City of Ecorse

Receivership Transition Advisory Board Meeting Minutes

Tuesday, October 10th, 2017

Ecorse City Hall

Council Chambers

Albert B. Buday Civic Center

3869 West Jefferson

Ecorse, Michigan 48229

RTAB MEMBERS PRESENT:

JEFF SYKES ROBERT BOVITZ JOAN BROPHY

Also Present:

ERIC CLINE

Michigan Department of Treasury

Reported by:

Nina Lunsford (CER 4539)
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Saline, Michigan 48176
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1	Called to order at 9:08 a.m.
2	Tuesday, October 10, 2017 - Ecorse, Michigan
3	* * * * *
4	MR. SYKES: Shall we do a call to order? Can we
5	get a roll call?
6	MR. CLINE: All right. Jeff Sykes?
7	MR. SYKES: Here.
8	MR. CLINE: Rob Bovitz?
9	MR. BOVITZ: Here.
10	MR. CLINE: Joan Brophy.
11	MS. BROPHY: Here.
12	MR. CLINE: Quorum present.
13	MR. SYKES: Thank you.
14	All right, next item is the approval of the
15	agenda. So I'll entertain a motion to approve the agenda
16	as presented.
17	MR. BOVITZ: So moved.
18	MS. BROPHY: Support.
19	MR. SYKES: All those in favor, say aye. Aye.
20	MR. BOVITZ: Aye.
21	MS. BROPHY: Aye.
22	MR. SYKES: Those opposed, the same.
23	(No response)
24	MR. SYKES: The agenda is approved.
25	At this point, I'd like to remind the audience,

if you intend to speak during the public comment portion of the meeting, it'll be necessary for you to sign in at the sheet located at the podium.

Next, we have the approval of RTAB minutes of September 12th, 2017, so with that, I'll entertain a motion to approve the September 12th, 2017, RTAB minutes as presented.

MS. BROPHY: So moved.

MR. BOVITZ: Support.

MR. SYKES: All those in favor, say aye. Aye.

MR. BOVITZ: Aye.

MS. BROPHY: Aye.

MR. SYKES: Those opposed the same.

(No response)

MR. SYKES: They have passed.

Next, we have old business, which there is none. So we will now move on to new business. The first item we have here is the approval of resolutions and ordinances for city council meetings. First resolution, resolutions from the regular city council meeting of August 29th, 2017. I'd also like to point out that the Resolution 623 was approved at our last board meeting. Are there any comments? I have a few questions, but do you guys have any questions or comments?

MS. BROPHY: No, go ahead.

MR. BOVITZ: Well, the city attorney's report; I don't know if that's one of the ones you're going to comment on.

MR. SYKES: No, go ahead.

MR. BOVITZ: Yeah, just -- throughout the last couple meetings, there were some things that that we've wanted some more update. I was hoping that the city attorney would be here in the future, to answer some questions here on the lawsuits or like these opting out of the medical marijuana law, things like that.

MR. SYKES: Okay, so is the idea here to request that the city attorney shows up for the next meeting?

MR. BOVITZ: Or at least a representative of the legal department.

MR. SYKES: Okay. Can we put that on record?

MR. CLINE: Certainly.

MR. SYKES: Perfect. Okay, I do have a couple of questions. Tim, if you could address these? One of them is number 621, which is the renewable of insurance. And I'm just, out of curiosity, is there a big process for that, or is it just a negotiation?

MR. SADOWSKI: Yeah, so, the city tried to get insurance bids for the last three years. There is only one company that will insure the City of Ecorse, which is Old Republic, unfortunately. All the others declined.

MR. SYKES: So there is, I mean, so, obviously, it sounds like they're making an attempt; they're just getting the --

MR. SADOWSKI: That's been my project since I started. We don't have commercial insurance, we have excess surplus insurance line here, so, every claim is insured once you reach the \$150,000 threshold. The city pays the first \$150,000 on each claim and if the city was able to go to a commercial policy, the premiums would almost reduce by half.

The city is not in a place to get that. There's numerous reasons, most of them being public safety. This year public safety was uninsurable for the City of Ecorse; every other department was able to be insured. And if you look at our loss history in public safety, you'll see why that is. It's pretty evident.

MR. SYKES: Okay.

MR. SADOWSKI: We've had two in just the last five years. Nobody wants to insure us.

MR. SYKES: Okay. Do you guys have any -MR. BOVITZ: Well, it's a half a million dollar

contract, and I know that it's not -- can't be necessarily comparing apples to apples, because it's sort of a complete policy, and other insurance company -- carriers, won't even touch it.

