

STATE OF MICHIGAN
CITY OF LINCOLN PARK
RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING MINUTES

TUESDAY, NOVEMBER 15, 2016 - 1:00 P.M.

LINCOLN PARK CITY HALL

COUNCIL CHAMBERS

1355 SOUTHFIELD ROAD

LINCOLN PARK, MICHIGAN

* * * * *

RTAB MEMBERS PRESENT:

KEVIN BONDS
GENELLE ALLEN
JESSICA THOMAS

RTAB MEMBERS ABSENT:

BRENDEN DUNLEAVY
JOHN ZECH

ALSO PRESENT:

MATT COPPLER, City Manager

DREW VAN DE GRIFT
Michigan Department of Treasury

Reported by:

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CALLED TO ORDER AT 1:03 P.M.

MR. BONDS: Good day, everybody. Let's call the meeting to order with roll call.

MR. VAN de GRIFT: Genelle Allen.

MS. ALLEN: Here.

MR. VAN de GRIFT: Kevin Bonds?

MR. BONDS: Here.

MR. VAN de GRIFT: Branden Dunleavy.

(No response.)

MR. VAN de GRIFT: Absent and excused.

Jessica Thomas.

MS. THOMAS: Here

MR. VAN de GRIFT: John Zech.

(No response.)

MR. VAN de GRIFT: A quorum is present.

MR. BONDS: All right.

Approval of today's agenda. I'll entertain a motion to approve the agenda as presented.

And just a reminder, public must sign up to speak during the public comment portion of the meeting.

MS. ALLEN: Move approval.

MS. THOMAS: Support.

MR. BONDS: Properly moved and support.

All those in favor of approving the agenda signify by stating aye.

1 MS. THOMAS: Aye.

2 MS. ALLEN: Aye.

3 MR. BONDS: Aye.

4 Motion passes.

5 Approval of RTAB minutes from the regular meeting
6 of October 18th, 2016, which is Attachment 1 in your
7 packets.

8 MS. THOMAS: So moved.

9 MS. ALLEN: Second.

10 MR. BONDS: It's been properly moved and second.
11 Any discussion?

12 (No response.)

13 MR. BONDS: Hearing none, all those in favor
14 signify by stating aye.

15 MS. ALLEN: Aye.

16 MS. THOMAS: Aye.

17 MR. BONDS: Aye.

18 Old business. We have none.

19 So we'll move right on to new business, which is
20 the approval of resolutions and ordinances for city
21 council meetings. Resolutions from the regular city
22 council meeting of October 3rd, 2016. Many of the
23 resolutions from this city council meeting have been
24 previously approved by this Board at our last meeting.

25 The chair will entertain a motion to approve the

1 remaining resolutions from the October 3rd, 2016 regular
2 city council meeting, with the exception of 2016-313,
3 which account and claims payable.

4 MS. THOMAS: So moved.

5 MS. ALLEN: Second.

6 MR. BONDS: Any discussion?

7 (No response.)

8 MR. BONDS: Mr. Coppler, if you would like to
9 provide us a summary of -- I'm going to have him under
10 discussion.

11 MR. VAN De GRIFT: Sure. Whatever you'd like.

12 MR. BONDS: Okay.

13 MR. COPPLER: Which one are we doing now?

14 MR. BONDS: Provide a summary of 2016-313, which
15 is the account payable.

16 MR. COPPLER: That's what I thought. I just
17 wanted to make sure so I didn't say something wrong here.

18 So under Order 60 from the emergency manager, all
19 expenditures over \$25,000 are to be approved by the city
20 council and then approved by RTAB. And the four items on
21 this resolution meet that qualification for over \$25,000.

22 MR. BONDS: Okay. So, and I, and the chair
23 apologizes because we had a motion on the floor. I should
24 have acted on it. So with this we'll amend to approve the
25 motion of the remaining resolutions to include 2016-313.

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1 MS. ALLEN: So moved.

