

CITY CLERK'S OFFICE

Orientation Packet

WHAT DOES THE CITY CLERK'S OFFICE DO?

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ETHICS ORDINANCE SUMMARY

The following is a summary of the basic provisions of the Ethics Ordinance. This summary and the "Frequently Asked Questions" sections of this manual are not inclusive.

Purposes of Ordinance

- Identifies minimum standards of ethical conduct for public servants
- Establishes penalties for public servants who violate the public trust
- Provides a process for public servants to identify and resolve ethical issues
- Intends to promote public confidence in the integrity of public servants

Scope of Ordinance

You are covered by this ordinance if you are:

- A person who might offer a gift to a city officer or employee
- A city officer
- A city employee
- A candidate for a city elective office
- A member of the immediate family of any of the above
- A business with which any of the above is associated

*Conflict of interest questions raised by or about a City Councilmember, at a City Council Meeting, and related to an Agenda Item, will be determined by the City Council at that meeting.

Prohibitions

If you are covered by this ordinance, you must not:

- Accept non-monetary gifts with a value greater than \$50
- Offer or give (directly or indirectly) any gift, loan, services, etc., or other thing of value with the agreement or understanding that a vote or official action of an officer or employee will be influenced
- Solicit (directly or indirectly) any payment, gift, loan, contribution, services, etc., or other thing of value based on any agreement or understanding with a person, including any administrative board established under the City Charter with the agreement or understanding a vote or official action will be influenced
- Falsely represent personal opinions to be those of the governmental body of which you are a member or employee
- Divulge confidential information before it is authorized to be released
- Use the power of your office to intimidate or threaten other city employees or members of the public

- Use your position to obtain financial gain for yourself or for your immediate family or a business in which you, or they, are associated
- Use resources, property or funds under official control and care to obtain personal financial gain for yourself or immediate family members or business in which you, or they, are associated.
- Act on behalf of the city by making any policy statements promising to authorize or to prevent any future action, agreement or contract when you have no authority to do so.
- Engage in a business transaction that allows you to profit from confidential information you have obtained or may obtain because of your position or authority
- Participate in, vote on, or act upon contracts for making loans or grants of public funds, subsidies, issuing permits or certificates or any other regulations relating to any business you are associated with or have an interest in
- Participate in, vote on, or act upon any matter if you have a conflict of interest or have a financial interest, other than as a citizen of the city
- Assist or agree to assist, directly or indirectly, in the violation of this ordinance

Penalties

Violation of this ordinance shall be a misdemeanor.

- If you violate the ordinance, you can be penalized or fired, just as you can for any other employment violation

This ordinance does not prohibit anything that is allowed by your collective bargaining agreement.

Board of Ethics Overview:

In order 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, a Board of Ethics is created by the City Charter.

Meetings:

5:30 p.m.
The 2nd Tuesday of each month
South Washington Office Complex
2500 S Washington
Lansing, MI 48910

The Board of Ethics consists of 8 members - 4 members are appointed by the City Council, 1 from each city ward and 4 are appointed by the Mayor. The City Attorney assists and advises the

Board and the City Clerk serves as Recording Secretary to the Board and provides such administrative services as may be necessary. Current members are:

Members:

- Jack Midgley, Chair (2nd Ward Appointee)
 - Penny Gardner, PhD, Vice Chair. (Mayoral appointee)
 - Keith Kris, PhD., (4rd Ward Appointee)
 - John Folkers (1st Ward Appointee)
 - Connie Doyle (Mayoral appointee)
 - Lori Adams Simon (3rd Ward Appointee)
 - MaryLea Benson (Mayoral Appointee)
-

THE BOARD OF ETHICS

The Board of Ethics of the City of Lansing was established by the City Charter which was adopted by the voters of Lansing in 1978 and amended on November 8, 1994. The Board consists of eight members; four of whom are appointed by the City Council and four by the Mayor.

The Board normally meets once a month. Special meetings may be held when called in the manner provided in the rules of the Board. The meeting schedule and agendas are posted in the City Clerk's Office. Proceedings before the Board are subject to the applicable state law regarding the conduct of public meetings.

Records of the Board are placed on file with the City Clerk and are available for public review as required by state law. The City Clerk serves as Secretary to the Board of Ethics and provides administrative support. All items to be forwarded to the Board or placed on the Board Agenda should be sent to the Clerk. Copies of Affidavits of Disclosure, Statements of Financial Interest and other forms used by the Board may be obtained from the Clerk's Office.