Just, things I've noted, like an auto -- on a vehicle, very comprehensive, when you actually carry all these vehicles. Hopefully you have a good maintenance department, because some of these vehicles are so old to actually insure. You know, I could go way back, and I know Gallagher appears to be pretty comprehensive and all; you actually have the clause, the anti-terrorism, things like that, which may be new to what other policies would normally cover. So, any comment on that?

MR. SADOWSKI: So, the same for the auto policy, under that, is at \$150,000, so it's basically non-existent. Last year, the city was able to get an additional policy just for auto, and that is separate, so that premium was reduced by \$10,000.

The only reason why it was part of the bid package is because it was part last year. So they just, it's an identical proposal as last year. There are no changes, all they did was copy and paste it from last year.

So, because the city was able for the first time to get auto coverage, real, commercial auto insurance, that was removed from the bid, so that was actually -- that proposal was \$10,000 less. So we have, actually, if somebody gets in a vehicle, we have insurance now.

Starting from zero, up. All our policies are \$500, \$500

for comprehensive, \$500 deductible for collision, for any new vehicle 2016 or newer.

So we've put that policy in place. I don't know if you can recall, but we had a police car totaled by an ambulance right out front here, and we just took the loss. Because it's under \$150,000, so we put that in place. I put that in place last year.

MR. SYKES: Okay.

MR. BOVITZ: But a terrorism insurance -- it's interesting, reading about the United States government actually reimbursing; do you have any input on that?

MR. SADOWSKI: The terrorist coverage, the city has opted out every year except for this year, I put opted in. I selected to opt in for terrorism coverage.

MR. BOVITZ: Would that include our private businesses, like National Steel, U.S. Steel, because of --

MR. SADOWSKI: It would just cover this building, mostly, our infrastructure, the water mains, et cetera. So this building's valued at seven and a half million dollars, to replace. If it was an act of terrorism, somebody comes and shoots it up or blows it up, that's an act of terrorism; it wouldn't be covered.

Obviously, it's -- if you want to pay for that sort of expense you know.

MR. BOVITZ: Well and in a similar manner, too,

with the security cameras at the station, for remote monitoring, but also for security, I would imagine, right?

MR. SADOWSKI: Yes. So we have numerous stations. We have pump houses, we have lift stations, any of those could be subject to terrorism. I've been doing this 14 years, you know, things happen. Things have been sabotaged. I mean, we've had people go and sabotage all the fire hydrants with a wrench. Remove them all, and try to break the system, before.

I mean, we've had -- I've seen all kinds of stuff, so, it's whether you want to opt in or opt out of terrorism, and what terrorism is defined as today. It's probably above my scope for insurance, but it's not uncommon for police to face terrorism today, and it's been brought up, other police stations have been assaulted with AK-47s in the downtown, downriver area, in Detroit.

That's why we did the upgraded for the -upgraded the front central dispatch. That was not
bulletproof until I implemented that this year. They had
one pane that was bulletproof glass, and all the rest
wasn't. So, I mean, we're just going to take the risk.

MR. SYKES: Okay. Are there any questions on 621?

MR. BOVITZ: Well, just the boat dock -- it was approving the scrapping the trailer that could not be

repaired. How did, was there much usage of the public access this year, at the boat launch?

MR. SADOWSKI: We -- the pay gain happened later. The city brought in \$14,000 in revenue.

MR. BOVITZ: That's not that much, right?

MR. SADOWSKI: It's not that much; it is more than the previous year's. Previous year's, the city only collected \$6,000 for rent. And everything else was profit for the person that ran it. This year, there is no person running it. We paid for the teller, the automatic machine, ATM, to collect the fees.

So that expense has been recaptured, so now everything is, you could say, profit. But there's still operating costs, you know, such as, you know, bank service charges and cable down there to run the cameras. We have security cameras.

So there's still, there's still costs. But that larger expense, for paying somebody to be down there, has been gone. Has been eliminated by the budget. So we have recouped those costs, so going forward, they'll be more profitable.

MR. BOVITZ: I just hate to see you cutting quality of life for the residents, you know, it has one for boaters and fishermen. But also then with the DTE, with the concession facility -- now, that's in the park,

right? That's a separate location? Where the -- the explosion in the bathroom?

MR. SADOWSKI: Yeah, so that was at the Dingell Park restroom, so Dingell Park, right on the river there, the new facility is up, and has not -- it does not have a certificate of occupancy. Because they have a punch list, a final punch list, to finish. But they have their temporary certificate of occupancy.

