

Ecorse Receivership Transition Advisory Board (TAB)
Minutes
August 13, 2013 (Approved September 17, 2013)
9:00 AM

Ecorse City Hall
2nd Floor Conference Room
Albert B. Buday Civic Center
3869 West Jefferson
Ecorse, MI 48229

Members Present:

Robert Bovitz
Edward Koryzno
Joyce Parker

Members Absent:

None

I. CALL TO ORDER

- A. Roll Call – Mr. Koryzno called the meeting to order at 9:01 AM. Let the record show that all Board members are in attendance.
- B. Approval of Agenda – By motion made and supported, the Board unanimously voted to approve the agenda.
- C. Approval of July 23, 2013 minutes – By motion made and supported, the Board unanimously voted to approve the July 23, 2013 TAB regular Board meeting minutes as presented.

II. BOARD ACTION

A. Approval of TAB Web Page

Koryzno – During last month’s meeting the Board requested Treasury to establish a TAB web page which has been accomplished. The Board must determine what information it wishes to list on the web page.

Koryzno – Motion that the Department of Treasury, Transition Advisory Board web page includes the following information: TAB appointment letter, EM final order #094, TAB meeting schedule, TAB Agendas without attachments, and TAB minutes.

By motion made and supported, the Board unanimously approved the motion.

B. Approval of Ecorse City Council Meeting Minutes

Koryzno – It seems prudent to adopt a resolution providing for blanket approval of all resolutions approving City Council meeting minutes. I would still like to review the minutes and inquire about any items that appear questionable.

Parker – What about closed session minutes?

Koryzno – Closed session minutes are not public, therefore do not fall into this category.

Koryzno – Motion that the TAB approves the following guidelines regarding Ecorse City Council Meeting Minutes:

1. Until further notice the TAB hereby approves the resolutions of City Council approving its minutes of a council meeting;
2. The City Clerk and City Administrator shall be sent copies of this resolution;
3. This resolution shall stand as evidence of the TAB's approval of City Council resolutions approving its minutes on or after May 14, 2013 of this resolution and until such time as this resolution is modified or revoked by the Tab; and
4. The City Clerk and/or the City Administrator shall continue to provide copies of approved City Council minutes.

By motion made and supported, the Board unanimously approved the motion.

C. Approval of Ecorse City Council Resolutions and Ordinances

Koryzno – The Board is charged via EM order #094 to approve all ordinances and resolutions adopted by the Ecorse City Council. This will be a monthly agenda item. Today we are considering those ordinances and resolutions approved by Council after May 1, 2013, the Board's appointment date.

Parker – Items that speak to finance e.g. in the June 11, 2013 minutes item #118.13 related to awarding local contractors for demolition. This resolution states the firm but not the dollar amount and how the award will take place.

Openlander – This resolution is for emergency board ups with Brazil Construction. Mr. Openlander will provide the Board with a table that has all financial numbers related to this item.

Koryzno – This item – 118.13 from June 11, 2013 council meeting is not approved until additional detail is provided to the Board.

Parker – Another item from the June 25, 2013 council meeting – item #119.13 does not have sufficient information for approval. It appears that it was approved and then unapproved?

Openlander – This item is related to tree removal where trees have raised sidewalks causing a trip hazard. After the item was approved we had concerns about dye in the mulch that would be used. Council reconsidered this and approved the un-dyed mulch at the same cost.

Parker – Also, in the June 25, 2013 council meeting the professional services agreement for Jack Durbin was tabled – item 118.13. What is the status?

Openlander – It is still under discussion with City Council. City Council would like to have a working session to review the engineering services. This item is rescheduled for approval at its August 20, 2013 council meeting.

Koryzno – Item 118.13 from the June 25, 2013 council meeting is not approved by the TAB at this time. It will be reconsidered after it comes back to Ecorse City Council at its August 20, 2013 meeting.

