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**APPROVED MINUTES OF
ETHICS COMMISSION OF THE UNIFIED GOVERNMENT
Division 12, Wyandotte County Courthouse
710 N. 7th Street, Kansas City, KS 66101**

April 18, 2024

Regular Meeting:

Roll Call:

- X Member Ricky Bragg
- X Member Ian Tomasic
- X Member Joseph Wittman
- E Member Adrienne Ford
- X Member Paris Clark
- X Ruth Benien, Administrator

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

Call to Order:

Chairperson Bragg called the Meeting to order at 4:03 p.m. in the Wyandotte County Courthouse Division 12 of the Wyandotte County Courthouse. Commissioners Tomasic, Wittman and Clark were present. Commissioner Ford was absent but excused. Administrator Benien was present.

Prior to calling the meeting to order, newly appointed Ethics Commissioner Paris Clark was officially sworn into office by the Honorable Jennifer Meyers, Wyandotte County District Court Judge. Pictures were taken for posting on the UG Ethics website and personal use.

Public Comment: No members of the general public were present for purposed of making any public comments.

Old Business:

- a). Approval of Minutes:**

The Minutes of the February 15, 2024 meeting were reviewed and approved. Commissioner Tomasic moved for approval with a second by Commissioner Wittman. The Motion passed unanimously.

b). Monthly Administrator's Report:

Administrator Benien previously provided the Monthly report for the time period from January 1, 2024 through January 31, 2024 in February, 2024 which outlined the training provided in the month and scheduled and the nature of the ethics opinions rendered and complaints received. No meeting was held in March, 2024 due to a lack of quorum. A brief oral report was provided with respect to any new issues or complaints so that time could be devoted to the review of the ethics amendments.

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 for all others.

A special training session is to be scheduled for Mayor and staff and any remaining UG Ethics Commissioners still needing 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 Ethics Training session was held on December 12, 2023 for the newly elected UG Commissioners and one other who had not yet received such training. A Basic Ethics Training session was held on December 21, 2023 at Memorial Hall and was attended by UG Ethics Commissioner Wittman. All UG Ethics Commissioners have now participated in and received the required Ethics Training. A Continuing Ethics Training, in-person, scheduled for January 8, 2024 was canceled due to lack of sign-up and weather. A Basic Ethics Training was held January 26, 2024 at the Police Academy for the new cadet class.

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 once the amendments are approved.

Fifteen new complaints were received from January 1, 2024 through January 31, 2024. One email complaint was received. Twelve hotline complaints and three voice mail complaints were received. Fifty nine complaints are pending awaiting additional information, referral or review. The two ongoing, recurring complaints from this point are simply going to be opened and closed if a new complaint is received. Nine complaints were resolved and closed, five due to lack of jurisdiction and referred; two with matter deleted and two due to lack of information or follow up. No new advisory opinions were received. No new verbal or written opinions were provided. Twenty two requests for

advisory opinion are pending. No new requests for information were received or information provided. Presentation of a formal written report will try to be resumed once the ethics amendment review is completed.

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

History: 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 on, 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 on October 3, 2023. The Mayor subsequently agreed and did appear at the November 12, 2023 Ethics Commission meeting to make a presentation and a specific request for additional additions, if any, he would like to see added.

Current Status: Subsequent to the November 12, 2023 the Mayor's Office though his Chief of Staff provided an email with various points he wanted to see considered. No written language or proposals were provided. Prior to the December Ethics Commission meeting the Ethics Administrator communicated with the Chief of Staff to obtain more information and clarification and subsequently received notice that one of the requests relating to certain disclosures was withdrawn for now. The remaining topics were discussed by the UG Ethics Commissioners and the issues addressed. It was agreed to take the same under advisement and specifically to review the sections of the UG Ethics Code with respect to disclosures and disqualification and the proposed amendments already made in light of the requests. The intent was to take a final vote on the amendments, with or without inclusion of the additional topics, at the January UG Ethics Meeting. The review took longer than expected and where no specific language had been provided by the Mayor's Office for the requested amendments, the Commission decided to consider and review the proposals until the February, 2024 meeting. In meantime Commissioners Tomasic and Ford put together some specific language and proposals for the disclosure and conflict of interest sections of the UG Ethics Code. The review of the amendments and sections for inclusion will continue at the March 21, 2024 meeting and, hopefully be completed.

During the amendments review, the UG Commissioners discussed and voted unanimously at the February, 2024 meeting to approve a change and revision Sec. 267-(c)(3) c to have it adopt the provisions of K.S.A.25-4153(a)(2) with respect to the amount that can be contributed by a UG employee or official to a Unified Government primary or general election campaign or in support of or opposition to any referendum of the type described in subsection (c)(3)b of that section. Motion was made by Commissioner

Wittman with a second by Commissioner Ford at that time. The Motion passed unanimously. A copy of the actual proposed text of the changes to Sec. 267-(c)(3) was distributed and the language of the same, continuing to include the limitation of contributions to petitions, etc. of Sec. 2-267-3 (b) was formally approved with Commissioner Tomasic moving to adopt the same and Commissioner Wittman to approve the same. Motion passed unanimously.

During the discussions, Commissioner Tomasic rewrite of the nepotism section of the Code, Sec. 2-266 was reviewed and discussed. It and the final provisions of Sec. 266 proposed and Sec. 2-259 regarding conflicts of interest and disclosure will be sent to Commissioner Ford for her input and review as well. A copy of the Sec. 2-260 regarding employment restrictions that was voted upon and approved unanimously upon a motion by Commissioner Wittman and seconded by Commissioner Tomasic will also be forwarded. Administrator Benien was requested to contact the Mayor's Office and ask for input on the reason or rationale behind the two year requirement proposed for elected officials before being eligible for employment by the UG after leaving office.

Hopefully, final review of the Amendments can be concluded at the May, 2024 meeting.

d). Ethics Training and Schedule:

Basic Ethics Training has been held and/or scheduled as outlined above. The intent is to return the majority of Continuing Ethics training sessions to in-person and the first was set for January 8, 2024. It was cancelled due to lack of sign-up. The 2024 Ethics Training sessions will be scheduled during the month of January- February, 2024. Generally there is one Basic Ethics Training held each quarter and one Continuing Ethics. The new Ethics Commissioner will be coordinated with to schedule her for the Basic Ethics training.

New Business:

Administrator Benien is to meet after the meeting to discuss administrative issues with newly appointed Commissioner Clark with respect to her appointment as Ethics Commissioner such as obtaining a badge, parking, etc.

As always, 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. No particular provision was covered this month due to the continued consideration and review of the proposed Ethics Amendments.

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. An updated Political Memorandum will be distributed after the June 1, 2024

filing deadline prior to the primary election set for August, 2024 and again in October, 2024 for the general election in November, 2024.

The next monthly meeting will be on May 16, 2024, in person, at the Wyandotte County Courthouse in the Law Library. Masks may be required for courthouse entry for future entry.

Executive Session:

No Executive Session was held.

Adjournment:

Motion for adjournment by Commissioner Tomasic

Seconded by Commissioner Clark

Motion passed unanimously.

Meeting Adjourned at 5:14 p.m.

Next Meeting is June 20, 2024 at 4:00 p.m. in person in law library.

Respectfully Submitted,

s/Ruth M. Benien

Ruth M. Benien, UG Ethics Administrator