That is -- was paid for by DTE. But they're talking about removing the concession stand; it's a trailer. It's a trailer that sits at the boat launch, that a person that rented the facility would sit there and run their side business. Snacks, lure, baits, out of.

That's pretty ran down, so they voted to have that removed from the site. It was more like blight than it is like a -- it's not being used now. It's more like a rundown trailer sitting on the city boat launch.

MR. SYKES: Thank you. So I'll entertain a motion to approve the remaining resolutions; the remaining being all of them but 623, which was approved at the last board meeting, from the regular city council meeting of August 29th, 2017.

MR. BOVITZ: So moved.

MS. BROPHY: Support.

MR. SYKES: All those in favor, say aye. Aye.

1 MR. BOVITZ: Aye. 2 MS. BROPHY: Aye. 3 MR. SYKES: Those opposed, the same. 4 (No response) 5 MR. SYKES: These resolutions have been 6 approved. 7 Next, we have the resolutions from regular city council meeting, September 12th, 2017. Are there any 8 9 questions? Issues? Okay, I'll entertain a motion to 10 approve the resolutions from regular city council meeting of September 12th, 2017. 11 12 MS. BROPHY: So moved. MR. BOVITZ: 13 Support. MR. SYKES: All those in favor, say aye. Aye. 14 15 MR. BOVITZ: Aye. MS. BROPHY: 16 Aye. Those opposed the same. 17 MR. SYKES: 18 (No response) These resolutions have passed. 19 MR. SYKES: 20 Last, we have the claims and accounts from regular city council meeting draft minutes of September 26th, 2017. 21 With that, I'll entertain a motion to approve the claims 22 23 and accounts from the regular city council meeting draft minutes of September 26th, 2017. 24

So moved.

MR. BOVITZ:

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1 MS. BROPHY: Support.

MR. SYKES: All those in favor, say aye. Aye.

MR. BOVITZ: And that was one of the things that came up at that meeting, which we'll talk about at the next meeting, so I was -- I am requesting that a representative from the attorney can be here to talk about the Resolution 651, particularly.

MR. SYKES: Okay.

MR. BOVITZ: Well, 652.

MS. BROPHY: And 652.

MR. SYKES: Okay. All right, noted.

All right, next we have the city administrator items. First we have approval of city council meetings; this was addressed in new business. Next we have approval of budget to actual, July and August. Just, can I get -- Tim, do you have a summary that you can discuss a little bit about the budget to actual?

MR. SADOWSKI: So, yes, I -- I thought I filed one for July, and you guys told me I didn't, and I didn't. So, that was my mistake. That's why you didn't receive one, because I thought I did it. So, I went back, and it did make sense, so I have them both together.

And they're together, pretty much tax revenues were only 11 percent. Currently we're at 70 percent, which is much lower than we -- we closed at almost 84

percent last year, but currently we're only to 70 percent. And now they're delinquent, for summer. So, collections through the end of February; hopefully it comes up. But it's at 70 percent.

The DPW staffing for seasonal has been terminated. That notice has gone out, and Friday will be their last day, to cut the budgeting cost for landscapers. And so we're going forward with that.

MR. SYKES: Can I ask -- so, is there something that's taking place different? Was there something that was done in the past for collecting delinquent taxes, that's not being done, or is this just -- it's just what's taking place?

MR. SADOWSKI: It's just what's taking place.

So, what happens now, taxes are due, you know, September

14th. If they -- if they don't pay them, they get the

interest and penalty. Penalty's three percent, one time;

interest is one percent per month.

If they don't pay by February 28th, they get rolled over to Wayne County delinquent. Wayne County settles with us June 30th. Well, they settle before; they don't pay us until June 30th. And they deduct any captures they have taken in between March and June, when they actually write out the check. So we get a net check.

Everything they write up, except for personal

property tax. It's due to the fact that they basically eliminate a personal property tax. It's really not the ideal. So what we're dealing with now is, real properties, mostly residential and small commercial, that are not paying their real property taxes.

We jumped from, what did I say, 11 to 70 percent, is our largest taxpayer, U.S. Steel, paid their bill. Like I said, it was going to jump up. U.S. Steel always pays their tax bill on time, the last, almost the last day, just like they pay their water bill at the last day. But they always pay.

So, we jumped up to 70 percent. So the delinquency is basically the residential, and small commercial, that are not paying their real property taxes. And that has been going down year, after year, after year. And I brought up that eventually, you will tax your residents to death, to the point that they will not pay their taxes because they're too high. People can't afford them.