The City Attorney assists and advises the Board. Individuals desiring clarification or interpretation of the Ethics Ordinance and the Ethics Chapter of the City Charter may do so in writing to the City Attorney. The City Attorney will either provide a written response or refer the request to the Board of Ethics.

Additional copies of this manual are available in the City Clerk's Office and the Human Resources Department.

Ethics Ordinance is in Part 2, Title 10, Chapter 290 of the Lansing Codified Ordinance:
https://library.municode.com/MI/Lansing/codes/Code_of_Ordinances?nodeId=COOR_PT2ADC_O_TIT10EMPR_CH290ET

OPEN MEETING HANDBOOK QUICK SHEET

The basic intent of the Michigan Open Meetings Act is to strengthen the right of all Michigan citizens to know what goes on in government by requiring public bodies to conduct nearly all business at open meetings.

The concept of the Open Meetings Act is: as a public body, a board, commission or council must do all its business, except for certain narrowly defined exceptions, in public meetings at which a quorum is present. Meetings must be held in public places. The public must be told in advance the time and location of the meeting and be given an opportunity to address the public body. Minutes must be taken at the meeting and be made available to the public upon request within a short time after the meeting.

Coverage

The coverage of the law is very broad, including the State Legislature as well as the legislative or governing bodies of all cities, villages, townships, charter townships and all county units of government.

The act does not apply to a meeting of a public body which is a social or chance gathering not designed to avoid the law.

Notification of Meetings

The law states that within 10 days of the first meeting of a public body in each calendar or fiscal year, the body must publicly post a list stating the dates, times and places of all its regular meetings at its principal office. If there is a change in schedule, within three days of the meeting in which the change is made, the public body must post a notice stating the new dates, times and places of regular meetings.

Special and Irregular Meetings

For special and irregular meetings, public bodies must post a notice indicating the date, time and place at least 18 hours before the meetings. This edited summary is from The Michigan Municipal League

Closed Meetings

The law provides for closed meetings in a few specified circumstances. In order for a public body to hold a closed meeting, two-thirds of its members must vote affirmatively in a roll call. Also, the purpose for which the closed meeting is being called must be stated in the meeting when the roll call is taken. Normally, Neighborhood Planning Councils should not have cause to go into a closed session.

Individual Notification of Meetings by Mail

Citizens can request that public bodies put them on a mailing list so that they are notified in advance of all meetings. In addition, upon written request, public bodies are required to send free notices of meetings to newspapers, radio and television stations at the same time that they are required to post those notices.

Minutes of a Meeting

Minutes must be kept for all meetings and are required to contain:

- A statement of the time, date and place of the meeting;
- The members present as well as absent;
- A record of any decisions made at the meeting and a record of all roll call votes; and
- An explanation of the purpose(s) if the meeting is a closed session.

Except for minutes taken during a closed session, all minutes are considered public records, open for public inspection, and must be available for review as well as copying at the address designated on the public notice for the meeting.

Proposed minutes must be available for public inspection within eight business days after a meeting. Approved minutes must be available within five business days after the meeting at which they were approved.

Corrections in the minutes must be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes must be available no later than the next meeting after the correction and must show both the original entry and the correction.

Frequently Asked Questions

How do we find out if our board is required to follow OMA?

The Public Policy Brief “Michigan Open Meeting Act Decision Tree” may be helpful to answer this question. The first part of this Brief considers the question – Is it a public body? The second part asks if part of the meeting can be closed. The Open Meetings Act (OMA), defines a public body as “any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement; or the board of a nonprofit corporation formed by a city under section 4o of the home rule city act, 1909 PA 279, MCL 117.4o” (MCL 15.262(a)).

If the board fits that definition, it is critical for board members to have a copy of the OMA and have a complete understanding of their obligations under the OMA.

Are organizations that act in support of a government body required to follow OMA?

If an organization is not authorized by statute to serve a governmental function, then they would not be subject to the act. However, a board seeking to maintain an open and trusting relationship with its public should consider following the standards of openness in the law.

If our board goes into closed session but approves minutes of the closed meeting in an open meeting (without allowing the meeting minutes to be shared) is that a violation?

Minutes can be approved in a closed session and members can also make corrections to the minutes in that closed session. However, members can also approve minutes in the open session without divulging the content of the closed meeting.