2 MS. THOMAS: Support.

3 MR. BONDS: Any discussion?

4 (No response.)

5 MR. BONDS: Hearing none, all those in favor
6 signify by stating aye.

7 MS. ALLEN: Aye.

8 MS. THOMAS: Aye.

9 MR. BONDS: Aye.

10 Motion passes.

11 Okay, we're down to resolutions from the special
12 city council meeting of October 10th, 2016, which is
13 Attachment 3 in your packets. Resolutions previously
14 approved by this Board at the last meeting, so there is no
15 action necessary.

16 The next items is resolutions from the regular
17 city council meeting of October 17th, 2016. Resolution
18 2016-324 was previously approved by this Board at our last
19 meeting.

20 The chair will entertain a motion to approve all
21 remaining resolutions from the October 17th, 2016 regular
22 city council meeting with the exception of Resolution
23 2016-327, which is the auction DPS equipment, and
24 Resolution 2016-328, which is accounts and claims payable.

25 MS. THOMAS: So moved.

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1 MR. BONDS: Moved and?

2 MS. ALLEN: Second.

3 MR. BONDS: And second.

4 Any discussion?

5 (No response.)

6 MR. BONDS: All those in favor signify by stating
7 aye.

8 MS. ALLEN: Aye.

9 MS. THOMAS: Aye.

10 MR. BONDS: Aye.

11 No opposed. Motion passes.

12 Resolution 2016-327, which is the auction DPS
13 equipment, Attachment 4.

14 Mr. Coppler, please.

15 MR. COPPLER: So the city is in ownership of a 22
16 year old 1990 Ford, Ford LT-9000 semi-tractor, and in its
17 heyday this was used to not only deliver the spoils from
18 the water and sewer excavations and some other projects
19 the city was doing to the landfill, but also I believe
20 collected return gravel aggregates necessary to fill those
21 particular holes that we create.

22 It has fallen into a state of disrepair and is
23 inoperable. We currently have a contract with a vendor to
24 actually haul and bring in that stuff. It's something
25 actually we're looking into down the road to buy something

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1 that may replace that and allow us to do it in-house
2 again, but I don't think we're in the position right now
3 to be taking those steps. But our thoughts are to get rid
4 of this piece of equipment because it's just lying around,
5 and to fix it and get it operational against is just too
6 much for the age and what needs to be done with it.

7 MR. BONDS: Okay. The chair will entertain a
8 motion to approve, deny, or postpone Resolution 2016-327,
9 which is the auction of DPS equipment.

10 MS. ALLEN: Move approval.

11 MR. BONDS: It's been properly moved.

12 MS. THOMAS: Second.

13 MR. BONDS: And second.

14 Any discussion?

15 (No response.)

16 MR. BONDS: Hearing none, all those in favor
17 signify by stating aye.

18 MS. THOMAS: Aye.

19 MS. ALLEN: Aye.

20 MR. BONDS: Aye.

21 And no opposed. Motion passes.

22 Resolution 2016-328, accounts and claims payable,
23 which is Attachment 4B in our packets.

24 Mr. Coppler.

25 MR. COPPLER: Again, under EM Order 60, we are

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1 responsible to bring to both the city council and the RTAB
2 checks that are going to be paid out for over \$25,000.
3 The six items contained in this resolution meet that
4 criteria.

5 MR. BONDS: Okay. The chair will entertain a
6 motion to approve, deny, or postpone Resolution 2016-328,
7 which is accounts and claims payable.

8 MS. THOMAS: So moved.

9 MR. BONDS: It's been properly moved.

10 MS. ALLEN: Second.

11 MR. BONDS: And second.

12 Any discussion?

13 (No response.)