And we've gone to that point, any time I raise the taxes, the tax collections drop. So you're at a tilting point. I know U.S. Steel's going to pay, they're our largest taxpayers, so if I keep increasing it, yes, I'm going to get U.S. Steel to pay their taxes. I'm going to get a drop on the residential side; does one outweigh

the other?

Then you get into do I really want to foreclose properties because of tax rates? So you go into the circle of what is just and what is not just. But that's why the delinquency rate's going down; it's residential properties not paying their taxes. Unfortunately, that's what it is.

When I talk about the Dingell Park restroom, that had been -- that money was collected through DTE. The city still has some escrows, which we're due to overchange it, and some over -- some change orders will use most of that up. So there's very little left in the escrow fund.

The city will probably use those remaining funds for landscaping. Because it was a part of the specs. And if you look out there, there's no landscaping. So you got this nice building with no -- it's just like, you know, the grass is already dead. There's no trees, there's no plants, no -- I would imagine that's what they'll probably do, in spring, with the extra money. With that building.

And also, basically budget amendment number one, budget to actual, the real point that the city does not know, is the special assessment for the local community stabilization share. Are we going to receive that overpayment again? And that will be the big question;

they're supposed to make that payment in November. They postponed it until December last year -- that would be the Michigan Department of Treasury.

So when the city receives that payment, hopefully we'll receive another overpayment, which will, then all of our revenue numbers will be set. The only adjustment for the year will be expenditures. Because the tax roll has been set. And the tax roll is most of our revenue, so once I get the special assessment revenue from the Michigan Department of Treasury, through the local community stabilization share, the revenues will be set for this fiscal year.

It will be, you know, over 90 percent of the revenues will be set. The only thing that will adjust is service costs. Fines and fees and forfeitures, for police; tickets. Very minimal.

And as far as the expenses, we always budget -I always budget very conservatively, so there's always
room for adjustments, like I said. I use the incremental
approach.

MR. BOVITZ: Well, we got a \$10 million budget, and a third of that is local community stabilization, revenue sharing from the state -- is that, that's expected to come in eventually?

MR. SYKES: That payment is supposed to be made

November, every November, by statute. And they push it off until December, because of a phase in of the program.

That's what they said. They had to cut their --

MR. BOVITZ: So they're accountable now, for December, it's not just a dream?

MR. SADOWSKI: Those are accountable dollars; however, last year, we received an overpayment. The city budgeted 95 percent capture. And the city got a 260 percent capture. So we took that extra percentage and transferred that money to MERS. And that's why we went from 30, 31 percent funded, all the way up to 40 percent. Is because we took that special assessment money and diverted it all to MERS. Anything that was non-restricted, in the city operating fund.

The city would like to do that again, or, either they would like to make that payment towards the emergency loans. Because in the five-year forecast, that is the hard expense. The city does not have the funds to pay back the emergency loans.

So if the city starts making early payments now, which is allowed under the agreement, that would reduce the obligation in the future, which would make it more easy. Obviously, the city doesn't expect our finances to get better, since our tax bases continues to go down.

So, if we can make additional payments with any

excess funds we have now, it will make the future easier for whoever's in office, in 2021. Whoever it is.

MR. SYKES: Right.

MR. SADOWSKI: So that was the --

MR. BOVITZ: The audit's coming along. I'm sure there'll be some audit recommendations along those lines.

MR. SADOWSKI: There will be audit recommendations. They have started their audit. The last three days I came in, our BS&A accounting software has been, server has been down. I even came in over the weekend to do worksheets, and it was still down.

So, it has been very challenging, to say the least, because every time I go to work on the audit, I can't. And IT services, if you read my city administrator report that's been in there for the last three months, that, it's non-existent. So, it's frustrating.

MR. BOVITZ: And it's one of the things I've noticed, the Department 171 executive and 223 controller, because of your situation, looks like you need to make some adjusting journal entries between the controller department executive, because right now there's nothing to charge against executive salaries for the year.

MR. SADOWSKI: There has been nothing charged for the executive salaries for the year. They have all been allocated to finance. They could be broken back out

into executive salaries. But you're correct; they have all been charged to finance.

MR. BOVITZ: Okay. You're aware, I just wanted to let you know.

MR. SADOWSKI: They have all been charged to finance, that budget has been still left. So when they combine the positions, I never reduced the budget.

MR. BOVITZ: Right.

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MR. SADOWSKI: And on top of that, I increased the finance budget to pay for both the combination shares. So there's more than enough money to hire two people. I don't know, if you were aware of that or not, but I never reduced the budget, to put the city in a spot that it could never fill those positions.

