

**APPROVED MINUTES OF
ETHICS COMMISSION OF THE UNIFIED GOVERNMENT
Wyandotte County Law Library, Wyandotte County Courthouse
710 N. 7th Street, Kansas City, KS 66101**

October 12, 2023

Regular Meeting:

Roll Call:

- X Member Ricky Bragg
- X Member Ian Tomasic
- X Member Kimberley Partridge
- X Member Joseph Wittman
- X Member Adrienne Ford
- X Ruth Benien, Administrator

X (Present) E (Excused) U (Unexcused)

Call to Order:

Chairperson Bragg called the Meeting to order at 4:08 p.m. in the Wyandotte County Law Library, 5th Floor of the Wyandotte County Courthouse. Commissioners Tomasic, Partridge, Wittman and Ford were present. Administrator Benien was present.

Public Comment: No members of the public were present.

Old Business:

a). Approval of Minutes:

The Minutes of the September 21, 2023 meeting were reviewed and approved. Commissioner Wittman moved for approval with a second by Commissioner Partridge. The Motion passed unanimously.

b). Monthly Administrator's Report:

Administrator Benien provided the individual monthly report for the time period from August 1, 2023 through September 30, 2023 which outlined the training provided in the

months and scheduled and the nature of the ethics opinions rendered, and complaints received.

Continuing Ethics training presentations by video have and are being provided by the Human Resources department for the police and fire department and are also used for a section of the sheriff's department and water treatment plant due to the shifts in each department. Continuing Ethics training is being transitioned back to in person.

A special training session is to be scheduled for the newly elected Mayor and UG Commissioners and any remaining UG Ethics Commissioners still needing training. Discussion was held regarding whether action should start being taken with regard to individuals who have not completed training. Ethics training will also be scheduled for the newly created citizen's committees created by the Mayor. A liaison for the Mayor is working on scheduling the same. A Basic Training session was held for the Library Board at its monthly meeting on June 20, 2023. A Basic Training was held on June 29, 2023 by pre-recorded Zoom at George Myen Center. A Basic Training session was presented June 30, 2023 at the Police Academy. A Basic Ethics training was held at 1:00 p.m., September 21, 2023 at George Myen Center. Ethics Commissioner Ford attended the same as did at least two representatives of the Mayor's Office. A Continuing Ethics training scheduled for September 6, 2023 in person at the HR Training Center at 1:30 p.m. and August 15, 2023 were cancelled due to lack of sign up. A Basic Ethics training for the new fire fighters class was held October 5, 2023 at the Human Resources Training Room at City Hall.

A request from the UG Legal Department was received to provide UG Ethics training for the Advisory Council on Aging. The same was coordinated and materials provided in advance for review. The training is still awaiting rescheduling as the legal liaison has left the legal department.

In the coming year a rewrite and update are planned for the UG Ethic's training materials and video.

One new text complaint was received in September, 2023. One in-person complaint, six hotline and five email complaints were received in August, 2023. Thirty two complaints are pending awaiting additional information, referral or review. Twenty one complaints were closed, one for a violation with appropriate action taken, two for lack of information and eighteen for lack of jurisdiction with referral provided. The two ongoing, recurring complaints from this point are simply going to be opened and closed if a new complaint is received. Two new advisory opinions were requested in August, 2023, one verbal that was provided and one email request that is pending. Two requests for advisory opinion were closed with the provision of an informal advisory opinion with no formal opinion being requested or needed. Sixteen requests for advisory opinion are pending. One new request for information was received and information provided.

A request to have bold face used on the "closed" status when a matter is closed has been taken and will be observed.

c). Status of Ethics Code Revisions and Amendments and Schedule for Review:

Per instruction from the August, 2023 meeting, Administrator Benien contacted the Mayor's Chief of Staff and requested that a date be provided for placement of the Ethics Amendments of the UG Commission Agenda. Administrator Benien advised that earlier on this date, September 21, 2023 she was advised by Irene Caudillo, Chief of Staff, that her request had been received and that the Mayor wanted to meet with Administrator Benien. It was agreed that Administrator Benien would schedule such a meeting as soon as possible and Chairperson Bragg agreed to attend. A meeting was scheduled and held between the Ethics Administrator, Ethics Commission Chairperson Bragg, the Mayor, and two liaisons, John D. Rios and Lavert Murray. The Mayor has agreed to attend an upcoming meeting of the UG Ethics Commission to make a presentation and a specific request for additional additions, if any, he would like to see added.

d). Ethics Training and Schedule:

Administrator Benien advised the new ethics commissioners of the ethics training requirement. The final regular Basic Ethics Training was held September 21, 2023 at 1:00 p.m. at the George Myen Center. A final Basic Training is scheduled on October 5, 2023 for the fire fighter cadets at Human Resources. If a special session is necessary the same will be scheduled during the final quarter.

New Business:

The first and main item of new business was Ethics Commission discussion of the press release and the Mayor's press conference that occurred earlier in the week prior to the Ethics Commission's October 12, 2023 meeting. The UG Ethics Commissioners were of the consensus that the Mayor's conduct with reference to the release and the conference did not violate the UG Ethics Code which prohibits "circulation of a petition to initiate a referendum adopting, altering, or repealing a form of government of the unified government...." The proposal was to obtain public comment and thoughts on the matter.

Administrator Benien also advised that she has been asked to meet with department heads of the Unified Government with respect to the same and what if any limitations would apply to them if they were asked to do anything in regard to a suggestion for consideration of change. Administrator Benien is to attend a meeting with all on October 13, 2023 at City Hall to provide background on the Ethics Code and consolidation.

Ethics Administrator Benien tries at each meeting to cover a limited provision of the UG Ethics Code to better help the UG Ethics Commissioners understand its provisions or answer questions they may have. The topic this month was the sections referred to above and in upcoming months will continue to deal with the UG Ethics Code provisions up for Amendment.

An updated copy of the Political Memorandum was prepared and forwarded to UG Legal and the UG Court Clerk for distribution dated October 10, 2023 for the upcoming general election. A copy is provided to all employees and officials and posted on the UG Ethics website.

Arrangements have been made and instructions provided for the new commissioners to obtain badges allowing for entry into the Court House and City Hall through other exits. Parking areas and arrangements were also discussed. Photographs and biographies for the new commissioners were received and have been forwarded for posting on the UG Ethics Website. All UG Ethics Commissioners should review the same and advise if any corrections or additions are necessary.

The next monthly meeting will be on November 9, 2023, in person, at the Wyandotte County Courthouse. Discussion was had but no vote taken but it was generally agreed to continue to hold the meetings in the Wyandotte County Law Library conference room unless a formal public hearing or other event is scheduled. Masks may be required for courthouse entry for future entry. The meeting with the Mayor when it occurs will be held in the Division 18 Courtroom on the Second Floor. Administrator Benien will renew the Ethics Commission's offer to have the Mayor attend its meeting and specifically invite him to the November 9, 2023 meeting.

Executive Session:

No Executive Session was held.

Adjournment:

Motion for adjournment by Commissioner Wittman

Seconded by Commissioner Ford

Motion passed unanimously.

Meeting Adjourned at 5:34 p.m.

Next Meeting is November 9, 2023 at 4:00 p.m. in person.

Respectfully Submitted,

s/Ruth M. Benien
Ruth M. Benien, UG Ethics Administrator