14 MR. BONDS: Hearing none, all those in favor
15 signify by stating aye.

16 MS. THOMAS: Aye.

17 MS. ALLEN: Aye.

18 MR. BONDS: Aye.

19 Motion passes.

20 On down to city manager items, which is Items 1
21 and 3. While action on Items 1 and 3 occurred during a
22 council meeting out of the normal review period for
23 today's Board meeting, the city manager is requesting to
24 bring them forward for review.

25 Okay. All three of these items have been

1 approved by the city council at their November 7th, 2016
2 council meeting, and I believe the resolutions were put
3 before you at today's meetings, which would be Resolutions
4 336, 337, and 341. Approval of Resolution 2016-336 is the
5 award -- award bid for demolition of 1573 Pagel and 1911
6 Paris.

7 Mr. Coppler.

8 MR. COPPLER: As part of our blight removal
9 processes that we have in place, the two houses, one at
10 1573 Pagel, and the other at 1911 Paris, went through the
11 dangerous building board as well as the city council
12 process to in fact declare it to be a dangerous building.
13 This Board as well as council had authorized to go out to
14 bid. We have opened those bids and the lowest bid came in
15 from the McMillen Group at a total cost for both of them
16 not to exceed \$21,366.

17 MR. BONDS: Okay. The chair will entertain a
18 motion to approve, deny, or postpone Resolution 2016-336,
19 which is the award bid for demolition of 1573 Pagel and
20 1911 Paris.

21 MS. THOMAS: So moved.

22 MR. BONDS: It's been properly moved.

23 MS. ALLEN: Second.

24 MR. BONDS: And second.

25 Any discussion on the motion?

1 (No response.)

2 MR. BONDS: Hearing none, all those in favor
3 signify by stating aye.

4 MS. THOMAS: Aye.

5 MS. ALLEN: Aye.

6 MR. BONDS: Aye.

7 Okay, next Resolution is approval of Resolution
8 337, which is the waive bid requirements of the city to
9 purchase four police vehicles from a qualifying state bid.

10 Mr. Coppler.

11 MR. COPPLER: Within the 2016/'17 budget is the
12 funding for the purchase of four vehicles for the police
13 department. Three of them are active police cruisers, and
14 the fourth is a second animal control vehicle. You might
15 recall we used to have two.

16 MR. BONDS: Right.

17 MR. COPPLER: We replaced one with the money that
18 was available last year, and are now purchasing the second
19 one for them.

20 MR. BONDS: That's great.

21 MR. COPPLER: All four will be off the state bid.

22 MR. BONDS: Great.

23 Okay, chair will entertain a motion to approve,
24 deny, or postpone Resolution 2016-337, which is the waive
25 the bid requirements to purchase the four police vehicles

1 from a qualifying state bid.

2 MS. THOMAS: I move to approve the Resolution
3 2016 for the four police vehicles.

4 MR. BONDS: Motion has been properly made. And?

5 MS. ALLEN: Second.

6 MR. BONDS: And second.

7 Any further discussion?

8 MS. ALLEN: I do have a question.

9 MR. BONDS: Yes, ma'am.

10 MS. ALLEN: Mr. Coppler, you referred to the
11 state bid. Are you referring to the MiDeal program, the
12 cooperative program?

13 MR. COPPLER: Correct.

14 MR. BONDS: Okay. Thank you.

15 Any further discussion?

16 (No response.)

17 MR. BONDS: Hearing none, all those in favor
18 signify by stating aye.

19 MS. THOMAS: Aye.

20 MS. ALLEN: Aye.

21 MR. BONDS: Aye.

22 Motion passes.

23 Next item is the approval of Resolution 2016-341,
24 which is the award bid for the Riverbank Avenue storm,
25 sewer, and maintenance contract.

1 Mr. Coppler?

2 MR. COPPLER: I do. This particular item
3 revolves a 36 inch storm line that is along Riverbank
4 within the City of Lincoln Park. To the best of our
5 knowledge we don't know if it's ever been cleaned. So we
6 are looking to get it cleaned. But unfortunately because
7 of the way it's designed, there are no good points of
8 entry to actually be able to pull whatever is in there out
9 of it. So to get this line cleaned, we have to go and
10 install two catch basins. So this project involves not
11 only the cleaning of this 36 inch line, but also the
12 installation of two catch basins.

