

APPROVED - 10/13/15

City of Ecorse

Receivership Transition Advisory Board Meeting Minutes

Tuesday, September 8, 2015

Ecorse City Hall

Council Chambers

Albert B. Buday Civic Center

3869 West Jefferson

Ecorse, Michigan 48229

RTAB MEMBERS PRESENT:

ROBERT BOVITZ

JOYCE PARKER

EDWARD KORYZNO (PRESENT BY TELEPHONE)

ALSO PRESENT:

WAYNE O'NEAL

City Administrator

CASSANDRA BOOMS

Office of the City Attorney

DREW VAN de GRIFT

Michigan Department of Treasury

Office of Fiscal Responsibility

Reported by:

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Called to order at 9:04 a.m.

MS. PARKER: Good morning, everyone. We will go ahead and start the meeting for the Receivership Transition Advisory Board at this point. Our chairperson, Ed Koryzno, will not be with us today; however, he will join us by telephone. He will be able to participate in the meeting. However, he will not be voting.

So we'll start with item one, call to order, with the roll call.

MR. VAN DE GRIFT: Robert Bovitz?

MR. BOVITZ: Here.

MR. VAN DE GRIFT: Ed Koryzno?

MR. KORYZNO: Here by phone.

MR. VAN DE GRIFT: Joyce Parker?

MS. PARKER: Here.

MR. VAN de GRIFT: Our quorum is present.

MS. PARKER: Item B is the approval of the agenda. Is there a motion for the approval of the agenda?

MR. BOVITZ: Move to accept the agenda as printed.

MS. PARKER: I would support that motion. Any questions?

(No response)

MS. PARKER: If not, all in favor say aye. Aye.

MR. BOVITZ: Aye.

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MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: Motion carries. Just a reminder that the public is required to sign up in order to speak during the public comment portion of the meeting.

Item C is the approval of the RTAB minutes of August the 11th, 2015, and I would entertain a motion to approve the August 11, 2015 RTAB minutes.

MR. BOVITZ: So moved.

MS. PARKER: And I'll support the motion. Any questions to the motion?

MR. BOVITZ: Were there any changes, amendments, corrections? It was all as printed? That's all.

MS. PARKER: Okay, all in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Aye. Those opposed say no.

(No response)

MS. PARKER: The motion carries.

Under item two, there is no old business.

Item three, under new business, A is the approval of resolutions and ordinances for city council meetings, with A1, the resolutions from the regular city council meeting of July 21st, 2015.

MR. BOVITZ: Move to approve the resolutions from July 21st, 2015 city council meeting, with the

1 exception of Resolution 211.15, and Resolution 217.15.

2 MS. PARKER: And I would support the motion to
3 approve the resolutions from the July 21st minutes, with
4 those exceptions.

5 All in favor say aye.

6 MR. BOVITZ: Aye.

7 MS. PARKER: Aye. Those opposed say no.

8 (No response)

9 MS. PARKER: The motion carries.

10 A is the resolution number 211.15, the payroll
11 claims. Mr. Van de Grift, can you please update the Board
12 on this item?

13 MR. VAN de GRIFT: Yes. Drew Van de Grift,
14 Department of Treasury.

15 Two years ago, October of 2013, the RTAB
16 preapproved, for the first time, a payroll amount. At
17 that time, it was 125 percent of the average payroll for
18 the city, the notion was that a payroll should not be
19 conditioned on RTAB approval; that the city would be able
20 to make its biweekly payroll up to a threshold amount of
21 about \$118,000.

22 Since then, the payroll amount has steadily
23 increased, and as you can see in the meetings that are
24 addressed this month, we are approaching that limited
25 amount, so Treasury staff identified that. I thought it

1 was worth just mentioning that either the preapproved
2 amount should be increased, or the city should be, you
3 know, made aware of that limit.

4 MR. KORYZNO: Madam Chair?

5 MS. PARKER: Yes?

6 MR. KORYZNO: May I ask to have Mr. O'Neal
7 possibly explain why this -- this amount has increased
8 over the past two years, given the fact that I don't
9 believe additional staff has been added? Or perhaps Mr.
10 ~~Sadowski~~ ^{Sadowski} could discuss it? One or the other.

