

**City of Ecorse**

**Receivership Transition Advisory Board Meeting Minutes**

**Tuesday, May 10, 2016**

**Ecorse City Hall**

**Council Chambers**

**Albert B. Buday Civic Center**

**3869 West Jefferson**

**Ecorse, Michigan 48229**

**RTAB MEMBERS PRESENT:**

**ROBERT BOVITZ**

**JOAN BROPHY**

**JEFFREY SYKES**

**ALSO PRESENT:**

**DREW VAN de GRIFT**

**Michigan Department of Treasury**

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Tuesday, May 10, 2016

Ecorse, Michigan

**Called to Order at 9:03 a.m.**

MR. SYKES: We're going to try and do this without the benefit of the audio, so we'll try and speak up. Let us know if anybody can't hear what we're talking about. So I'll call to order the City of Ecorse Receivership Transition Advisory Board meeting for Tuesday, May 10th, 2016.

Mr. Van de Grift, roll call, please?

MR. VAN de GRIFT: Robert Bovitz.

MR. BOVITZ: Here.

MR. VAN de GRIFT: Joan Brophy.

MS. BROPHY: Here.

MR. VAN de GRIFT: Jeffrey Sykes.

MR. SYKES: Here.

MR. VAN de GRIFT: All present.

MR. SYKES: I'll entertain a motion to approve the agenda.

MS. BROPHY: Mr. Chairman, I'd like to add an item of new business, before approving. It would be to add the contract for catch basin improvements with CI Contracting, Inc. It appeared, I guess, before the council on April 26th, Resolution 127.16.

MR. SYKES: Okay, we need a second.

1 MR. BOVITZ: Support.

2 MR. SYKES: All right, okay. I see, here, so we  
3 need to approve this? Move to approve, any discussion,  
4 so, folks --

5 MR. VAN de GRIFT: Would you like to take a  
6 vote?

7 MR. SYKES: Yes.

8 MS. BROPHY: Aye.

9 MR. BOVITZ: Aye.

10 MR. SYKES: Aye.

11 Thank you. Okay, I'd also like to remind the  
12 audience that if anyone intends to speak during the public  
13 comment portion of the meeting, that it's necessary for  
14 you to sign in to this meeting at the podium.

15 Okay.

16 MR. VAN de GRIFT: Would you like to introduce  
17 yourself?

18 MR. SYKES: Yes. That's another thing. My name  
19 is Jeff Sykes, I -- this is obviously my first meeting.  
20 I've worked with the State of Michigan for a little more  
21 than 20 years now; I'm the chief financial officer of the  
22 Michigan State Housing Development Authority. Really  
23 looking forward to this opportunity.

24 I have sat on a few boards; this is my first  
25 time chairing a board, so, this might not be as smooth as

1 it has been in the past, but I promise you I will get  
2 there. Thank you.

3 Okay.

4 So we're going to look to approve the RTAB  
5 minutes of April 12th; I'll entertain a motion.

6 MR. BOVITZ: So moved.

7 MS. BROPHY: Support.

8 MR. SYKES: No discussion. Seeing that there's  
9 no discussion, all in favor of the motion say aye.

10 Aye.

11 MS. BROPHY: Aye.

12 MR. BOVITZ: Aye.

13 MR. SYKES: Opposed, same sign. Okay, the  
14 minutes are approved. The next item is old business,  
15 which there is none, so we'll move on to new business.

16 In new business, there's the approval of the  
17 resolution and ordinance of city council meeting,  
18 resolution from the special city council meeting of May  
19 4th, 2016.

20 While reviewing of this city council meeting ~~the~~  
21 ~~is~~ outside the normal review period for today's board  
22 meeting, the mayor's request to bring these items forward  
23 in early review are merited.