13 This line actually services another road that is
14 a fairly major road within the City of Moran and causes
15 the water to back up on that road due to this particular
16 line being not -- not being serviced in the past, not
17 operating at full capacity.

18 MR. BONDS: Okay. The chair will entertain a
19 motion to approve, deny, or postpone Resolution 2016-341,
20 which is the award of the bid for the Riverbank Avenue
21 storm, sewer, and maintenance contract.

22 MS. THOMAS: I move to approve.

23 MR. BONDS: Motion has been made to approve.

24 Is there a second?

25 MS. ALLEN: I second.

1 MR. BONDS: And second.

2 Any discussion?

3 I think I just have one question. Where -- have
4 there been any insurance liabilities associated with this
5 in the past?

6 MR. COPPLER: I'm not aware of any.

7 MR. BONDS: With any claims?

8 MR. COPPLER: Any claims or anything on that.

9 MR. BONDS: Okay.

10 Any other questions?

11 (No response.)

12 MR. BONDS: Hearing none, all those in favor
13 signify by stating aye.

14 MS. THOMAS: Aye.

15 MS. ALLEN: Aye.

16 MR. BONDS: Aye.

17 Motion passes.

18 Okay, the next item is approval of the city
19 manager's appointments to the Department of Public
20 Services and the Lincoln Park Community Center, which is
21 Attachment 5 in our packets.

22 Mr. Coppler, can you provide a summary of these
23 items, please?

24 MR. COPPLER: Yes. So the first two appointments
25 are for the Department of Public Services. The first is

1 for a full-time position within that, and as you might
2 recall, we have, as part of the '16/'17 budget we've
3 actually put in for positions to be hired for water,
4 sewer; also one for the streets. During that time
5 unfortunately we've had two retirements as well as a
6 couple people leaving. So you're going to be seeing a lot
7 of this unfortunately as the door spins.

8 But this one is going to be filling one of the
9 positions that's opened up. It's paid at \$14 an hour and
10 obviously it's funded within the '16/'17 budget.

11 The second item actually involves the hiring of
12 three part-time public service workers. Again, within the
13 FY '16/'17 budget we have money allocated for part-time
14 workers within that. We tend to hire from that group, so
15 as they move up it opens up positions, and there was also
16 a position or two I believe that hadn't been filled from
17 the past, so that's why we're seeing three part-time
18 hirees in this one.

19 The last two items involve staffing for the
20 Lincoln Park Community Center or the ice rink, as you
21 might recall. The first two -- the first is two building
22 supervisors, and those will supplement our ability to keep
23 that -- that particular facility open during the long
24 hours, the times that it's going to be open, seven days a
25 week, and the second one is concession stand worker since

1 we do have a concession stand within the ice rink.

2 MR. BONDS: Okay. The chair will entertain a
3 motion to approve, deny, or postpone the hiring of the
4 nine positions as detailed by Mr. Coppler.

5 MS. THOMAS: So moved.

6 MS. ALLEN: Second.

7 MR. BONDS: Any further discussion?

8 MS. THOMAS: I do. I had a question. So with
9 the two for the Community Center, you know, I see here
10 that it says it's funded within the amended budget.

11 MR. COPPLER: Yes.

12 MS. THOMAS: So this was just recently added, so
13 there was a budget amendment I'm assuming that took place
14 between --

15 MR. COPPLER: Yeah, you approved that --

16 MS. THOMAS: Was that us?

17 MR. BONDS: At the last meeting.

18 MS. THOMAS: The last meeting.

19 MR. COPPLER: Was it the last --

20 MR. BONDS: Yep. Yep.

21 MR. COPPLER: Yeah, the last meeting, and we
22 received I think a couple week later the state treasurer's
23 approval of that.

