

ETHICS POLICY & MEETING RULES REVIEW COMMITTEE
City Hall
Room 112
10 N. Division Street
Battle Creek, MI 49014
April 12, 2019
4:00 PM

Committee Members Present: Commissioner Gray, Mayor Behnke and Vice Mayor Sofia

Committee Members Absent: Commissioner Lance

Staff Present: Jill Steele, City Attorney: Victoria Houser, City Clerk

Call to Order: Commissioner Gray called the meeting to order at 4:04 p.m.

Approval of Minutes:

A motion was made by Vice Mayor Behnke, supported by Comm. Sophia, to approve the February 22, 2019 meeting minutes. All yes, none opposed. Motion carried.

Committee Discussion:

A. Discussion rules of procedure designating area for media to set up

Attorney Steele informed the Committee that the response Ms. VanderKolk received from other municipalities was that it was not a good idea to qualify media credentials as there were so many different types of media sources today, including internet bloggers and Instagram postings. Ms. VanderKolk suggested the City instead set rules regarding the placement of audio and video recording equipment so as not to interfere or obstruct others' view of the meeting.

B. Recommend Ordinance: Consideration of participation in public meetings by an absent military member who is also a member of the public body and recommended rules

Attorney Steele provided a final draft of the proposed revisions to Ordinance 212.02(IX), as well as a draft of the request form. Attorney Steele noted the request for an agenda item, or to add a new ordinance or to amend an ordinance, would need to be in writing, and co-sponsored by two additional City Commissioners. Attorney Steele stated a form or co-sponsoring is not necessary if a Commissioner is looking for legal advice.

Vice Mayor Sofia noted some Commissioners have critically evaluated the City Manager or Attorney in the past if their requested item was not approved, stating the requirement to have two other Commissioners co-sponsor their request may help to alleviate a poor evaluation.

Attorney Steele stated the current ordinance required the City Manager or Attorney to research a topic when only one Commissioner requested, stating it is their duty to research. Attorney Steele noted it was common in the State legislature to have another elected official co-sponsor proposed legislation. Attorney Steele noted she did not include language specific to the form she presented, suggesting the form be provided to Commissioners at the orientation session. Attorney Steele noted she did not reference the form in the ordinance amendment, stating a specific form was not necessary, suggesting the procedure and details of a legislative request be presented at the City Commission orientation.

Vice Mayor Sofia stated she was comfortable with wording that references "a format prescribed by the City Attorney," suggesting the City Attorney detail the specific information the Commissioner would need to include in their request, but that it did not have to be on a specific form.

A motion was made by Mayor Behnke, supported by Vice Mayor Sofia, to put forth the rules of procedures of 212.02(IX), to the full city commission for a vote. All yes, none opposed. Motion carried.

Public Comment: There were no public comments.

Commission Comment: There were none.

Adjournment: Commissioner Gray adjourned the meeting at 4:17 pm.