24 While review of the city council meeting is  
25 outside the normal review period -- oh, I'm sorry.

1 Entertaining a motion to approve the resolution  
2 from May 4th, 2016, special city council meeting.

3 Any discussion?

4 MR. VAN de GRIFT: Was there a motion?

5 MS. BROPHY: So, I'll move to approve this  
6 motion.

7 MR. VAN de GRIFT: Is there a second?

8 MR. BOVITZ: I'll support, but I have  
9 discussion.

10 MR. SYKES: Okay.

11 MR. BOVITZ: You know, I've been on this board  
12 since the very beginning; the city's gone through a lot of  
13 transition. I thought that the city was going the right  
14 direction; I will point out that in my view, the city  
15 administrator is the CEO or chief executive officer of the  
16 city; reports to the mayor and council, but is not in the  
17 employ of the mayor and council; he is employed by the  
18 City of Ecorse.

19 So I'm not very happy with the turn of events.  
20 I don't know all of the circumstances, but all I'm saying  
21 is I'm going to make a comment on this, and in order to  
22 move the city forward, it apparently is the city council's  
23 intent is to replace the city administrator immediately.  
24 And I'm not sure the best course of action, as far as  
25 what, you know, from my personal point of view, so.

1 MR. SYKES: Well, it's come to my attention that  
2 we've gone through this process of -- with city managers  
3 about four times, with three different individuals, over  
4 the last three years. And so one of the things that I did  
5 want to ask is if, Drew, if you could talk a little about  
6 whether or not this board has done anything to inhibit the  
7 mayor and city council's decision in this regard?

8 MR. VAN de GRIFF: No, this board has never  
9 intervened to prevent the termination. I'll note that  
10 with one exception, this board has deferred to the city  
11 council's decisions for both hiring and terminations. The  
12 one exception was, in 2014, Rob, you'll recall, the  
13 current city controller, Tim Sadowski, had been appointed  
14 to be the city administrator, and this board had acted  
15 under the opinion and concern of the city attorney with  
16 the determination that he was not qualified for that  
17 position. So that was the lone exception for when this  
18 board has historically intervened.

19 MR. BOVITZ: My experience has been the city  
20 administrator, whether it was Mr. O'Neal on an interim  
21 basis, or when he came back a second time, or to, from the  
22 start, we've been faced with contracted controllers. We  
23 finally have a controller who's on board, who actually  
24 works for the city and is not contracted and is here on a  
25 regular basis. Understands municipal accounting.

1                   And we have a city administrator who really  
2 wasn't able to act freely, under the emergency manager  
3 act, and with Joyce Parker's -- I just feel like it wasn't  
4 fair to Mr. O'Neal to kind of saddle him with the  
5 restrictions that we placed on him, and as far as the  
6 state, you know, TAB.

7                   And as far as the city council and the mayor, I  
8 hate to see them micro managing the day-to-day operations  
9 of a city employee. If there's no trust, then what do you  
10 do? I hate to see a termination based on either  
11 personalities or politics. I think we're all here for the  
12 best interests of the City of Ecorse.

13                   MR. SYKES: I think from my standpoint, my  
14 concern would be more so as a board member about the  
15 hiring, and making sure that we're hiring somebody that is  
16 an individual that is qualified to take on these types of  
17 duties.

18                   One of the issues that I think from the  
19 standpoint of once the city council or the mayor have  
20 determined that this isn't an individual that they want to  
21 help them move the city forward, I think that's something  
22 that we would, I would, would rather lean upon their  
23 judgment. They're the ones that would have to work with  
24 these folks.

25                   MR. O'NEAL: Mr. Chairman? If I may?

1 MR. SYKES: Um --

2 MR. O'NEAL: My name is Wayne O'Neal, I'm the  
3 city administrator until you terminate. And I'd like to  
4 have an opportunity to address some of the items that  
5 you're talking about. I think they're germane and  
6 pertinent.

7 If you would allow me to?

8 MR. SYKES: Just a few moments. And then if you  
9 would like to discuss more, then there would be public  
10 comment at the end of the meeting. But go ahead, sure.  
11 But please, keep it brief.

12 MR. O'NEAL: I, before you, have a -- my  
13 comments and my response to the resolution, from the city  
14 council. I would like to make that part of the record, if  
15 I could, get a vote from the board, at least make that  
16 part of the record? That I've made this so I can keep it  
17 brief? Would you do that?