If we have no bylaws or operating procedures that address public comment is it reasonable to say at the start of the meeting “these are the rules we will follow today for public comment”?

OMA explains that “a person shall be permitted to address a meeting of a public body under rules established and recorded by the public body” (MCL 15.263(5)). That means the rules can't be arbitrarily changed from one meeting to the next, and that they have to be written rules – in the public body's bylaws, for example. If different meeting circumstances legitimately require different rules, then the body should establish those different sets of written rules and identify in the rules which are used in which situations. A public body making every effort to be transparent should have those written rules available prior to the meeting for public examination.

Open Meetings Act: <https://www.lansingmi.gov/DocumentCenter/View/427>

PASSPORTS

If you need a new U.S. Passport, or to renew a U.S. Passport, you are able to complete the application at the [Lansing City Clerk's Office](#).

With a family friendly staff, photography services on-site, accessible bathrooms, and convenient hours that extend over the lunch hour (M-F 8:00 a.m. – 4:30 p.m.), you can “buy local” by applying for your passport and keep the \$25 service fee in your city.

Two separate payments are required when submitting an application, so please bring your check book, money orders or cashier checks.

To make it most convenient to complete the process in one trip, visit our passport web page at www.lansingmi.gov/Passports

REQUIRED MATERIALS

To obtain a U.S. Passport you must provide the following:

- 2” x 2” passport photo with a white or light background (may be taken at the Clerk’s office)
- Passport Application – available at Clerk’s office, do not sign until instructed to do so
- Proof of Citizenship
- Valid picture identification (Driver’s License or State I.D.)
- Payment
 - U.S. Passport Agency Fee: payable by check or money order only
 - City Clerk Fee: payable by cash, check, money order, credit card, debit cards

ELECTIONS

As an Elections Official, the City Clerk administers Federal, State, and Local procedures through which local government representatives are selected. The City Clerk assists candidates in meeting their legal responsibilities before, during and after an election. From Election pre-planning to certification of election results and filing of final campaign disclosure documents, the City Clerk manages the process which forms the foundation of our democratic system of government.

The City Clerk's office is responsible for the orderly conduct of elections. If you are interested and eligible for an absentee ballot or need to change your voter registration, please contact the office. Every election, election poll workers earn **\$120 or more to work the entire Election Day**. The office is always accepting [applications](#), and especially need workers with computer skills. Training sessions are required. It is a great way to serve our city and make a little extra income. For additional information about elections, such as confirming your voter registration, finding your poll location, viewing sample ballot, and past City election results, visit www.lansingmi.gov/Elections.

A few of the services that the City Clerk's Office handles in regards to elections:

- Applying for a Military or Overseas Absentee Ballot
- Helping voters to find out where they are registered to vote
- Registering to Vote
- Updating Registration Address
- Provide Election Results
- Provide Details on Upcoming Elections
- Hire & Train Election Workers
- Provide Information about Polling Locations
- Provide and Process Absentee Ballots
- Provide Information on the Candidates
- Provide Additional Information to Voters as needed

Absentee Ballot Information:

To be added to the Permanent Absentee Application List in order to automatically receive an Absentee APPLICATION, please call 517-483-4133 or email city.clerk@lansingmi.gov

Reasons for Absentee Voting

A voter may request an absent voter's ballot for any of the following six reasons according to Michigan Law:

- Being 60 years of age or older.
- Physically unable to attend the polls without assistance of another.

- Is an appointed precinct worker in a precinct other than the precinct where the voter lives?
- Expects to be absent from the community in which the voter is registered for the entire time the polls are open on Election Day.
- Cannot attend the polls because of the tenets of the voter's religion.
- Cannot attend the polls because the voter is confined to jail awaiting arraignment or trial.

In-Person Absentee Voting Opportunities

Our South Washington Elections Unit is open 30 days prior to any election. It has free parking and is located on CATA route #2, at 2500 South Washington, with the most convenient entrance in the back of the building.

Walk-in absentee voting will also be available on the following dates and times:

When:

- Monday-Friday 8am-5pm
- Wednesdays 8am-7pm
- Sunday (9 days prior to Election Day) noon - 4pm
- Saturday (3 days prior to Election Day) 8am - 2pm

Where:

South Washington Office Complex
Elections Unit
2500 S Washington
Lansing, MI 48910
Phone: 517-483-4485
Fax: 517-483-4393



Chris Swope
Lansing City Clerk

Want to vote from home?