11 MS. PARKER: Yes. Mr. O'Neal is going to
12 respond.

13 MR. KORYZNO: Okay, thank you.

14 MR. O'NEAL: Thank you, Mr. Koryzno. I can't
15 speak to that. What I will do, is I will review that. We
16 will be in touch with Drew by and through Tim ~~Sadowski~~ ^{Sadowski}, to
17 review that and find out exactly what that -- why that has
18 transpired like that. Get an explanation so that there if
19 there is a need. I know we haven't raised salaries.

20 I'll have to review that. I don't know. And
21 thank you, I did not know that there was a threshold
22 amount, either, thank you for that.

23 MS. PARKER: So you'll get back with us on the
24 rationale?

25 MR. O'NEAL: Yes, I will.

1 MS. PARKER: And at this point, we'll just
2 approve it individually as part of our agenda, Mr. Van de
3 Grift?

4 MR. VAN de GRIFT: Yes, it's not at the limit
5 yet, and so it would still be within the preapproved
6 amount.

7 MS. PARKER: Okay.

8 MR. O'NEAL: Thank you.

9 MS. PARKER: All right. Thank you.

10 MR. BOVITZ: Move that we would approve
11 Resolution 211.15, payroll claim, from the July 21st, 2015
12 city council meeting.

13 MS. PARKER: I would support the motion to
14 approve the Resolution 211.15 for payroll claims. Any
15 question to the motion?

16 (No response)

17 MS. PARKER: If not, all in favor say aye.

18 MR. BOVITZ: Aye.

19 MS. PARKER: Aye. Those opposed say no.

20 (No response)

21 MS. PARKER: The motion carries. B, resolution
22 number 217.15, purchase of delinquent tax properties,
23 which is Attachment 2A. Mr. O'Neal, can you provide a
24 summary regarding this item, to the Board?

25 MR. O'NEAL: Yes. The mayor and council were

1 approached by an individual who wanted to buy properties
2 under our first refusal with the county. And there was a
3 number of properties that were identified that this
4 individual wanted to buy, and we purchased them for this
5 individual under the right of first refusal.

6 He gave the money to us, and we have the deeds;
7 we have not transferred the deeds, but as I understand it,
8 this is not an unusual occurrence. It's not an unusual
9 occurrence. It's the first I've ever heard of it; I know
10 cities have been given the right of first refusal.

11 Sometimes we'll buy properties for park land or
12 something like that, but this is the first I've seen where
13 an individual would want to come and identify properties
14 and buy them, and have the city purchase them firsthand.

15 MS. PARKER: So is the intent for the city to
16 purchase the property and convey the property to a
17 particular individual?

18 MR. O'NEAL: That's correct.

19 MS. PARKER: Is that a person that can be
20 identified for the RTAB?

21 MR. O'NEAL: It's ~~JRF~~ ^{JSR} --

22 MS. BOOMS: It's in the minutes.

23 MS. PARKER: It's a developer?

24 MS. BOOMS: ~~JRF~~ ^{JSR} Funding.

25 MS. PARKER: Okay. And is there an expense for

1 the city?

2 MR. O'NEAL: There is -- it's a pass through for
3 the city. We had to pay the county, and make whole for
4 all the taxes that are owed the other jurisdictions. And
5 then of course, that's what we have to refund.

6 MR. BOVITZ: Has legal counsel made sure that we
7 follow all the proper procedures and -- as far as any
8 bylaws written, regarding this issue?

9 MS. BOOMS: Cassandra Booms, city attorney's
10 office. The purchase agreement was approved by the city
11 attorney's office, and that was in the minutes, you'll
12 see. This is subject to city -- agreement by city
13 attorney.

14 And there basically is no cost to the city;
15 there's some administrative costs for the deeds and making
16 sure that the funding came in from JSR. JSR was also
17 paying the summer taxes on those properties, as part of
18 that purchase agreement. Up front, they paid me to wait
19 on that.

