (3 MINUTES)

X. NEXT MEETING DATE

XI. ADJOURNMENT



MINUTES POLICE ADVISORY COMMISSION Meeting

7:00 PM - Thursday, July 25, 2019
Council Chambers

The POLICE ADVISORY COMMISSION of the City of Ypsilanti was called to order on Thursday, July 25, 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 7:09 p.m.

II ROLL CALL

COMMISSIONERS:

Andy Fanta	Present
Heather Freeling	Present
Kathleen McCormick	Present
Herman Humes	Present
Gail Wolkoff	Present

STAFF LIASION:

Police Chief Tony DeGuisti

III AGENDA APPROVAL

Commissioner Wolkoff moved, seconded by Commissioner Freeling to approve the agenda.

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

IV APPROVAL OF MINUTES

a) Approval of the June 27, 2019 Meeting Minutes

Commissioner McCormick moved, seconded by Commissioner Freeling to approve the minutes.

Approved: Yes - 4; No - 0; Absent - 1 (Humes)

V PUBLIC COMMENT (3 MINUTES)

None

VI RESOLUTIONS/MOTIONS/DISCUSSIONS

a) Monthly Ypsilanti Police Department Statistical Report - Chief DeGiusti

Chief DeGiusti provided an update on the June 2019 Crime statistics.

Commissioner Fanta stated it is pleasing to hear how well the training of new officers is going, and commended to the department.

Commissioner Freeling thanked the Chief for the inclusion of the articles provided in the report.

b) Examining potential recommendation for ordinance amendments

Commissioner Fanta stated for the August meeting we will provide pieces of the Ann Arbor ordinance that would be a benefit to include in Ypsilanti's. He brought attention to the Ann Arbor ordinance requirement for diversity on the commission.

c) Police Advisory Commission Code of Ethics

Commissioner Fanta stated Commissioner Wolkoff suggested this be on the agenda. He explained although he disagrees there is an issue it warrants discussion. He does not believe the use of electronic devices has caused a breach in the City's Code of Ethics. He distributed an article regarding code of ethics.

Commissioner Wolkoff moved, seconded by Commissioner Freeling to enter Committee of the Whole.

Approved: Yes - 4; No - 0; Absent - 1 (Humes)

Commissioner Wolkoff stated she does not believe there is an issue, however, she wants to be certain it does not occur during future meetings. Technology is a reality in everyone's life, and she does not want there to be a public perception of impropriety. She would like something bluntly stated the Commission will not use technology will be used at the dais. Commissioner Fanta asked if after the meeting is called to order he ask the Commission to turn off all devices. Ms. Wolkoff responded she is open to hear the opinion of the Commission. Clerk Hellenga stated the Commission has the authority to create its own bylaws, and if this is the will be the body this could be included in those bylaws. Commissioner McCormick stated she is on call twenty-four hours a day, seven days a week for her work, and needs her phone to be one at all times. She explained she always has her phone on silence and if she needed will step away from the dais. Commissioner Freeling stated it is a good reminder, and also needs to be available to clients.

Commissioner Fanta stated at the beginning of the meeting he could ask that both the members of the Commission and audience members turn their phones to silent. He suggested employing that practice and see if it quells any concern. Commissioner Wolkoff emphasized this is not currently a problem,

but being one of the missions of this Commission is to build relationships she does not want there to be a problem.

d) Dealing with Difficult Individuals

Commissioner Fanta explained he added this to the agenda because of the recent complaint received by the Commission. He stated he felt the Commission response to the complaint has sound. He stated he feels the complaint must have been a tremendous waste of time for the Police Department, and feels the Commission could assist in alleviating some burden.

Chief DeGiusti stated in the nearly nineteen years he has been a police administrator this is the only time he has received a complaint like the one being referenced. He isn't certain it will require a mechanism for the Commission to address. Commissioner Fanta responded he does not believe it occurs frequently, but in the case it does, he would like a mechanism for the Commission to respond. Clerk Hellenga stated that mechanism is included in the ordinance creating the Commission. The Commission is tasked in reviewing complaints that the complainant is not satisfied with the outcome. Mr. Fanta responded he is aware, but wants the Chief to be aware that he can direct a complainant to the Commission.

Commissioner Wolkoff asked if the complainant continues to file complaints against the department it could be referenced to the Commission. Commissioner Fanta responded if a determination was made by the department that is not satisfactory to the complainant they could be directed to the Commission. He does not want another complaint to take that much time from the department. Commissioner McCormick responded the suggested protocol does make sense for the average person.

Commissioner Wolkoff stated the submitted complaint was borderline slander, she read it as abusive towards people. Chief DeGiusti replied when you're a public official slander really doesn't exist, people have the ability to say anything they want about you.

Commissioner Freeling stated if in the nineteen years as a police administrator this is the only time a complaint such as this has occurred, she believes what is written in the ordinance should suffice. Commissioner Fanta agreed, and stated the Police Chief can bring any issues to the Commission in the monthly report.