I actually increased the budget in both line items, so they were not paying either of those positions \$100,000 a year when they left. They were paying me 76, and they were paying the city administrator 95. And so if I have \$122,000 in finance for the city controller, and \$100,000 in city administrator, you should be fine.

MR. SYKES: Okay. Any other questions? right, I'll entertain a motion to approve the budget to actual reports for July and August.

> MS. BROPHY: So moved.

MR. BOVITZ: Support.

1 MR. SYKES: All those in favor, say aye. Aye. 2 MR. BOVITZ: Aye. 3 MS. BROPHY: Aye. 4 Those opposed the same. MR. SYKES: 5 (No response) 6 MR. SYKES: All right, these have been approved. 7 Next, we move on to the approval of Gallagher 8 and Company insurance proposal; this was addressed in new 9 business. Next, we have the approval to make part time 10 employee Tracie full time. This was also approved in new 11 business. Feel free, if you guys have something to speak 12 up on. Okay. MR. BOVITZ: Don't worry, I won't be shy. 13 MR. SYKES: Okay. Approval of investing surplus 14 15 funds in tax-exempt investments. This was addressed in 16 new business. Next we have the approval of installation 17 of security system in pump station. Again, this was addressed in new business. 18 Then we have the approval of the 2017-2018 19 20 budget amendment number one, which was addressed in new business. Last, we have checks released and this is 21 22 information only. So with that, we'll move on to public

MR. CLINE: One public comment; Mr. Sadowski.

MR. SADOWSKI: Hello.

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comment.

MR. SYKES: Yes.

MR. SADOWSKI: I'm Tim Sadowski. As I'm sure you've been informed, I have put in my notice at the end of September, and so this would make my last RTAB board meeting. I don't know if you knew that or not. So, I'm hopeful that the city will move forward with interviews, and the candidate selection posting was through October 7th. And that has been closed.

So there has been, the city has received four applicants that have governmental experience for city administrator, and two that have governmental experience for city controller. And those names are on the -- have been prepared for the city council tonight.

I hope that they will schedule interviews and move forward, because there's still the day to day operations. Just would like to thank you for letting me work here for the last two years. That's actually over two years; August 24th was my two years. So, it's been a challenge. I've learned a lot, and thank you for letting me serve for the last two years.

MR. SYKES: Thank you.

MR. BOVITZ: That was news to me -- I wasn't aware the you'd put in notice. Were you aware, Joan?

MS. BROPHY: I actually found out this morning, because I was here early, but, yeah, so --

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                  MR. BOVITZ: Yeah, just when we finally get
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        things going.
                  MS. BROPHY:
                               I know.
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                  MS. LAZO: (From audience) That's how we feel.
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        So if we're voting, I'd like to put a "not", and note of
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        that.
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                  MR. BOVITZ: Don't let Tim leave? Or just let
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        him resign as one or the other, but not both?
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                  MS. LAZO: He's done a good job.
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                  MR. BOVITZ: Yeah. Well, we've been through
        some lean times, and some tension. And so we want to see
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        the positive vibes, that Tim has created here, continue.
                  FEMALE FROM AUDIENCE: That's why he shouldn't
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        leave.
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                  MR. SYKES: All right, so to end this awkward
        moment, we'll move to board comment.
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                               Thank you Tim, for all you've done
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                  MS. OLIVER:
        for us.
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                              Any board comment?
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                  MR. SYKES:
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                  MR. BOVITZ:
                               No.
                  MS. BROPHY:
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                               No.
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                  MR. SYKES:
                              All right, I guess, then, we have
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        adjournment. I'll entertain a motion for adjournment.
                  MR. BOVITZ:
                               So moved.
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Support.

MS. BROPHY:

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MR. SYKES: All those in favor, say aye. Aye.
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                   MR. BOVITZ: Aye.
                   MS. BROPHY: Aye.
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                   MR. SYKES: We are adjourned.
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                   (Proceedings conclude at 9:37 a.m.)
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    STATE OF MICHIGAN
   COUNTY OF WASHTENAW ).ss
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    I certify that this transcript is a complete, true, and
    correct transcript to the best of my ability of the RTAB
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   meeting held on October 10, 2017, City of Ecorse. I also
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    certify that I am not a relative or employee of the parties
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12
    involved and have no financial interest in this case.
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   RESPECTFULLY SUBMITTED:
                                    October 16, 2017
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   s/Amy Shankleton-Novess
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   Amy Shankleton-Novess (CER 0838)
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   Certified Electronic Reporter
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