20 So there's no issue there, and actually, I don't
21 believe Mr. O'Neal was here when we first started talking
22 to this developer, but, this developer came about when the
23 city was looking last year for a solution for all of the
24 city owned properties the city has. The city has a lot of
25 property that it owns, and we have been researching

1 auction companies, developers, things of that nature. And
2 that's where we found this developer.

3 And so at that time last year, we were talking
4 about what could we do with this -- what, basically, our
5 stock on hand, and they said, oh, this is also something
6 we're interested in. If we go look at them, we'll see
7 what we can develop. So yep, everything is fine with us.

8 MR. BOVITZ: Well, are the properties zoned
9 commercial, retail, residential?

10 MS. BOOMS: It's all residential.

11 MR. BOVITZ: Okay, so there's any indication
12 what they plan on doing with the properties?

13 MS. BOOMS: It's my indication that they're
14 going to bring them up to code and either rent them or
15 sell them themselves.

16 MR. BOVITZ: So it's a win-win, because we're
17 into the back taxes, Wayne County's getting back taxes,
18 and going forward they should be tax base?

19 MS. BOOMS: We're certainly hoping it's a win-
20 win you know, we have to see how it works, this is the
21 first time we've done it. But it -- we're hoping to fast
22 track them back onto the tax rolls. Make them, you know,
23 quality properties and profitable.

24 MR. BOVITZ: Any water bills outstanding, that
25 were addressed in that, also?

1 MS. BOOMS: I wouldn't be able to tell you that,
2 I don't know.

3 MS. PARKER: So is this something that the
4 county is in agreement with?

5 MS. BOOMS: Yes.

6 MS. PARKER: To allow the city to purchase the
7 properties on behalf of someone else?

8 MS. BOOMS: Yes, yes. You know, it just dawned
9 on me. The water bills -- when properties are tax
10 foreclosed, you lose out on the water bills, because the
11 water goes with that previous owner. So, we wouldn't be
12 able to -- if somebody else bought it, we wouldn't be able
13 to recoup on that water bill anyway.

14 MR. BOVITZ: But going forward, it should be a
15 income producing property for all involved?

16 MS. BOOMS: That's what we're hoping. That it's
17 just back on the tax rolls. And of course, brought up to
18 code. I mean, we have somewhat of a blight issue.

19 MR. BOVITZ: Okay.

20 MS. PARKER: Is there a motion, then?

21 MR. BOVITZ: I move we approve Resolution
22 217.15, from city council meeting of July 21st, 2015.

23 MS. PARKER: And I would support that motion to
24 approve, Resolution 217.15. All in favor say aye.

25 MR. BOVITZ: Aye.

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MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. Number two is resolutions from the regular city council meeting of August 3rd, 2015. Is there a motion for the approval of that resolution?

MR. BOVITZ: Move that we approve the resolutions of the August 3rd, 2015 city council meeting, with the exception of Resolution 222.15 and 223.15.

MS. PARKER: Okay. And I would support that motion. Any questions to the motion? If not, all in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. A, Resolution 222.15, related to payroll claims. Mr. Van de Grift, can you summarize this item for the Board?

MR. VAN de GRIFF: Yes, ma'am.

I would renew my comments about the July 21st meeting; this again concerns the payroll -- the payroll limit for the preapproved amount. Except this time it's even more, it's \$107,000, so, identical situation. It's an emergency.

MS. PARKER: Okay, is there a motion to approve?

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MR. BOVITZ: Move that we approve Resolution 222.15, the August 3rd, 2015 city council meeting.

MS. PARKER: And I'll support that motion to approve Resolution 222.15. All in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. Number B -- letter B -- Resolution 223.15, for claims and accounts. And I'm assuming it's the same comment, Mr. Van de Grift?

MR. VAN de GRIFT: Yes, ma'am.

MS. PARKER: Okay. Is there a motion to approve?

MR. BOVITZ: Move that we approve Resolution 223.15, from the August 3rd, 2015 city council meeting.

MS. PARKER: And I'll support that motion, for the approval. All in favor say aye.

MR. BOVITZ: Aye.

MR. KORYZNO: Madam Chair?

