

CITY OF DETROIT BOARD OF ETHICS

COMPLAINT

Name: Phyllis Dwyette Date of Complaint: 5/22/12

Complainant's Address: \_\_\_\_\_

Complainant's Telephone Numbers: (Home) \_\_\_\_\_ (Work) NA

Name of Public Servant Complained Against: See List Below

Position/Office of Public Servant: City of Detroit Council Member

Dates of Occurrence Complained About: April 4, 2012 and May 18, 2012

Provision(s) of Ethics Ordinance Alleged to Have Been Violated: \_\_\_\_\_

Disclosure Requirements:  Interest in real or personal property  Interest in City contracts,  Appointee relationship to Elected Official.

(See excerpts of the Ethics Ordinance on the following pages)

Standards of Conduct:

- Engage in official duties for private gain.
- Disclosure of confidential information.
- Incompatible employment or service.
- Self-interested regulation.
- Solicitation of loan/monetary payment
- Use confidential information for private gain.
- Use of City resources for commercial gain.
- Representation of private entity.
- Improper use of official position.
- Elected Official improper influence of civil service vacancy.

Facts and Circumstances of Alleged Violation (attach separate sheet if needed):

On Wednesday April 4, 2012 five City of Detroit Council members namely Council President Charles Pugh, Council President Pro-Tem Gary Brown, Council member Saunteel Jenkins, Council member Kenneth Cockrel, and Council member James Tate, knowingly signed the Consent-Financial Stability Agreement against the advice of the Corporation Council and Research and Analysis Division. Based on Michigan Compiled Law 117.5 (1) (f) 'the City of Detroit, its executive branch departments and legislative branch agencies, is prohibited from making a contract with, or giving an official position to, one who is in default to the City. SEE ATTACHED SHEET

Subscribed and sworn to before me this 22 day of May 2012  
Shirley Ann Brown  
 Notary Public

BARBARA JEAN MOORE  
 NOTARY PUBLIC, STATE OF MI  
 COUNTY OF WAYNE  
 MY COMMISSION EXPIRES Mar 26, 2018  
 ACTING IN COUNTY OF Wayne

Phyllis Dwyette  
 Signature of Complainant

Complaint must be sworn in the presence of a Notary Public

Submit Request to: **City of Detroit Board of Ethics**  
 660 Woodward Ave.  
 First National Building, Suite 1537  
 Detroit, MI 48226  
 313-224-2376  
 313-224-2371 (fax)

Website: <http://www.ci.detroit.mi.us/BoardOfEthics/>

Dated: 4/07

cc: City of Detroit Corporate Council

*Attachment*

The State of Michigan owes the City of Detroit a water bill in the amount of 4.75 Million Dollars and Revenue sharing owed by the State of Michigan in the amount of \$224 Million Dollars as admitted by the State Treasurer on January 3, 2012 during the "Inside Detroit" show on WCHB. The Detroit City Charter which became effective January 1, 2012 in section 2-113 states **Prohibition Against entering Into Contracts or giving Position to those in Default. The City of Detroit, through its executive branch departments and legislative branch agencies, is prohibited from making a contract with, or giving an official position to, one who is in default to the city.** I am asking that these five Council members stated above be removed from office, they be sanctioned, and Section 2-107 dismissal proceedings to forfeit their elective office: Neglect of duties, violation of the Charter and violation of Federal and State Law.

CITY OF DETROIT BOARD OF ETHICS

COMPLAINT

Name: Cecily McKellar Date of Complaint: \_\_\_\_\_

Complainant's Address: 147 \_\_\_\_\_

Complainant's Telephone Numbers: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

Name of Public Servant Complained Against: LIST BELOW IN FACTS

Position/Office of Public Servant: FIVE COUNCIL MEMBERS, MAYOR, DEPUTY MAYOR, COS

Dates of Occurrence Complained About: APRIL 4, 2012 & MAY 18, 2012

Provision(s) of Ethics Ordinance Alleged to Have Been Violated:

Disclosure Requirements:  Interest in real or personal property  Interest in City contracts.  
 Appointee relationship to Elected Official.