24 MS. THOMAS: And with these two positions, so
25 they are within that, based on the concessions and the

1 attendance that we anticipate --

2 MR. COPPLER: Yeah.

3 MS. THOMAS: -- I mean I just want to be clear on
4 the revenue side of the --

5 MR. COPPLER: Yeah, and to kind of go back to
6 that discussion we had with that, we've actually, the
7 budget amendment only appropriated funding up until the
8 end of January.

9 MS. THOMAS: January. Okay.

10 MR. COPPLER: And so we did that so council will
11 have to look at it again to see if it's actually meeting
12 the revenue projections that we put out there. If not, we
13 move on.

14 MS. THOMAS: Okay. All right, thank you so much.

15 MR. BONDS: Any other questions or concerns?

16 (No response.)

17 MR. BONDS: All those in favor signify by stating
18 aye.

19 MS. THOMAS: Aye.

20 MS. ALLEN: Aye.

21 MR. BONDS: Aye.

22 Motion passes.

23 The following reports, which are items 8 through
24 13, are received and filed. I don't know if any member of
25 the Board has any questions regarding the budget to

1 actual, the cash flow, check disbursement, overtime
2 report, tax collection and timing, or the monthly report.

3 Just one comment. As always, the monthly reports
4 are done very well. I wanted to know how the clerk's
5 office faired during the election? Was there any issues
6 or -- I'm assuming everything went smoothly?

7 MR. COPPLER: It actually did. It went very
8 smoothly. I think that again is to the, you know, benefit
9 of the city clerk as well as the staff that she does have.
10 It was a very large turnout for Lincoln Park.

11 MR. BONDS: Yeah.

12 MR. COPPLER: I think it was, I see the mayor, it
13 was 56 percent I believe?

14 MR. BONDS: Oh, wow. That's fantastic.

15 MS. THOMAS: Wow.

16 MR. COPPLER: We had a little wager on that.

17 MR. BONDS: That's fantastic.

18 MR. COPPLER: So it was a very active month-and-
19 a-half for the city clerk's office. I think everything
20 went fine. There were no arrests or fraud or anything
21 like that.

22 MR. BONDS: That's good.

23 MR. COPPLER: So she did a great job for us.

24 MR. BONDS: All right. Great, thank you.

25 The final item which is amendment of the EM Order

1 Number 60, Mr. Coppler, can you provide us a summary of
2 that for the Board, please?

3 MR. COPPLER: Yes. So the final orders of the
4 emergency manager involve one section addressing a
5 charter, a commission that's within the charter and the
6 city. And that particular commission is the public safety
7 commission. And it is missioned through the charter to
8 effectively oversee the running and operation of the
9 police and fire services.

10 Now, you know, we kind of operate a little bit
11 differently I think than what the charter originally
12 talked about, and definitely today under the orders of the
13 EM, we're operating differently than how the charter
14 talked about it. But the EM had concern that the way that
15 appointments were being made and the way that decisions
16 were being made were not conducive for good government
17 within the City of Lincoln Park. And within a number of
18 different areas of the orders you kind of, you know,
19 guided it towards a more formalized council manager form
20 of government.

21 In doing that, one of the things that were
22 hanging out there is, you know, what do you do with the
23 public safety commission. And his answer was you
24 effectively take the public safety commission out of the
25 line of hiring police and firefighters, police officers

1 and firefighters, and appointing the police chief and the
2 fire chief, as well as taking them out of the control
3 mechanism of when decisions were made on behalf of those.
4 And, you know, the difficulty in operation that I see is
5 you have a board and commission that is responsible for
6 operating, you know, a part of the city. You have the
7 mayor and council that is responsible for the funding of
8 that. And unfortunately those two things don't always
9 work together as well as what you'd like to see.

10 Now, again, I think this is what the EM had saw
11 when he was looking over the operations. So within his
12 orders he eliminated the public safety commission from
13 that.