18 MR. SYKES: I can do that.

19 MR. O'NEAL: Thank you very much. I would just  
20 point out some of the highlights that are in there, that  
21 Mr. Bovitz was very succinct and exact, when he spoke to  
22 the fact that I was saddled with the orders left by the  
23 emergency manager. And as such, comporting with those  
24 orders put me in the deleterious situation with my mayor  
25 and my council, because they don't want a city



1 administrator.

2 They don't like to be under receivership, and I  
3 don't blame them. My job is to get them out of  
4 receivership, and I've done everything I could to do that.  
5 With that said, there are things I have brought to the  
6 mayor and council's attention relative to scrutinizing  
7 contractor's bills, employees working here for the City of  
8 Ecorse, and I feel as though I, because I've blown the  
9 whistle, that they've terminated me because I've done  
10 that.

11 I have all the evidence there is, that are  
12 needed. I've comported with order number 94; all of the  
13 orders. Some of the things they talk about in the  
14 resolution, engaging what appears to be capricious  
15 employment decisions. All the employment decisions that I  
16 have made have been approved by the RTAB. The hirings and  
17 the firings.

18 The only amendment that was made to order -- in  
19 the order since Joyce Parker left, was order number 94,  
20 when RTAB decided it was in their best wisdom to take it  
21 under their jurisdiction, that they approve any  
22 terminations.

23 They did that just prior to the 2015 election,  
24 knowing full well that the elections can be very  
25 contentious here in Ecorse, and they wanted to protect the

1 employee, the administrative employees, from any  
2 wrongdoing, okay. Here we stand, a year after those  
3 elections, and boom, we've got the same situation.

4 Again, my decisions have all been by and through  
5 the city attorney, they've been approved by the TAB board.  
6 I have terminated employees at all levels of the  
7 organization. I don't take pleasure in doing that, but I  
8 will tell you that, and point out and remind the board,  
9 because I know Ms. Brophy wasn't here, and Mr. Sykes, you  
10 weren't here.

11 But the mayor and the council voted to approve a  
12 deputy chief, and a deputy city treasurer, at the council  
13 meetings, without any input from the city administrator.  
14 There was not any input given to me, or support, at the  
15 TAB board, and the TAB board denied those.

16 I feel those are some of the reasons that I've  
17 been terminated, for that, alone. I have a -- currently,  
18 I have told the mayor about some problems that I've got,  
19 with one of my billing clerks. And the problems  
20 associated with that. Happens to be a cousin of the  
21 mayor. And I believe that I've been terminated because of  
22 the, because, we're in the process of looking at  
23 termination for this employee.

24 The -- let me just finish, Mr. Sykes, and I'll  
25 get you this, and I appreciate you giving me the chance.

1 But these are important points to make. I'm blowing the  
2 whistle on contractors and their bills, and those types of  
3 things; it's all there in the record for you.

4 I believe because I have done that, and the  
5 council doesn't like it, it's not politically favorable to  
6 them, that they've terminated me for those items, and  
7 you'll see, as they go on, and the record speaks for  
8 itself, and all the things that we have done.

9 One last thing. I was called by Ed Koryzno, and  
10 Randy Byrne, to Lansing, and I believe it was November the  
11 8th, 2014, before I was appointed in my second stint as an  
12 interim city administrator, okay. You have to understand,  
13 I was appointed to be interim city administrator in 2013.

14 I had to terminate the city engineer and a  
15 building official; it did not curry favor with the city  
16 council at that time, and they would not appoint me as  
17 permanent city administrator. The -- I was called back,  
18 because the mayor fought hard, and I appreciate what the  
19 mayor did. To this day, I don't know why he's mad at me,  
20 exactly, but it can only be for the items I said.

21 Is that I was called to the state, on November  
22 the 8th, to speak with Ed Koryzno and Randy Byrne about  
23 these orders that are in place, and the problems  
24 associated with Ecorse. And moving Ecorse out of  
25 receivership, and that would I be strong enough to comport

1 with these orders. And do what was right, because they've  
2 had the revolving door with these city administrators.

3 And I assured them that I could do that. They  
4 even changed that one order, as a protection for the  
5 employee. I'm asking for that protection, from this  
6 board. Because this is arbitrary and capricious, what the  
7 mayor and the council have done.