Koryzno – Motion to approve the resolutions and ordinances adopted by the Ecorse City Council at their meetings held on May 14, 2013, June 11, 2013, July 9, 2013; and July 23, 2013 are approved with the exception of:

Item #118.13 – June 11, 2013 – Brazil Construction

Item #118.13 – June 25, 2013 – Jack Durbin Contract

By motion made and supported, the Board unanimously approved the motion.

III. Discussion Items

A. June 2013 Monthly Budget to Actual Financial Report

Koryzno – The financial report has been reviewed by Treasury staff and questions were raised. Mr. Openlander provided a response to those questions. (attached)

Openlander – Referred to the responses given in the memo of August 12, 2013 from Timothy McCurley, Contracted Controller.

Item #1 – No questions from the Board regarding the answer to this item.

Item #2 – Parker – Does the report balance out from salary and wages vs. contract and positions?

Openlander – Yes it does, for the positive.

Item #3 – Parker – What is the amount referenced?

Openlander - \$7,800

Item #4 – No questions from the Board regarding the answer to this item.

Item #5 – Koryzno – This issue seems to be more of a timing issue than anything else, is that correct?

Openlander – Yes, that is correct.

Item #6 – Parker – How does this impact the budget?

Openlander – There is no impact to the budget; it simply provides more accuracy to the revenue lines. (In the current year budget, I have reduced the revenue projections for permits. It appeared that the revenue projections in the previous year were too high.)

Other questions raised:

Parker – Does this report include the budget amendment that was included at year-end?

McCurley – Yes. The year-end budget amendment was divided up into various accounts.

Parker – Has that been integrated into the report? Does the report reflect closing out the fiscal year?

McCurley – No. Some of the accruals are still outstanding. The numbers in the report are preliminary until accruals are in and not outstanding.

Parker – The overall legal line item in the Attorney's budget is over \$600,000. Is this normal?

McCurley – We anticipate the numbers going down. Outside attorneys account for the majority of this number. We do not know specifically what lawsuits there will be. Most cases we get are not typical.

B. Establish deadline for Agenda Item Submissions to TAB

Koryzno – I would propose establishing a deadline for City of Ecorse representatives to submit items for consideration to the TAB no later than 10 calendar days prior to the TAB meeting date.

Parker – Ms. Parker suggested that if there are items that require TAB action that the City provides the agenda item with details for review beforehand.

Koryzno – Addressing Mr. Openlander and Councilmember Elem – Does this recommendation work for you both?

Openlander – Yes it does.
Elem – Yes it does.

IV. Public Comment

No public comments.

V. Other Business

Parker – There is pending litigation re the Randall lawsuit. If there is urgency should we hear the Attorney's comments on this matter?

Folk – This matter has been pending for one year. The settlement amount is \$12,500. City Council did not have enough votes at its regular meeting. They held a special meeting last Friday and approved the settlement. We would like TAB approval as soon as possible as we are fearful that the plaintiff will go forward with more money if not settled soon.

Parker – Has everyone already agreed to settle on this matter except the TAB?

Folk – Yes.

Parker – Any litigation from this point forward should come to the TAB for approval before you reach a settlement.

Koryzno – Motion to add the lawsuit Randall vs. City of Ecorse (case file #12-004623-CD).

By motion made and supported, the Board unanimously approved the motion.

ADDED AGENDA ITEM PER ABOVE APPROVED MOTION

- A. Lawsuit Randall vs. City of Ecorse (case file #12-004623-CD). Item to settle with plaintiff Randall in the amount of \$12,500. Approved by the plaintiff and City Council at its special meeting held on Friday, August 9, 2013.

Koryzno – Motion to approve settlement of lawsuit Randall vs. City of Ecorse (case file #12-004623-CD) in the amount of \$12,500.

By motion made and supported, the Board unanimously approved the motion.

VI. MOTION TO ADJOURN

There being no further business, and without objection, Mr. Koryzno adjourned the meeting at 9:50 AM.

As approved on September 17, 2013.