MS. PARKER: Yes?

MR. KORYZNO: Madam Chair? I just had a question regarding the claims and accounts. There were several invoices to E&J Tree Service, that the city council declined to pay, and I was wondering if Mr. O'Neal could provide some background on that?

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MS. PARKER: Mr. O'Neal?

MR. O'NEAL: Yes, Mr. Koryzno and members of the Board -- the description on the bills to be paid that was questioned by the city council, said it was for stump grinding. And it was removal of the tree and the grinding of the stump. It was complete removal. Since that's been clarified, it's since been approved. They had a question as to, it cost a lot of money just to grind a stump, well, it was for the removal of the tree and the grinding the stump. That's why they had held it off, they thought it was just for one item.

MS. PARKER: So is it something that would be on a subsequent --

MR. O'NEAL: The stump, everything was on the same bill.

MS. PARKER: Okay.

MR. O'NEAL: Just when the payroll person, or, the accounts payable person picked it up and saw the stump grinding, that's all she put on there.

MR. KORYZNO: Thank you.

MS. PARKER: Okay, all in favor of the motion for 223.15 say aye.

MR. BOVITZ: Aye.

MS. PARKER: Those opposed say no.

(No response)

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MS. PARKER: And the motion carries.

MR. VAN de GRIFT: Ms. Parker, did you vote for that motion as well?

MS. PARKER: Yes.

MR. VAN de GRIFT: Excellent. Thank you.

MS. PARKER: Item three is claims and accounts from the regular city council meeting draft minutes of August 18, 2015. Is there a motion to approve the claims and accounts from the regular city council meeting draft minutes of August 18th, 2015?

MR. BOVITZ: So moved.

MS. PARKER: And I'll support that motion. Any question for the motion? If not, all in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. Letter B, city administrator items. With number one being city council minutes, which was addressed in new business. Number two, the budget to actual report. Is there a motion to approve the budget to actual report?

MR. BOVITZ: So moved.

MS. PARKER: And I'll support the motion. All in favor say aye.

MR. BOVITZ: Aye.

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MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. Number three is the assignment of the DWSD water contract to GLWA. And, Mr. O'Neal, can you provide a summary regarding this item, for the Board?

MR. O'NEAL: Yes, Madam Chairman, members of the Board. As you know, the Great Lakes Water and Sewer Department is a board that's made up of a number of communities in and -- both in Wayne County, and in the region. And they're taking over the Detroit Water and Sewer Department.

So basically what this is, is we've just transferred our contract that was with ~~DWST~~^{DWSD} to GLWA. And everything continues the same, it's just under different leadership. That's been reviewed by the city attorney.

MS. PARKER: Okay, any questions for Mr. O'Neal?

(No response)

MS. PARKER: Is there a motion, then, to approve?

MR. BOVITZ: Move to approve the DWSD water contract transfer to GLWA.

MS. PARKER: And I would support that motion. Any questions to the motion?

(No response)

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MS. PARKER: If not, all in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Those opposed say no.

(No response)

MS. PARKER: The motion carries. Number four is a budget amendment, 2016-1, which was addressed in new business. Number five, purchase agreement with JSR Funding, which was addressed in new business. Number six is the DPW superintendent job description. Mr. O'Neal, can you provide a summary regarding this item?

MR. O'NEAL: Thank you, Madam Chairman. As you are aware, the Emergency Order number 94 was amended to include the approval of all job descriptions for employees. At the time of this writing, the DPW superintendent had rendered his resignation, effecting his 30 day notification.

Since that time, he has withdrawn his resignation request, but I would like to approve this. I think it might be prudent, Madam Chairman, if we were to, we're in the process, as you know, of redoing all of the, our HR functions and stuff like that.

Perhaps as a policy, we might be able to provide all the job descriptions for our existing people, and have this honorable body approve those so that we don't have to keep coming back and doing these things. But that was the

1 whole point of this, to make sure this -- and I think this
2 is the same job description you had put together, Ms.
3 Parker.

4 MS. PARKER: Okay, so basically, you were
5 considering the revision based on, where you have been
6 advertising the position but he has since changed his
7 mind?