8 MR. SYKES: Let me ask the city attorney. Mr.  
9 Wyckoff, do you believe that all of the appropriate steps  
10 have been taken in this process of looking at this  
11 termination, from the city council, with the mayor? Are  
12 there any -- anything that you know of, within this  
13 process, that you should make us aware of?

14 MR. WYCOFF: I am satisfied that everything was  
15 done appropriately.

16 MR. SYKES: Okay.

17 MR. WYCOFF: I might tell you, Mr. Sykes, I was  
18 not allowed to speak at my termination. I was not allowed  
19 to make a statement; I was not given a copy of the  
20 resolution. Nothing. Nothing. I asked to make a  
21 statement and was told no.

22 MR. SYKES: I can appreciate that this is very  
23 frustrating.

24 MR. O'NEAL: It's not frustrating, it's illegal  
25 and it's wrong.

1 MR. SYKES: And one of the things that we've  
2 done, in going through this process, is to try and  
3 determine whether or not we're going to allow the city and  
4 the city council to make these types of decisions, and as  
5 long as the city council -- as long as the city attorney  
6 believes that all the appropriate steps have been taken,  
7 then, I believe that we're going to move forward and vote  
8 on this issue.

9 MR. O'NEAL: That's fine, just keep one thing in  
10 mind. There is no due process whatsoever. My rights are  
11 violated all the way along. I have asked for help from  
12 the State of Michigan, from this treasurer, the deputy  
13 treasurer, and members of the RTAB board. Sent emails  
14 out; you should note that approximately 2:00 on the  
15 Tuesday before the Wednesday when they had the special  
16 meeting, I sent out an email to the mayor and the council  
17 and the city attorney, asking for questions about those  
18 bills, what have you. At 4:30, after they were closed,  
19 they posted a meeting to terminate me. And that speaks  
20 for itself.

21 MR. WYCOFF: Mr. Sykes, may I have an  
22 opportunity to speak?

23 MR. SYKES: Absolutely.

24 MR. WYCOFF: Mr. O'Neal has told you correctly,  
25 that he was not allowed to speak during the course of the

1 meeting, which is normally the same practice that we have  
2 at TAB board meetings. However, at the end of the  
3 meeting, the mayor did offer him an opportunity to speak  
4 at length; he could have as much time as he wanted and he  
5 chose not to do so. That's number one.

6 Number two, the meeting that took place to  
7 terminate Mr. O'Neal occurred on a Tuesday night; the  
8 letter dated Tuesday came after the notice of the meeting.  
9 And you will also note that I fully responded to his  
10 inquiries, not only to him but to every member of the  
11 mayor and the council.

12 MR. SYKES: Thank you for your comment. So I'll  
13 entertain a motion to approve this resolution?

14 MR. VAN de GRIFT: We have a motion; and a  
15 second we can either continue discussion or vote.

16 MR. SYKES: I would suggest that we vote at this  
17 time. Okay.

18 MR. BOVITZ: I just -- one more comment. Even  
19 though the city administrator is an employer of the city,  
20 and I think you had the support of the department heads  
21 and the employees for the most part, from what I've heard  
22 over the last few months.

23 Technically, you're the appointee of the mayor,  
24 and if the mayor and council chooses to go in a different  
25 direction, I can't see where we can reinstate or at least

1 not approve your termination. But what I disagree with is  
2 termination for the behavior.

3 I don't think that Mr. O'Neal acted outside his  
4 behavior in his duty as city administrator, so I would not  
5 like to see that as part of the termination. But I don't,  
6 not even sure that we can do that.

7 MR. O'NEAL: I would ask that you do that,  
8 please, not accept that the "for cause" in the resolution.  
9 I've done nothing. I would ask that you omit that from  
10 the resolution.

11 MR. SYKES: Mr. Wyckoff, would you address that  
12 issue?

13 MR. WYCOFF: Address what, now?

14 MR. SYKES: On whether or not this could be  
15 separated in any way, shape, or form? I don't -- I  
16 actually believe that it, at this time, we should vote  
17 with what's on the table, but can you at least address  
18 that issue? Essentially what he's asking, I believe, is  
19 to not --

20 MR. WYCOFF: I understand.

21 MR. SYKES: Okay.

22 MR. WYCOFF: Mr. O'Neal's contract was somewhat  
23 unique. I have never before seen a perpetual labor  
24 contract or employment contract. This contract is  
25 perpetual. There are termination provisions for cause,

1 and there are termination provisions which would allow the  
2 city council to terminate at will, subject to a penalty  
3 clause that's contained in the contract.