Absentee Ballot Applications are available

- On the web at www.lansingmi.gov/clerk
- By calling 517-483-4133
- By email city.clerk@lansingmi.gov
- Visit us at Lansing City Hall – 124 W. Michigan, 9th Floor
- Visit us starting on October 3 at the South Washington Election Unit - 2500 S. Washington (Back of Building)

www.Lansingmi.gov/clerk
517-483-4131 city.clerk@lansingmi.gov



Elections Unit Directions:

Located in the rear building entrance;
enter gates on the right side.

CITY COUNCIL

The City Clerk Office also prepares agendas and minutes for the Lansing City Council, maintains public city records, and has other legal responsibilities per the State of Michigan and the Lansing City Charter, and City Council Rules.

As the key staff for City Council meetings, the City Clerk prepares the City Council Agenda, verifies legal notices have been posted or published, and works with Council staff and administration. The City Clerk is entrusted with the responsibility of recording the decisions of City Council.

The City Clerk oversees yet another legislative process; the preservation and protection of the public record. By statute, the City Clerk is required to maintain and index the Minutes, Ordinances, and Resolutions adopted by the legislative body. The City Clerk also ensures that other municipal records are readily accessible to the public. The public record under the conservatorship of the City Clerk provides fundamental integrity to the structure of our democracy.

Minutes:

One of the Clerk's most important duties is to prepare the minutes of governing board meetings and maintain them. The minutes of the City Council meetings are the official record of action taken by the Council.

Minutes must be "full and accurate," for they are the legal evidence of what the governing board has said and done.

Minutes should note the late arrival and the early departure of members. They must also include a list of the members who voted each way on a particular question if any member requests.

Minutes to City Council meetings can be found on the Agenda Center; where you can view current agendas and minutes for all boards and commissions.

<https://www.lansingmi.gov/AgendaCenter>

BUSINESS LICENSES

Over twenty different business license applications are available from the Clerk's office. From auctioneers to waste haulers, details on the cost and more are available at www.lansingmi.gov/Business_Licenses

Auctioneer

Billiard Room and Bowling Alley

Building Wrecker or Building Mover

Cabaret

Canvasser / Street Peddler

Canvasser / Street Peddler Printable Application

Collection Bin - A Collection Bin License is required for any container that is located on any property within the city and that is used for soliciting and collecting the receipt of clothing or household items.

Fireworks Display

Going Out of Business, Fire, and Certain Other Sales

Health Club

Ice Cream Peddler

Massage Therapist (Exempt From Health Code Ordinance)

Secondhand Dealer

Show License

Sign Erector License

Street Musician

Transient Merchant

Greater Lansing Taxi Authority

Waste Hauler

MEDICAL MARIHUANA LICENSES

The City Clerk is in charge of handling and processing of Medical Marijuana applications under the new 2017 Medical Marijuana Ordinance. The City Clerk is also in charge of the scoring of provisioning centers application in relation to the new Medical Marijuana Ordinance; there will only be 20 licenses granted in the first round of scoring, and later 5 additional may be added.

To be licensed, one must be granted local and state approval.

There are five different types of applications pertaining to Medical Marijuana:

1. Safety compliance
2. Provisioning center (dispensary)
3. Processor facility
4. Secure transporter
5. Grower facility

For more information, please visit: www.lansingmi.gov/marijuana

RECORDS MANAGEMENT

Documents Place on File

Documents that have been referred to City Council, including minutes of all the City's Boards and Commissions, land purchase, sell and lease agreements, financial audits and annual reports can be found at <http://mi-lansing.civicplus.com/1401/Documents-Placed-on-File>

Agenda Center

View current agendas and minutes for all boards and commissions. Previous years' agendas can be found in the Document Center. City Council agendas and proceedings are both placed in the agenda center.

<http://mi-lansing.civicplus.com/AgendaCenter/City-Council-4>

Record Maintenance

Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, email messages, databases, etc. The retention periods listed on the link below; do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media.