(See excerpts of the Ethics Ordinance on the following pages)

- |  |  |
|--|--|
| <input type="checkbox"/> Engage in official duties for private gain. | <input type="checkbox"/> Use confidential information for private gain.                        |
| <input type="checkbox"/> Disclosure of confidential information.     | <input type="checkbox"/> Use of City resources for commercial gain.                            |
| <input type="checkbox"/> Incompatible employment or service.         | <input type="checkbox"/> Representation of private entity.                                     |
| <input type="checkbox"/> Self-interested regulation.                 | <input checked="" type="checkbox"/> Improper use of official position.                         |
| <input type="checkbox"/> Solicitation of loan/monetary payment       | <input checked="" type="checkbox"/> Elected Official improper influence of civil service vacan |

CITY OF DETROIT OMBUDSMAN  
2012 MAY 22 PM 9:12

Facts and Circumstances of Alleged Violation (attach separate sheet if needed):

On April 4, 2012, five Detroit City Council Members (Charles Pugh, President, Gary Brown, President Pro-Tem, Saunteel Jenkins, Kenneth Cockrel, James Tate and the Executive officers of the city of Detroit Dave Bing (mayor) Kirk Lewis (deputy mayor) and Chris Brown (chief of staff) improperly used their official position by approving a Consent – Financial Stability Agreement that relinquished control of the City of Detroit finances to the State of Michigan via a Chief Financial Officer, Program Management Director and nine non elected and potentially non Detroit residents. The Detroit City Council does not have the authority to delegate the power of their elected positions to a non elected body and cause increase financial harm to the city by creating a body to oversee the council budgetary responsibilities. See Attached Sheet

*[Signature]*  
Subscribed and sworn to before me this 20 day of May, 2012  
*[Signature]*  
Notary Public

BARBARA JEAN MOORE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Mar 26, 2018  
ACTING IN COUNTY OF Wayne

*[Signature]*  
Signature of Complainant

Complaint must be sworn in the presence of a Notary Public

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Detroit, MI 48226  
313-224-2376  
313-224-2376 (fax)

Website: <http://www.detroit.mn.us/BoardOfEthics>

cc: City of Detroit  
Law Department  
Corp. Council  
Ombudsman

RECEIVED  
MAY 22 2012  
CITY OF DETROIT  
LAW DEPARTMENT

Dated: 4/07

ATTACHMENT Page 2

Cecily McClellan

These council members have allowed the State of Michigan to impose unfunded mandates on the residents of the City of Detroit, which are in violation of the State Constitution, Article IX, Section 29 (Headlee Amendment 1978). These City Council members have violated the State Constitution Home Rule Act MCL 117.1 and Section 1-102 of the Detroit Charter. The City of Detroit enjoys general *police powers*, as delegated by the Michigan Constitution and the Detroit City Charter. The City Council may not approve a contract without resolution of the Council, except as provided by ordinance. Therefore, the Consent – Financial stability Agreement exceeds the authority of Council police powers under the 2012 Detroit City Charter. Further, Charles Pugh, Kenneth Cockrel and James Tate negotiated independent of the council of the whole, with Andy Dillion and the State of Michigan on various drafts of the Consent – Financial Stability Agreement. These meetings were behind closed doors in violation of the Open Meeting Act and the 2012 City Charter.

Sec. 4.1, *Collective Bargaining Agreements; Approval*, requires that "upon the prior approval of the Financial Advisory Board, the head of the Labor relations Division shall deliver to the Mayor any proposed collective bargaining agreement which satisfies the requirements of Section 4.2 of this Agreement for consideration and transmittal to the City Council in accordance with Sec.6-408 of the 2012 Detroit City Charter. Unless the proposed Consent- FSA is based upon Public Act 4, there is **no legal authority** to vitiate complementary provisions in the 2012 Detroit City Charter.