4 The city council was made aware of both; they  
5 have copies of the contract, as well, after all they're  
6 the ones who approved the contract. They determined that  
7 the interests of the city was to terminate him for cause.  
8 I don't believe that the issue before you is different  
9 than whether or not he should be terminated for cause.

10 MR. SYKES: Okay. I appreciate that.

11 MR. WYCOFF: No problem.

12 MR. SYKES: So I think at this point, the motion  
13 is to approve as is, and so with that, all those in favor  
14 of this motion, say aye. Aye.

15 MS. BROPHY: Aye.

16 MR. SYKES: Opposed, the same.

17 MR. BOVITZ: Aye.

18 MR. SYKES: This motion is approved.

19 Next, we have resolutions from the regular city  
20 council meeting of March 29th, 2016. Entertain a motion  
21 to approve the resolutions from the March 29th, 2016,  
22 regular city council meeting, with the exception of  
23 resolution number 101.16, which is the proposed budget  
24 amendment number five for the year end final.

25 MR. BOVITZ: So moved.



1 MS. BROPHY: Support.

2 MR. SYKES: Any discussion? Seeing none, all  
3 those in favor say aye. Aye.

4 MS. BROPHY: Aye.

5 MR. BOVITZ: Aye.

6 MR. SYKES: Opposed, the same.

7 (No response)

8 MR. SYKES: This motion is approved. Okay,  
9 resolution from closed session city council meeting of  
10 April 5th.

11 MR. VAN de GRIFT: Pardon me, Chair.

12 MR. SYKES: Yes.

13 MR. VAN de GRIFT: Because 101.16 was accepted  
14 from that blanket resolution the Board may wish to address  
15 it.

16 MR. SYKES: Oh, okay.

17 MR. VAN de GRIFT: Individually.

18 MR. SYKES: Absolutely. Okay.

19 With the new city administrator appointment I'd  
20 entertain a motion to postpone approval of resolution  
21 number 101.16.

22 MR. BOVITZ: So moved.

23 MS. BROPHY: Support.

24 MR. SYKES: Any discussion?

25 (No response.)

1 MR. SYKES: Seeing none, all those in favor of  
2 the motion, aye? Aye.

3 MR. BOVITZ: Aye.

4 MS. BROPHY: (No response.)

5 MR. SYKES: Opposed the same?

6 (No response.)

7 MR. SYKES: Motion is approved.

8 Thank you, Drew.

9 MR. VAN de GRIFT: Uh-huh. Mr. Sykes:

10 ~~MS. BROPHY:~~ Resolution from closed session city  
11 council meeting of April 5, 2016. This resolution from  
12 the city council were addressed at the last month's RTAB  
13 meeting, therefore no action is necessary on number three.

14 Number four, resolution from the regular city  
15 council meeting of April 12, 2016. Entertain a motion to  
16 approve the resolution from the regular city council  
17 meeting of April 12, 2016.

18 MR. BOVITZ: So moved.

19 MS. BROPHY: Support.

20 MR. SYKES: Any discussion?

21 (No response.)

22 MR. SYKES: Seeing none, all of those in favor  
23 of the motion say aye?

24 MS. BROPHY: Aye.

25 MR. BOVITZ: Aye.

1 MR. SYKES: Aye.

2 Opposed the same?

3 (No response.)

4 MR. SYKES: This motion is approved.

5 Number five, claims and accounts for regular  
6 city council meeting's drafted minutes of April 26, 2016.  
7 I'll entertain a motion to approve the claims and accounts  
8 from the regular city council meeting draft minutes of  
9 April 26, 2016.

10 MS. BROPHY: So moved.

11 MR. BOVITZ: Support.

12 MR. SYKES: Is there any discussion?

13 (No response.)

14 MR. SYKES: All right. Seeing none,

15 MR. SYKES: Any discussion?

16 (No response.)