For more information please visit:

http://intranet.lansing.local/col_intranet/col_intranet/Lansing_Retention_Schedule.pdf

BOARDS AND COMMISSIONS

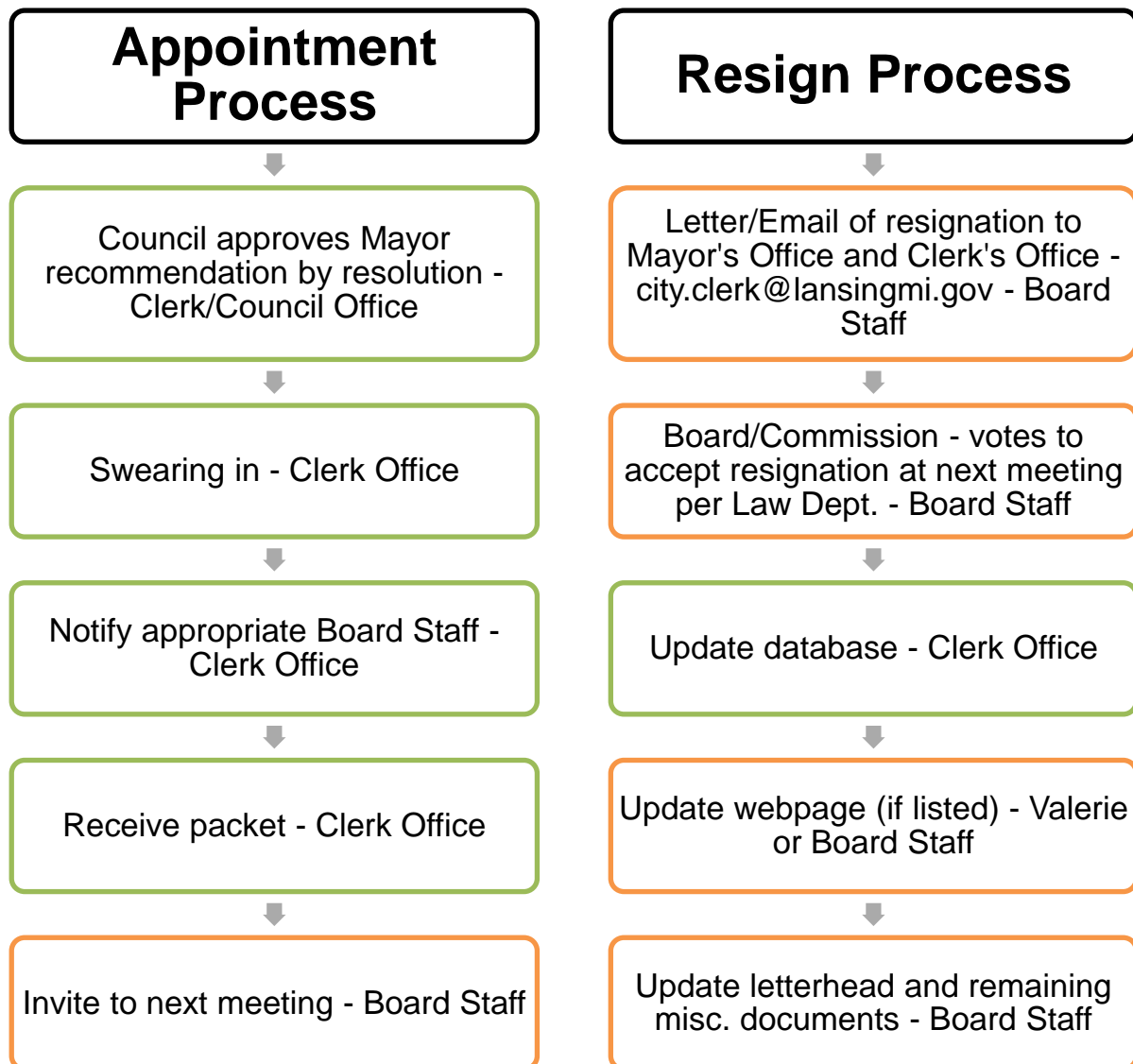
More than two dozen City Boards and Commissions help advise City leaders on key policy decisions that impact the quality of life in our community. Positions on these boards are generally appointed by the Mayor with the advice and consent of the City Council. (See below for more information regarding appointments and resignations)

Use this link to see the list of members of boards, authorities and commissions

<https://www.lansingmi.gov/153/Boards-Commissions> -

Minutes for all boards, authorities and commission are posted at

<http://www.lansingmi.gov/AgendaCenter>



MEMORIAL REVIEW BOARD

PURPOSE:

Criteria outlined are to be used as guide for the Lansing Memorial Review Board to evaluate applications and provide transparency for the naming and renaming of parks, streets, bridges, buildings, green space, community gardens, trees, and benches owned by the City of Lansing. The Lansing Memorial Board recognizes the permanency and impact of recommendations made by the Board and will strive to limit controversy and negative impact with regard to the memorials. The Board also recognizes the positive impact memorials can have on the reputation of the City of Lansing.