8 MR. O'NEAL: That's correct.

9 MS. PARKER: Okay.

10 MR. O'NEAL: But I would like you to approve in
11 the event that -- and then I would have him come forward
12 with all of the job descriptions we have, and we're going
13 to have a handbook for you, and the whole nine yards, and
14 so, we'll approve all of that at one. So that in the
15 event we have to go out to advertise, well we have them.
16 If that meets your approval.

17 MS. PARKER: Okay.

18 MR. KORYZNO: Madam Chair?

19 MS. PARKER: Yes.

20 MR. KORYZNO: Did Mr. O'Neal say that the
21 individual had reconsidered resigning?

22 MS. PARKER: Yes, he said the person
23 reconsidered and is no longer resigning the position, but
24 he still wanted the RTAB to approve the revised job
25 description.

1 MR. KORYZNO: Okay, the comment -- the only
2 comment I have about -- regarding the revised job
3 description is that it says it's an exempt position. So
4 that the intent in the future that this position will not
5 receive overtime, as an exempt position?

6 MR. O'NEAL: No. It all depends on the -- we've
7 been through -- Mr. Koryzno and members of the Board, I
8 had that reviewed by the city attorney, relative to the
9 overtime issue. And under the Fair Labor Standards Act,
10 this is permissible, to provide overtime, if that's what
11 you have in your agreement.

12 So if you want to not have overtime in there,
13 then, the salary has to be amended. It's, I mean, it's
14 one that we've went through. So, again, the salary range
15 was also lowered commensurate upon, because of the
16 overtime.

17 MR. KORYZNO: Thank you.

18 MS. PARKER: Mr. Koryzno, do you have any other
19 comments?

20 MR. KORYZNO: No, no, not at this time.

21 MS. PARKER: Any other comments from the Board?

22 MR. BOVITZ: Well was that one of the bargaining
23 chips; the reconsideration was that there was a potential
24 to receive higher compensation through the overtime, then?

25 MR. O'NEAL: Madam Chair, members of the Board,

1 I've had discussions with our DPW superintendent over the
2 last year and a half, both when I was here the first time,
3 and this time. I had prepared a amended contract for the
4 DPW superintendent, based on a number of things.

5 This honorable body decided to vote it down, I
6 believe, because Mr. Strand could not explain how he was
7 going to pay for it, or whatever. And you voted it down.
8 I was going to revisit that issue, and bring that back
9 towards this body, and hopefully come to a resolve
10 relative to Mr. Koryzno's concerns on overtime and or
11 salary adjustments.

12 Our DPW superintendent's asked to come out a
13 lot. He's called a lot. He's probably called -- I know
14 he's called more than I am, and I get called on Sunday
15 nights. So, that's one of the things I'm looking at, to
16 try to make it where it's palatable both in terms of the
17 city and for the individual that might take that position.

18 MS. PARKER: So does this job description then
19 allow you to pay him overtime, over and above the base
20 salary?

21 MR. O'NEAL: Yes.

22 MS. PARKER: And --

23 MR. O'NEAL: And if I negotiate with the DPW
24 superintendent that comes in, what I would do is I would,
25 do you want overtime or do you want a straight -- you

1 know, salary. It gives me flexibility, because quite
2 frankly, Madam Chairman, in this position, you're going to
3 pay some -- there's going to be overtime involved, the
4 effect is, do you make the salary commensurate enough that
5 -- that there is no overtime, or do you just keep the
6 salary low and they get paid for their overtime?

7 It's one of those things you have to look at.
8 And again, I'm being charged by the state to take a look
9 at a business plan for my DPW, and that's one of the
10 things I'm looking at as well. So it's -- but either way,
11 I feel as though we're going to, like Ms. Parker, when she
12 first started this out, we're going to need somebody on
13 board. To put fires out, if you will. And to what level,
14 and what pay? Even if you contract out your DPW, you need
15 somebody to manage contracts and all that.