17 MR. SYKES: Seeing none, all of those in favor  
18 of the motion say aye?

19 MS. BROPHY: Aye.

20 MR. BOVITZ: Aye.

21 MR. SYKES: Aye.

22 Opposed the same?

23 (No response.)

24 MR. SYKES: This motion is approved.

25 There is one additional item which is the catch

1 basin contract. At this point this is something that was  
2 added just recently before this meeting yesterday.

3 MR. VAN de GRIFT: Yes.

4 MR. SYKES: Could we get comment? Is --  
5 somebody give us a little bit more understanding of what  
6 this contract is for?

7 MR. VAN de GRIFT: Certainly. I would imagine  
8 perhaps the city attorney would be a resource for the  
9 Board.

10 MR. WYCKOFF: I can or I understand Mr. Strouss  
11 is here (sic). Or Mr. Kern.

12 MR. KERN: Yes, I can speak.

13 MR. SYKES: Perfect.

14 MR. KERN: Ryan Kern, NSC Engineers, the city's  
15 contracted engineer.

16 Recently back in 2012 the city received an S-2  
17 grant to do a sanitary sewer study and as part of that  
18 we've come up with a phased approach to correct the  
19 issue with the sanitary sewer system. We've been  
20 receiving letters from Wayne County as far as exceedances  
21 into their system from Ecorse as far as the sanitary sewer  
22 system. Last year we completed a relief sewer project on  
23 15th Street as well as installed a storm sewer on Quality  
24 Drive where there was seven acres of parking lot that was  
25 draining into the sanitary sewer system. We completed

1 that last year as part of phase one. This program in  
2 front of you would be phase two which is to basically  
3 disconnect approximately 25 catch basins from the system  
4 and reroute them into the storm sewer as well as  
5 installing bulkheads blocking off several catch basins  
6 that have outlets to both the sanitary and sanitary sewer  
7 system. We did put this out to bid. We had five  
8 contractors pick up the contract documents. We received  
9 one bid from CI Contracting at \$570,000. Our estimate for  
10 the project was \$650,000.

11 MR. BOVITZ: Do you know what the source of  
12 funds are for this contract?

13 MR. KERN: I believe it's all water and sewer  
14 funds.

15 UNIDENTIFIED VOICE: Water and sewer funds.

16 MR. BOVITZ: Were there any grants associated  
17 with --

18 UNIDENTIFIED FEMALE: (Undiscernible)

19 MR. KERN: The grant was for the study work that  
20 we did back in 2012.

21 MR. SYKES: Okay.

22 MR. KERN: No grants as part of the project.

23 MR. SYKES: Not for the work part of the study

24 MR. KERN: Correct.

25 MS. BROPHY: So there's no time -- what's the

1 time -- timing issue?

2 MR. KERN: Well, trying to get it done as soon  
3 as possible because we are still getting exceedances when  
4 there's heavy rain events and the county has been  
5 threatening possible fines for the exceedances. They  
6 haven't gone that far yet.

7 MS. BROPHY: Okay.

8 MR. SYKES: Any other questions?

9 (No response.)

10 MR. SYKES: No?

11 Thank you. Okay. I'll entertain a motion to  
12 approve the catch basin contract.

13 MS. BROPHY: Motion to approve.

14 MR. BOVITZ: Support.

15 MR. SYKES: All those in favor of this motion--

16 MR. BOVITZ: One discussion. I think the  
17 interpretation from an engineer was much more appropriate  
18 than an interpretation from legal or financial so thank  
19 you for the -- it's over my head, so.

20 MR. SYKES: Thank you. All those in favor of  
21 the motion say aye?

22 MS. BROPHY: Aye.

23 MR. BOVITZ: Aye.

24 MR. SYKES: Aye.

25 Opposed the same?

1 (No response.)

2 MR. SYKES: This motion is approved.

3 Based on city council's decision to appoint a  
4 new city administrator we're going to look forward to his  
5 report, his or her report in the following month.

6 At this time I would like to open things up for  
7 public comment.

8 (No response.)