14 So enter Matt Coppler. One of the missions that
15 I'm given is taking the city from EM Order 60 back to, you
16 know, 100 percent of self-governance. And through a
17 number of ways, and you don't always see these because I'm
18 always talking to Andrew, or Drew --

19 MR. BONDS: Drew.

20 MR. COPPLER: -- a lot about this. I'm sorry.
21 Another Andrew on my mind. Drew about this and
22 questioning, you know, okay, this is what I read it, how
23 do you read it, and how do we get it then to ultimately be
24 consistent with what the charter says?

25 Because, you know, understand, we are going to be

1 out of this that we're in now, receivership, and we will
2 be operating 100 percent under the auspices of a city
3 charter that was adopted by the citizens of the City of
4 Lincoln Park.

5 My thought is we need to start working towards
6 that, but doing it in a way that maybe re-establishes good
7 practices within operations that will make sure that we
8 have good decisions when we're out of the receivership.
9 And my thought is we start here: we have an opportunity
10 with the appointment of a fire chief that with, you know,
11 collaborative work with elected officials as well as the
12 commission to establish a procedure that will I think
13 yield a good result in the hiring of not only the fire
14 chief, but ultimately somewhere down the line when the
15 police chief decides it's time to start thinking of
16 running for mayor, which he might, you never know, he'd
17 have to move here first, but that we have these good
18 practices in place.

19 The EM in his, you know, construct of what
20 happens after the orders are lifted thought that, you
21 know, there would be a charter amendment that would guide
22 us towards a more formalized council manager form of
23 government. But, you know, that is a possibility; it's
24 not a given. And I think it's better to work right now
25 with all these bodies and aim us towards a positive way

1 and positive interaction so we all are going towards, you
2 know, the same direction when we're rowing that boat.

3 And so with that, I came up with this concept,
4 and the concept really is one that is reflective of civil
5 service guidelines and principles. The public safety
6 commission for the fire chief and then ultimately for the
7 police chief whenever that opens up, not saying it will,
8 just saying if, would act as the receiving body for the
9 applications, and the oversight of the testing that we're
10 going to be doing. They won't be integral to it, but
11 they'll make sure that it's done properly and fairly, and
12 at the end they would certify, yep, these are the six
13 people that applied, the testing was done according to the
14 way we wanted it tested, so these six people in this order
15 are your top six. And we would choose then from the top
16 three, we're still working that out, or top two, then to
17 fill that position.

18 So again, their role becomes -- and the way that
19 I would recommend it to be amended only for this
20 particular position or the police chief, should it happen
21 while we're still in receivership. And so that's how I
22 worded this just for that. For firefighters and police
23 officers it still, you know, follows the guidelines of
24 Order 60.

25 And I think, you know, and establish this, and I

1 have met and spoke with the members of the public safety
2 commission, and they support this and believe that, you
3 know, we do have to change the way that we've been doing
4 these things in the past that are looking for a best
5 practice to evolve the public safety commission into.

6 MR. BONDS: Okay. The chair will entertain a
7 motion to approve, deny, or postpone the recommendation to
8 the state treasurer to amend EM Order 60.

9 MS. THOMAS: So moved.

10 MR. BONDS: Been moved.

11 MS. ALLEN: Second.

12 MR. BONDS: Second.

13 And for discussion?

14 I think, if I may, the only -- my only comment is
15 this: I think this shows very strong, sound judgment from
16 both you, Mr. Coppler, and the team involved with the
17 mayor and the city council and the police and fire chief.
18 Because I think that the EM's order when originally
19 established for this RTAB and other RTABs, is just to
20 ensure financial stability. You've more than exceeded our
21 expectations in terms of the leadership with the City of
22 Lincoln Park. So I would like to just say that on the
23 record in support of this as well.

24 Any other discussion by any other Board members?

25 (No response.)