VII OLD BUSINESS

Commissioner Wolkoff asked the status of filling the empty seats on the Commission, she asked if anyone has applied. Clerk Hellenga responded no. Chief DeGiusti added he believes it could be a result of the summer season. Mr. Hellenga replied there has not been an application for the Police Advisory Commission in over a year. Commissioner Fanta stated he feels uncomfortable asking people to apply for the commission. He offered to ask the matter to meet with someone residing at Chidester Place to apply to the Commission, to replace Commissioner Melke. He suggested

Commissioner Wolkoff have any candidates for the youth seat on the Commission. Ms. Wolkoff suggested asking the Mayor to include the vacancies in her newsletter.

VIII PUBLIC COMMENT (3 MINUTES)

1. Preseton stated he would not worry about the use of cell phones during meeting. He provided suggestions on how to recruit for the Commission.

IX NEXT MEETING DATE

August 22, 2019

X ADJOURNMENT

Commissioner McCormick moved, seconded by Commissioner Freeling to adjourn the meeting.

On a voice vote, the motion carried, and the meeting adjourned at 8:02 p.m.



**CITY OF YPSILANTI
NOTICE OF ADOPTED
ORDINANCE
Ordinance No. 1295**

An ordinance to establish the Ypsilanti Police Advisory Commission

1. THE CITY OF YPSILANTI HEREBY ORDAINS that Chapter 2, Article IV of the Ypsilanti City Code of Ordinances is hereby amended to add a new Division 6, as follows:

DIVISION 6. POLICE ADVISORY COMMISSION
Section 2.200. Created.

Pursuant to Ypsilanti City Charter section 9.03, there is hereby created a commission known as the "Ypsilanti Police Advisory Commission."

Section 2.201. Purpose.

The purpose of the Ypsilanti Police Advisory Commission is:

- a. To strengthen the relationship between the community of the City of Ypsilanti and the Ypsilanti Police Department.
- b. To serve as a liaison to enhance community and police relations and serve as an advocate for programs, ideas, and methods to improve the relations between the police and the community
- c. To Review police complaint investigatory findings, and report to council on the Commission's analysis of these findings
- d. To collect, review, and audit summary data and compile aggregate statistics relating to individual or community police complaints and other issues of importance
- e. To educate the public about complaint process, and ensure and recommend ways to make the process accessible to all
- f. To make recommendations to the City Manager with regard to organizational matters and procedures.
- g. To participate in annual review of the Ypsilanti Police Department's Citizen Police Academy.
- h. To consult and advise the City Manager on the Ypsilanti Police Department's strategic plan.

Section 2.202. Appointment and Terms.

The Ypsilanti Police Advisory Commission shall consist of 7 members and a non-voting youth member. All members to the Ypsilanti Police Advisory Commission shall be appointed by the Mayor, with the approval and confirmation of a majority of City Council. There shall be at least one member from each Ward.

The term of members of the Ypsilanti Police Advisory Commission shall be three years, except that of the members first appointed. Terms shall be staggered as far as practicable. Members shall be appointed for a maximum of two full terms.

Section 2.203. Duties.

The duties of the Ypsilanti Police Advisory Commission shall be to:

- a. Establish and update rules by-laws for the transaction of its business, subject to the approval of the City Council. Such rules and by-laws shall be in a manner not inconsistent with this Article, other City ordinances, the City Charter, or laws of the state and federal government.
- b. Elect officers, including a chair.
- c. Establish and maintain a meeting schedule and meet at least quarterly.
- d. Take all necessary action to fulfill the purpose for the Ypsilanti Police Advisory Commission as stated in this Division.
- e. To file a written report of its activities, findings, and recommendations, if any, to City Council at least annually.

Section 2.204. Procedure.

Procedure for the operation of the Ypsilanti Police Advisory Commission shall be as follows:

- a. A majority of the Ypsilanti Police Advisory Commission members appointed shall constitute a quorum.
- b. No meeting of the Ypsilanti Police Advisory Commission shall commence or continue in the absence of a quorum.
- c. A majority vote of those forming a quorum shall be required for any action by the Ypsilanti Police Advisory Commission, except where otherwise specified in this Article, other City ordinances, or the City Charter.
- d. Regular meetings of Ypsilanti Police Advisory Commission shall be held no less than quarterly. Any scheduled meeting may be rescheduled at the preceding regular meeting.
- e. The records of the Ypsilanti Police Advisory Commission shall be subject to the Freedom of Information Act, Act No. 442 of the Public Acts of Michigan of 1976 (MCL 15.231 et seq.), as amended.
- f. All meetings of the Ypsilanti Police Advisory Commission shall be subject to the Open Meetings Act, Act No. 267 of the Public Acts of Michigan of 1967 (MCL 15.261 et seq.), as amended.
- g. The Ypsilanti Police Advisory Commission shall provide an opportunity for public comment as to the business being conducted by the Ypsilanti Police Advisory Commission, pursuant to its established rules and by-laws.

Sections 2.205 – 2.225 - Reserved.

2 Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3 Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4 Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5 Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6 Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 14th DAY OF November, 2017.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1295 was published according to Section 11.13 of the City Charter on the 28th day of September, 2017.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 14th day of November, 2017.

Frances McMullan, City Clerk

Notice Published: September 28, 2017

First Reading: October 17, 2017

Second Reading: November 14, 2017

Published: November 20, 2017

Effective Date: December 14, 2017