9 MR. SYKES: Okay. It appears that there's no  
10 public comment.

11 MR. VAN de GRIFT: Oh, no, there is.

12 MR. SYKES: Oh, there is.

13 MR. VAN de GRIFT: Oh, absolutely.

14 MR. SYKES: Oh, I'm sorry.

15 MR. VAN de GRIFT: Yes, sir.

16 MR. SYKES: Brand new. Brand new.

17 MR. VAN de GRIFT: The first name is difficult  
18 to read.

19 MR. SYKES: You are the timekeeper?

20 MR. VAN de GRIFT: I am. Two minutes.

21 MR. SYKES: Okay. Thank you, Drew.

22 MR. O'NEAL: I just want to make sure that my  
23 response to the resolution is in the minutes verbatim.

24 MR. SYKES: Okay.

25 MR. O'NEAL: Thank you.

1 Mr. Wyckoff made an indication when he came up  
2 here and spoke after I did about the fact that the meeting  
3 was already posted before any emails came out and stuff  
4 like that.

5 Dana, when was that meeting posted?

6 UNIDENTIFIED FEMALE: Four-thirty.

7 MR. O'NEAL: Thank you. It was not during the  
8 day. It was 4:30 after the city hall had closed. I was  
9 gone. I didn't get notification of that meeting until I  
10 got to work the next day at 8:30 in the morning so it was  
11 incorreced then (sic).

12 What is really frustrating to me, I've been  
13 doing this 40 years. You talk about getting somebody in  
14 here that knows what they're doing. I don't know  
15 everything. I don't know anything. But one thing I do  
16 know is how to be a city administrator, what the jobs and  
17 duties are. The orders that are in place are succinct.  
18 Joyce Parker was the city administrator. And when she  
19 wrote those orders she was specific as the duties and  
20 responsibilities of the city administrator and the mayor  
21 and the council and that everybody answer to the city  
22 administrator. Not that it was a dictatorial thing but  
23 that's the way a city administrator form of government  
24 works. I did those jobs. I did that according to the  
25 rules and regulations as promulgated under Public Act 436



1 and I got crucified for it. Terminated. Out of hand for  
2 doing my job. Because of nepotism and corruption.  
3 Mr. Moore, how many times have we had the state police and  
4 the FBI in here?

5 UNIDENTIFIED MALE: Several.

6 MR. O'NEAL: Several times. Ongoing  
7 investigations. They know that. I've told my mayor and  
8 council about these investigations. I won't specifically  
9 tell them what's going on, I can't. Under the advice of  
10 the law enforcement, (Indiscernible) and I'm not going to  
11 tell them. But this is a travesty. And you guys should  
12 be ashamed of yourself. You need to read those orders.  
13 You've got me hanging out on a limb and I'm doing my job.  
14 I'm not mad. I don't mean to be yelling. But I'm  
15 compassionate about the fact that I know what I'm doing.

16 Now comes the one last thing and I've thought  
17 about this.

18 MR. VAN de GRIFF: That's two minutes.

19 MR. O'NEAL: I don't care.

20 What happens is when I'm interviewed to get a  
21 job, every job I've ever been interviewed for, when  
22 they're looking for a seasoned manger, they're going to  
23 ask you the question, if I call your past employees what  
24 are they going to tell me about you? My answer is this:

25 MR. SYKES: We need to be fair.

1 MR. O'NEAL: -- are you going to call the person  
2 that I terminated or are you going to call the person that  
3 I promoted? Okay. I have a job to do and I did my job  
4 and I did it right.

5 MR. SYKES: Okay.

6 MR. O'NEAL: I blew the whistle and I'm looking  
7 for this protection and got it and I hope to God that  
8 because of this stuff and what happened in Flint that  
9 you're not abandoning the people in Lincoln Park and  
10 Hamtramck and Highland Park like you abandoned me. This  
11 is a travesty. You haven't seen nothing yet.

12 UNIDENTIFIED AUDIENCE MEMBER: Amen.

13 MR. O'NEAL: The difference between Flint and  
14 Ecorse is Flint they're going after the EFM because he did  
15 something illegal.