All of the above stated City of Detroit officials were forewarned by the Detroit Law Department Corporate Council and the Research Analysis Division that approval of the aforementioned agreement was in violation of numerous Michigan Constitutional Laws and the 2012 Detroit City Charter. The above five Detroit City Council Members, Mayor and appointed officials listed above have engaged in official misconduct, willful or gross neglect of duty and other misfeasance or malfeasance. The elected officials of the City of Detroit should forfeit their elected position and all appointed officers should be dismissed.

CITY OF DETROIT  
2012 MAY 22 PM 5:12  
CHRISTOPHER SMITH

RECEIVED  
MAY 22 2012  
CITY OF DETROIT  
LAW DEPARTMENT

CITY OF DETROIT BOARD OF ETHICS

COMPLAINT

Name: Zetha Hankins Date of Complaint: 21 APR 2012

Complainant's Address: [Redacted]

Complainant's Telephone Numbers: (Home) (313) 257-1111 (Work) (313) 257-1111

Name of Public Servant Complained Against: None list below

Position/Office of Public Servant: City Council members

Dates of Occurrence Complained About: 4 APR 12

Provision(s) of Ethics Ordinance Alleged to Have Been Violated:

Disclosure Requirements:  Interest in real or personal property  Interest in City contracts  
 Appointee relationship to Elected Official.

(See excerpts of the Ethics Ordinance on the following pages)

Standards of Conduct:

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- Use confidential information for private gain.
- Use of City resources for commercial gain.
- Representation of private entity.
- Improper use of official position.
- Elected Official Improper influence of civil service vacancy.

Facts and Circumstances of Alleged Violation (attach separate sheet if needed):

There is NO Authority Under Michigan Home Rule City Act for the City to enter into such an agreement with STATE MCL 117.1

Charles Hugh Ross, Greg Brown for Board of Waterworks and Sewerage Authority Abuse their authority by entering into an agreement with the STATE who owes 4.5 million for water and over 200 million in Revenue sharing. CRIMINAL charges should be pursued

BARBARA JEAN MOORE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Mar 28, 2016  
ACTING IN COUNTY OF Wayne

Zetha Hankins  
Signature of Complainant

Subscribed and sworn to before me this 21 day of May, 2012

Barbara Jean Moore  
Notary Public

Complaint must be sworn in the presence of a Notary Public

Submit Request to: City of Detroit Board of Ethics  
660 Woodward Ave.  
First National Building, Suite 1537  
Detroit, MI 48226  
313-224-2376  
313-224-2371 (fax)

Website: <http://www.ci.detroit.mi.us/BoardOfEthics/>

Dated: 4/07

cc: City of Detroit Corporate Coun.

CITY OF DETROIT BOARD OF ETHICS

COMPLAINT

Name: BRENDA HURT Date of Complaint: MAY 21, 2012

Complainant's Address: 1111 ...

Complainant's Telephone Numbers: (Home) ... (Work) ...

Name of Public Servant Complained Against: SEE BELOW

Position/Office of Public Servant: COUNCIL MEMBER

Dates of Occurrence Complained About: APRIL 4, 2012

Provision(s) of Ethics Ordinance Alleged to Have Been Violated:

Disclosure Requirements:  Interest in real or personal property  Interest in City contracts,  Appointee relationship to Elected Official.

(See excerpts of the Ethics Ordinance on the following pages)

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| <input type="checkbox"/> Incompatible employment or service.         | <input checked="" type="checkbox"/> Improper use of official position. | <input type="checkbox"/> Elected Official improper influence of civil service vacancy. |
| <input type="checkbox"/> Self-interested regulation.                 |  |  |
| <input type="checkbox"/> Solicitation of loan/monetary payment       |  |  |

Facts and Circumstances of Alleged Violation (attach separate sheet if needed):

On April 4, 2012 the following council members: Charles Pugh, Pres; Gary Brown, Pro-Tem; Saunteel Jenkins, Kenneth Cockrel, Jr. and James Tate "knowingly" entered into an agreement with the State of Michigan that violated the City Charter and placed the citizens and employees in harm's way of the Republican right-wing extremists! These five were advised on April 1, 2012 by the City's Law Dept. of the violation and admonished against entering into an agreement with the State of Michigan. Yet, they willfully ignored legal counsel and "the will" of the people who elected them, by aiding the Republican right-wing extremists, in signing a consent agreement.