16 MR. BOVITZ: From a budget standpoint, I'd
17 rather keep the budget low and, because you can't budget
18 for overtime, obviously, in the contingencies of not
19 knowing, but you have to make the job attractive enough so
20 that if the individual is called upon, that they should be
21 compensated for their extra time. So it's a use it or
22 lose it. If you raise the salary and you don't use it,
23 then you've lost it, so.

24 MR. O'NEAL: So that's -- yeah, it's -- this
25 position is very difficult position, believe me. And --

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MS. PARKER: If --

MR. O'NEAL: I mean -- yes, ma'am?

MS. PARKER: Yeah, if you're kind of reevaluating the DPW department and function, is this something that should go along with that reevaluation?

MR. O'NEAL: Well, I will, but the function, the functions will be basically the same. I will want to -- the requirements are going to be the same for the position, but, it just, what is that person going to be doing?

And as you well know, in any job description, you have the other duties as assigned. So, in each individual city, depending on the skill set of the DPW superintendent, I had individuals doing budgets, where I had other individuals doing this depending on their skill set. Because that's a very interesting position, as you all know. I mean, I worked with a guy, had a Master's Degree, and he was the assistant city manager.

MR. BOVITZ: So this is what I think, I think for the purpose of today, I move that we approve the DPW superintendent job description as is.

MS. PARKER: Okay, I'll support that motion. Any questions to the motion?

(No response)

MS. PARKER: If not, all in favor say aye.

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MR. BOVITZ: Aye.

MS. PARKER: Aye. Those opposed say no. The motion carries. Number seven, reinstatement of part time firefighter. Mr. O'Neal, can you provide information regarding this item on the agenda?

MR. O'NEAL: I think I will refer to Mr. Moore, if you don't mind, Madam Chairman.

MR. MOORE: Good morning, Mike Moore, Public Safety Director.

MS. PARKER: Good morning.

MR. MOORE: One of our prior employees, he was a fulltime firefighter, he was subsequent moved to a part time status. He then got a fulltime job with another department; he left our department, went to Detroit.

Subsequently, we had a law that came into effect which said that when you are a fulltime employee, at another agency, you are allowed to work part time in a different agency. Well, now we have several people that, some of them took leave of absences from Ecorse, who are part time status and got fulltime status at other agencies. But now they've come back to work part time here while still fulltime employees from other agencies.

This is the case with this one. This is a gentleman that's fulltime with Detroit; he used to be fulltime here, was part time here. He wants to come back

1 part time here, while still fulltime at Detroit. And what
2 happened was, instead of them regulating him to a leave of
3 absence status, somehow he was terminated.

4 And he's been gone ever since I've been here,
5 I've been here two and a half years, and I just met him.
6 He sent me a letter, he even called me and said he wanted
7 to come back. And his personnel file was fine, and the
8 only reason he left was because he got a fulltime job
9 somewhere else.

10 MR. BOVITZ: So benefits can be paid the other,
11 by the Detroit Fire -- so he's basically hourly here,
12 then?

13 MR. MOORE: Oh yeah, he's just going to get the
14 regular part time rate here.

15 MR. BOVITZ: And as needed, so it's not a -- not
16 an extra budgeting --

17 MR. MOORE: Oh, no, no. He's just -- what
18 happens with him, he just goes in the pool. And whenever
19 a fulltime, sorry, whenever a part time body is needed
20 here, he's just in the pool to be called.

21 MS. PARKER: So is it within your ^{Contract} ~~complement~~ for
22 part time firefighters? I mean, do you have a number
23 that's in your budget for part time firefighters?

24 MR. MOORE: There's not like a number of people
25 budgeted. We just have a pool of people to call from.

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MS. PARKER: Okay, you just have a dollar amount?

MR. MOORE: Yeah, and it's whoever we can get. We'd rather get a part time person than a fulltime person, when there's a position open, anyway. Because now we have what's called step up pay.

And what I did was, have all of the people over there certified fire officers. Which means that -- we had an issue before, if you remember, where you had to have an officer working, a certified officer working, where they were calling people in overtime. And I would have to pay them like \$1,000 a day overtime to get an officer to come in and work.