OBJECTIVES:

- Enhance a sense of community within the City through the naming and renaming of public memorials.
- Ensure that the names given are consistent with the values and characteristics of the City.
- Assure the quality of the name so that it will serve that purpose of the City in a permanent manner.
- Encourage public participation and input so as to fully represent the best interests of the area affected.
- Encourage and recognize the dedication of lands or donations by individuals or groups to the City.

STREETS AND BRIDGES:

Renaming streets and bridges involves a major change to a well-known landmark in the City and represents a major change affecting many residents, business owners, visitors and others. The likelihood of controversy is very high given the magnitude of change.

- Ideally the person being memorialized is deceased.
- Applicant must cover the entire cost of the change.
- The contribution of the honoree must have advanced society as a whole, must be exemplary and beyond reproach. The life's work should adhere to the following ethical criteria:
 - Advance the public interest,
 - Strengthen social equity,
 - Demonstrate personal integrity,
 - Promote ethical organization and behavior, and
 - Ideally has a documented attachment to the City.

GREEN SPACE AND COMMUNITY GARDENS

Renaming a green space or community garden involves a change to a less well-known landmark in the City. Community gardens and green spaces are less widely used by general City residents and are less likely to be used by non-residents. There is still a potential for controversy but the magnitude of the controversy is less than other types of memorials. However, the names of the structures and areas must still represent the ideals and reputation of the City. The standards to be

applied are the following:

- Ideally the person being memorialized is deceased,
- Applicant must cover the entire cost of the change,
- The contribution of the honoree to society is well documented and beyond reproach, and
- Ideally the person has a documented attachment to the City.

TREE, BENCH, ETC.

The potential for controversy is generally low for this type of memorial. The Parks Department may determine where trees or benches may be located and the applicant can pay the cost for placement of the object. The standards to be applied are the following:

- Applicant covers the entire cost of the change,
- The level of controversy is low,
- The person has contributed to society and it is well documented,
- Their reputation is beyond reproach, and
- The person has a documented attachment to the City.

<https://www.lansingmi.gov/1117/Memorial-Review-Board>



Chris Swope

Lansing City Clerk

Medical Marihuana Provisionary Application

(City Codified Ordinances – Chapter 808.1 – 808.10)
<http://mi-lansing.civicplus.com/171/Business-Licenses>

Applicant Checklist: (Ensure All Items Completed)

- | | | | |
|--|--------------------------|---|--------------------------|
| Payment: | <input type="checkbox"/> | Copy of Government Issued ID: | <input type="checkbox"/> |
| Application Completed: | <input type="checkbox"/> | Information for all Operators and Employees
(Excluding Applicant): | <input type="checkbox"/> |
| Patient Education Plan: | <input type="checkbox"/> | Resume: | <input type="checkbox"/> |
| Proof of Surety Bond: | <input type="checkbox"/> | Description of Training and Education to
Employees: | <input type="checkbox"/> |
| Proposed Business Plan: | <input type="checkbox"/> | Proof of Ownership of Premise
OR Written Consent from Property Owner
AND Copy of the Lease: | <input type="checkbox"/> |
| Description of Security Plan: | <input type="checkbox"/> | Location Area Map: | <input type="checkbox"/> |
| Floor Plan: | <input type="checkbox"/> | Facility Sanatation Plan: | <input type="checkbox"/> |
| Proposal of Graphical Materials to be Shown
on Exterior of Building: | <input type="checkbox"/> | Bank Statements: | <input type="checkbox"/> |
| Patient Record Keeping Plan: | <input type="checkbox"/> | Proof of Insurance Policy: | <input type="checkbox"/> |
| Estimations of Jobs, Compensation, Annual
Budget, and Revenue: | <input type="checkbox"/> | Description of Drug and Alchol Awareness
Programs that Shall be
Provided: | <input type="checkbox"/> |
| IF MORE THAN ONE APPLICANT;
*Articles of Incorporation, IRS SS-4 EIN
Confirmation Letter, Operating
Agreement (if LLC): | <input type="checkbox"/> | | |

ANNUAL LICENSE FEE: \$5000.00

If application is not accepted, \$2500.00 will be returned to applicant.

Expires on May 1st Annually.