1 MR. BONDS: All those in favor signify by stating
2 aye.

3 MS. THOMAS: Aye.

4 MS. ALLEN: Aye.

5 MR. BONDS: Aye.

6 Motion passes.

7 Okay, the city administrator report.

8 MR. COPPLER: Real quick, first off I want to
9 introduce, you didn't have any questions for him, but the
10 acting fire chief, Steve Martin.

11 MR. BONDS: Nice to meet you.

12 MR. COPPLER: He's still here with us, so.

13 MR. BONDS: Thank you for coming.

14 MR. MARTIN: Thanks for having me.

15 MR. COPPLER: But I warned him that you were
16 going to have a lot of questions under the report for him.
17 You kind of let me down; I'm just saying.

18 MR. BONDS: I'm sure we'll bring you back.

19 MR. COPPLER: Second thing --

20 MR. BONDS: I do want to make one comment.

21 MR. COPPLER: Okay.

22 MR. BONDS: I had the opportunity of arriving to
23 the city a little earlier, so I was able to witness the
24 fire truck with some of the students being dismantled and
25 raised, so that was pretty cool.

1 MR. COPPLER: Just a couple things to kind of
2 give you a notice of. Council will be meeting, mayor and
3 council will be meeting tonight, and one of the items that
4 they're going to be talking about is the DUWA serve
5 agreement. Right now DUWA is asking the communities to
6 have this approved by the end of December. Realistically
7 I don't see that happening from the City of Lincoln Park's
8 perspective. I think it's probably maybe a little
9 aggressive to think this is going to be coming to you in
10 December. So I would guess that you may be seeing it, if
11 council decides to act on it, sometime in January.

12 MR. BONDS: Okay.

13 MR. COPPLER: Still a ways to go with that one.

14 The second thing is that we are finishing up the
15 annual audit. One of the things that are hanging out
16 there that's kind of tied to our audit is we underfunded
17 the police and fire pension system this year based upon --
18 or excuse me -- last year based upon the budget that was
19 put in place by the EM. And his thought was again, I
20 think this may sound familiar when we talked about the
21 MIRS, if there is money, put it into the pension. We are
22 estimating now, we just got these numbers today, that
23 there's probably going to be a revenue over-expenditure
24 for about 3 million dollars. So we'll be able to put that
25 \$900,000 into the pension plan for police and fire. So

1 that's going to start the council process, at the December
2 5th meeting probably will be rolling that forward if you
3 allow me to act on it in December so we can get that taken
4 care of.

5 MR. BONDS: Okay.

6 MR. COPPLER: And I think I accomplished
7 everything I wanted to say.

8 MR. BONDS: All right, any questions of Mr.
9 Coppler?

10 (No response.)

11 MR. BONDS: All right. Then we're moving right
12 into public comment.

13 MR. VAN de GRIFT: City Councilman Kelsey.

14 MR. KELSEY: I'm going to pass at this time.
15 Thank you.

16 MR. VAN de GRIFT: Mr. Kudrak.

17 MR. KUDRAK: Good afternoon, folks.

18 MR. BONDS: Good afternoon.

19 MS. THOMAS: Good afternoon.

20 MS. ALLEN: Good afternoon.

21 MR. KUDRAK: I want to express my concern again
22 about the DUWA. City manager just told you they're going
23 to have their meeting tonight. I have read the service
24 agreement. It's 48 pages of nothing. It has no details.
25 It says they're going to set the rates, vote for it by

1 December 31st, we'll tell you later what the rates are.
2 It says they can authorize to establish surcharges if
3 certain cities don't meet their requirements. Vote for it
4 by December 31st; we'll let you know later what the
5 surcharges are. There is no details in this service
6 agreement.