I am requesting that a full criminal investigation into this matter be conducted and that all guilty parties be prosecuted to the fullest extent of the law.

Subscribed and sworn to before me this 21 day of May 2012

Barbara Jean Moore  
Notary Public

Brenda Hurt  
Signature of Complainant

BARBARA JEAN MOORE  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Mar 28, 2018  
ACTING IN COUNTY OF Wayne

Complaint must be sworn in the presence of a Notary Public

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First National Building, Suite 1537  
Detroit, MI 48226  
313-224-2376  
313-224-2371 (fax)

Website: <http://www.ci.detroit.mi.us/BoardOfEthics/>

Dated: 4/07

CC: Corporation Counsel

CITY OF DETROIT BOARD OF ETHICS

COMPLAINT

Name: Valerie Glenn-Simons Date of Complaint: May 22, 2012  
 Complainant's Address: 2811 17th Avenue South  
 Complainant's Telephone Numbers: (Home) 313 926 1410 (Work) \_\_\_\_\_  
 Name of Public Servant Complained Against: DAVE BING (MAYOR), CHARLES PUGH, GARY BROWN, KENNETH V COCKRELL, TATE, SHAUNTEEL JENKINS  
 Position/Office of Public Servant: MAYOR, 5 City Council  
 Dates of Occurrence Complained About: April 7, 7 April 18, 2012

Provision(s) of Ethics Ordinance Alleged to Have Been Violated:

Disclosure Requirements:  Interest in real or personal property  Interest in City contracts,  
 Appointee relationship to Elected Official.

(See excerpts of the Ethics Ordinance on the following pages)

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| <input type="checkbox"/> Solicitation of loan/monetary payment       | <input type="checkbox"/> Elected Official improper influence of civil service vacancy. |

Facts and Circumstances of Alleged Violation (attach separate sheet if needed):

Based Upon Public Act 4 of 2011, the Proposed Agreement Contains a Number of Provisions Which, Without Legal Authority, Vitate Provisions in the 2012 Detroit City Charter.

On April 4, 2012 - The Mayor and the Five Council Persons (Mayor Dave Bing, Charles Pugh, Gary Brown, Shaunteel Jenkins, Kenneth V. Cockrel, Jr., James Tate) voted to approve a Financial Stability Agreement with the State of Michigan.

SEE ATTACHMENT

Valerie A. Glenn-Simons  
 Signature of Complainant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Complaint must be sworn in the presence of a Notary Public

\_\_\_\_\_  
Notary Public

Submit Request to: City of Detroit Board of Ethics  
 660 Woodward Ave.  
 First National Building, Suite 1537  
 Detroit, MI 48226  
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Dated: 4/07

**This Financial Stability Agreement – Consent Agreement is a violation of the 2012 City Charter and State of Michigan -Headlee Amendment and the United States Constitution. This agreement was negotiated as a back room deal; negotiated in bad faith, operated in malfeasance; therefore, unlawfully transferred the power of the People; destroyed the future of the children and disenfranchised the citizens of the City of Detroit. These acts created irrefutable, irreconcilable, irrevocable harm to the City and Citizens of Detroit and destroyed Democracy. These acts were done with prior knowledge that the City of Detroit Law Department and Research and Development advised against such an agreement.**

**This violated Sec. 2-106.1. Ethical Standards of Conduct.**

- **These standards of conduct apply to Public Servants including the Mayor, City Council members, City Clerk, appointive officers, appointees, employees and contractors as defined in the Charter. The purpose of applying and enforcing these standards is to ensure that governmental decisions are made in the public's best interest by prohibiting city officials and employees from participating in matters that affect their personal or financial interests.**

**RECOMMENDATIONS: All above mentioned persons should be sanctioned, charged financially, prosecuted, admit wrong and remorseful forgiveness and removed from office.**