What I've got now is, that if I need an officer and there's a regular firefighter, union firefighter there, he can do what's called step up. He can step up into that position because he's been trained and certified and I can call a part time guy in.

So as long as I've got a pool -- enough pool of people to call from --

MS. PARKER: Okay.

MR. MOORE: That will be a good thing, because I won't run out of people to call from because when I run out of people to call from, then I've got to call a fulltime person in at time and a half. Where I'm paying

1 40, 50, sometimes \$60 an hour. Or I can just come over
2 here and I'm paying \$14.

3 MS. PARKER: Okay.

4 MR. MOORE: So what this does is increase my
5 pool, to call from.

6 MS. PARKER: Okay.

7 MR. BOVITZ: I move that we approve the
8 reinstatement of part time firefighter.

9 MS. PARKER: And I would support the motion to
10 approve the reinstatement of a part time firefighter. Any
11 questions to the motion?

12 (No response)

13 MS. PARKER: If not, all in favor say aye. Aye.

14 MR. BOVITZ: Aye.

15 MS. PARKER: Those opposed say no. Motion
16 carries.

17 Number eight, hiring of a fulltime treasury
18 clerk. Mr. O'Neal?

19 MR. O'NEAL: Thank you Madam Chair, and members
20 of the Board. As the memo indicates, we got permission to
21 advertise for a fulltime treasury clerk within the
22 Treasury Department; it's an AFSCME position. We
23 interviewed the only interviewed one individual. You'll
24 see her resume and her background. She has many, many
25 years of municipal experience. Quite frankly, she's

1 wonderful. I can't wait to get her on board.

2 MS. PARKER: Is there a motion?

3 MR. BOVITZ: I move to approve the hiring of
4 fulltime treasury clerk.

5 MS. PARKER: I'll support the motion for the
6 approval of the hiring of a fulltime treasury clerk. Any
7 questions to the motion?

8 (No response)

9 MS. PARKER: If not, all in favor say aye. Aye.

10 MR. BOVITZ: Aye.

11 MS. PARKER: Those opposed say no. Motion
12 carries. And number nine, is checks released and that's
13 for informational only. City administrator report?

14 MR. O'NEAL: Thank you, Madam Chairman. Just as
15 a brief note, Mr. ^{Sadowski} ~~Sidowski~~ has been with us now for a
16 couple of weeks, and we're really -- we thank you for
17 hiring -- let us hiring him. He's been working more hours
18 than me, which is not hard, of course, I know.

19 He worked all week and this weekend, he's been
20 working on some internal issues relative to internal
21 record keeping, going back to July of 2014. We'll have a
22 full report too, probably in the next month or two, once
23 he's had an opportunity to review the -- all the budget
24 issues. Internal, not the internal controllers, but the
25 record keeping, and some of the issues that we have

1 relative going back to Plante Moran, and also UHY.

2 But we're very, very, very pleased; he's found
3 some problems, he's corrected those problems, and we're
4 moving forward on that, and we thank you very much for
5 letting us have him. That's all I have.

6 MS. PARKER: Okay, public comment?

7 MR. VAN de GRIFF: Ms. Katherine Semos?

8 MS. SEMOS: Pass.

9 MR. VAN de GRIFF: Mr. Allen Marchena?

10 MS. FETTUE: I'm actually going to go in front
11 of him. So, I have something to say.

12 MS. PARKER: Could you state your name again,
13 for the record?

14 MS. FETTUE: Tiffanie Fettue, it's listed on
15 there. So, I'm here today to inform the RTAB of O'Neal's
16 recent actions and how I feel that he is abusing his
17 power, as well as violating me and my fiancée's civil
18 rights for due process and equal protection. I would also
19 like to see an end to the harassment that we've endured,
20 as well make sure no other citizen has to encounter the
21 same experience that we have over the past three weeks.

22 Due to the current complaint process set in
23 place, and O'Neal's current position, I do not feel
24 comfortable filing a complaint within the city, so I have
25 therefore notified the attorney general's office, the

1 civil rights department, and the department of housing,
2 and now you, the RTAB, of the events that have taken place
3 over the past three weeks.