7 It also says the total commitment for Lincoln
8 Park is over 10 million dollars. I would ask you folks
9 again in your capacity as the overseers, make sure this is
10 in the best interest of Lincoln Park before you sign off
11 on it. The council is under extreme pressure to act by
12 December 31st. I don't know if they're going yes; I don't
13 know if they're going no. But they absolutely do not have
14 time to do their due diligence and get all their questions
15 answered by December 31st. So you are our second hope to
16 say, "Hey, you can take the time to look this over, get
17 all of your questions answered," and make sure that this
18 is not the worst thing that ever came down the pike.

19 Thank you so much.

20 MR. BONDS: Thank you.

21 MR. VAN de GRIFT: That concludes public comment.

22 MR. BONDS: Board comment.

23 Unfortunately we, for the past few months we have
24 not had an opportunity to have a complete Board, but I
25 will start the process, and it'll sound like a broken

1 record because I'll probably have to repeat it the next
2 couple of meetings, but I wanted to talk about, with the
3 Board about conflict of interest.

4 We have a policy which is Policy Number 1 that we
5 approved as a Board when we first were enacted as an RTAB,
6 and I need to make sure that we are all clear on what
7 constitutes a conflict of interest for each of us
8 individually and what is our practice or our process.

9 A conflict of interest is when you have a direct
10 interest, whether that may be financial or the position
11 that you may hold that has a direct purview over that
12 agenda item. For us to be able to be a strong support for
13 the City of Lincoln Park, we need to make sure that those
14 conflicts of interests are identified prior to the
15 meetings. So as soon as we get the agendas, that's when
16 it should trigger if we have that type of concern so that
17 we will not be prohibited from moving forward with the
18 actions that they need to have taken at that meeting.

19 If we have more than two Board members that have
20 conflict of interest at any given meeting, there is, I
21 believe it's common law, the rule of necessities rule
22 would arise. And can you kind of talk to us very briefly
23 on that particular aspect of the law?

24 MR. VAN de GRIFT: Yeah. I think the notion is
25 that rather than having a Board be unable to act on a

1 subject matter, simply the matters with the -- the members
2 with the conflict of interest would publically disclose
3 it, and then would invoke the rule of necessity and then
4 vote anyway.

5 So we certainly hope we wouldn't get there where
6 we'd have a plurality of the Board that would have a
7 conflict, but, you know, the alternative would be for the
8 RTAB not to be able to act on a subject matter, and then
9 the city would not be able to move forward technically
10 until the RTAB approved the resolution. So it's not the
11 most desirable circumstance, but it is an option to this
12 Board.

13 MR. BONDS: Okay. And so I think that the key
14 thing, because we know that we have the DUWA coming before
15 us, and I know Genelle and your position with Wayne County
16 has been elevated significantly, we'll need to make sure
17 that the city manager in addition to Drew and our other
18 team members of treasury, that we get the agenda items in
19 the most appropriate time so that you may be able to make
20 the most appropriate decision at that time. Because we
21 can structure things to accommodate whether or not there
22 is an issue for any individual Board member.

23 So, any questions?

24 (No response.)

25 MR. BONDS: All right, then I guess we are moving

1 for adjournment.

2 MS. ALLEN: So moved.

3 MS. THOMAS: Support.

4 MR. BONDS: All those in favor?

5 MS. THOMAS: Aye.

6 MR. BONDS: Aye.

7 MS. ALLEN: Aye.

8 MR. BONDS: Thank you all for all your great

9 work.

10 (At 1:35 p.m., off the record)

1 STATE OF MICHIGAN
2 COUNTY OF WASHTENAW) .ss

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5 I certify that this transcript is a complete, true, and
6 correct transcript to the best of my ability of the RTAB
7 meeting held on November 15, 2016 at the City of Lincoln Park.

8 I also certify that I am not a relative or employee of the
9 parties involved and have no financial interest in this case.

10
11

12 RESPECTFULLY SUBMITTED: November 17, 2016

13 *s/Amy Shankleton-Novess*

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15

16 _____
17 Amy Shankleton-Novess (CER 0838)
Certified Electronic Reporter