4 All of this started when we challenged the City
5 of Ecorse's first right of refusal. At the beginning of
6 August, the water meters were read in the City of Ecorse,
7 and we were never notified that there was an issue. On
8 August 18th, O'Neal sent Scott Henry to my house with no
9 uniform and no badge, to read our water meter. Scott was
10 very rude, as he demanded to be let inside my home and
11 stated that if I did not let him in, he would call the
12 police, and they would make me let him in.

13 Being the mother of a three year old and a
14 newborn, I was very frightened by this man's demands, and
15 shut and locked my door, since he never identified himself
16 or the fact that he worked for the city.

17 A little while later, Duane Pennimman showed up
18 in a police car, wearing uniform that state Ecorse Police,
19 as well as wearing a police belt and carrying a gun.
20 Since I was never in trouble with the law before, or spent
21 much time analyzing a police officer's uniform, I assumed
22 that Mr. Pennyman was a police officer, and informed
23 Pennyman that I also did not feel comfortable letting
24 anybody inside.

25 O'Neal then arrived in front of my house,

1 demanding that I let Scott Henry inside, or that he would
2 have my water shut off right then. I explained to the
3 three men several times that I did not feel comfortable
4 letting anyone inside my house without my fiancée being
5 home, and that I would like to call him.

6 Every time I would make an effort to go inside
7 where my two boys were crying, and where my phone was
8 located, I would start getting badgered with questions by
9 Mr. O'Neal. O'Neal even stated that even though he can't
10 force them to let me inside, if I didn't, then he would
11 shut my water off right that instant. After 45 minutes of
12 being badgered and threatened with this, I felt I had no
13 other choice but to let them inside.

14 I agreed to let Pennyman inside, under the
15 assumption that he was a police officer, and also because
16 Mr. O'Neal stated that he used to read meters in the past.

17 MR. VAN de GRIFT: That's two minutes.

18 MS. FETTUE: After finding out that there was an
19 issue with our meter, O'Neal demanded that our water got
20 shut off right then and there, and I pleaded for him not
21 to do so. He stated that --

22 MS. PARKER: Excuse me, ma'am?

23 MS. FETTUE: Yes?

24 MS. PARKER: There is a time limit established
25 for comments under public comment, certainly Mr. Van de

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Grift can take the complaint information from you.

MS. FETTUE: Okay.

MS. PARKER: But we do have a timeframe.

MS. FETTUE: Okay, can I just state one more thing?

MS. PARKER: Yes.

MS. FETTUE: Okay. I just wanted to say that I do not feel Mr. O'Neal is deemed fit for this position that he's in, due to the fact that he does not consult with the department heads about procedures that are in place, before taking action on a matter. He lacks the professional demeanor required in a management position; he cannot seem to handle situations in an unbiased manner.

He is not aware of the current ordinances in place; he acts carelessly without considering the outcome of his actions, and he has left the impression with many people that he can do what he wants, when he wants --

MS. PARKER: Ma'am?

MS. FETTUE: -- and how he wants, by saying that he gets to call the shots around here.

MS. PARKER: Okay. We're going to have to bring that to a conclusion.

MS. FETTUE: Thank you.

MS. PARKER: You're welcome.

MR. VAN de GRIFT: That concludes public

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comment.

MS. PARKER: Item six, board comment. Okay.
Item seven, adjournment.

Is there a motion to adjourn?

MR. BOVITZ: Move to adjourn.

MS. PARKER: And I'll support the motion. All
in favor say aye.

MR. BOVITZ: Aye.

MS. PARKER: Thank you, Mr. Koryzno.

MR. KORYZNO: You're welcome. Bye.

MS. PARKER: Bye.

(Adjourned at 9:38 a.m.)

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 September 8th, 2015, City of Ecorse. I also
8 certify that I am not a relative or employee of the parties
9 involved and have no financial interest in this case.

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16 RESPECTFULLY SUBMITTED: September 14, 2015

17
18 *s/ Amy Shankleton-Novess*

19 _____
20 Amy Shankleton-Novess (CER 0838)
21 Certified Electronic Reporter

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