16 MR. SYKES: Okay. We're going to go ahead and  
17 let the next person --

18 MR. O'NEAL: I'm doing something to try to right  
19 a wrong here and I got crucified.

20 MR. SYKES: All right. Who do we have next?

21 MR. VAN de GRIFF: Thank you.

22 Marilyn Oliver.

23 MS. OLIVER: Good morning. As a taxpaying,  
24 current up-to-date resident of the City of Ecorse I am  
25 very disappointed in this movement by the mayor and

1 council. Now, they're -- the mayor and council did not  
2 take action on a civil -- on a circuit court order to deem  
3 the office of treasurer vacant because we had no treasurer  
4 that shows up and doing anything and still getting paid  
5 but yet they find action in support to terminate the city  
6 manager that has brought us through leaps and bounds. I  
7 don't understand that at all and I appreciate your vote of  
8 "No", Mr. Bovitz because you've been with us through these  
9 trying times and you know, I have given -- I've supported  
10 every initiative to move this city forward. I've given of  
11 my time freely. And without compensation. And this is  
12 like a slap in the face and you've termed it correctly,  
13 it's politics and personality. And unless they can prove  
14 that Mr. O'Neal committed grand larceny, this is  
15 ludicrous. This is ludicrous to actually terminate him  
16 and I'm very, very disappointed in our mayor and council  
17 for taking this action. I was hoping that it could have  
18 been stopped by the Board but I guess it can't. But every  
19 time we take a leap forward we jump back two, three times.  
20 And the mayor and council don't take any action on  
21 anything that actually supports the city that would  
22 sustain the city.

23 There are at least three members of council that  
24 have mentioned that they thought we were being triple-  
25 billed by our current law firm. That was Councilman

1 Hellar, Councilman Sammons and the mayor. But and still  
2 now our law firm is --

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

4 MS. OLIVER: -- crazy. I don't get it.

5 MR. SYKES: Thank you.

6 MR. VAN de GRIFT: Ms. Mexico.

7 MS. MEXICO: Hi, I'm Barbara Mexico and I've  
8 lived in Ecorse a long time. And I just to tell you and  
9 the council that they were wrong in firing Mr. O'Neal. We  
10 finally have a good and honest city administrator, city  
11 controller and we have a DPW gentleman who is finally  
12 working for the city. And now the council fires them.  
13 They're pushing us back. They're pushing us back into  
14 receivership and you're letting them do it. And you're  
15 letting them do it. Shame on you. I am so sorry that our  
16 council acted the way they did and I'm -- shame on you for  
17 letting them get away with it.

18 Thank you.

19 MR. VAN de GRIFT: Thank you.

20 Katherine Semos.

21 MS. SEMOS: Hi.

22 I stand before you disappointed like the  
23 previous people that stood up here and talked. I have to  
24 begin by saying that I moved here to the City of Ecorse as  
25 a tenant about three years ago this June. I've seen like

1 Marilyn Oliver said, the city through leaps and bounds.  
2 I've attended every single council meeting except for this  
3 past month.

4 Not one time have I seen the city attorney  
5 there. Mr. O'Neal was brought in, again, doing the city a  
6 favor. If they ask you to come back again, Wayne, don't.

7 Anyways, the council itself, I've seen act in  
8 vigorous ways. To me, I feel like this is personal. And  
9 I'm lost for words right now but I take it as personal.  
10 As a vendetta from day one. There is corruption in the  
11 city. I know of it. I've seen it but I can't do anything  
12 because I'm only one person. I stand behind Mr. Wayne  
13 O'Neal because you've got some slumlords in this city that  
14 gets away with murder because they know certain council  
15 people. And if I know Mr. O'Neal like I know Mr. O'Neal  
16 he spoke before you the truth that he brought out  
17 corruption and people don't like it. I guess because of  
18 the color of his skin and because he's too honest. He got  
19 terminated. So I want to just tell you also that you're  
20 making a big mistake. Because every time we take two or  
21 three steps forward and I get the sniggering now because  
22 they know it's the truth and the demon does that. The  
23 demon does that (sic).

24 So, again, I want to reiterate that this was  
25 personal. It was a vendetta from day one. It was a setup

1 from day one. And Mr. O'Neal had nothing but good  
2 intentions for this city. But once he brought forward  
3 criminal activity and corruption like it is and I knew the  
4 past year since I moved here it existed.

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

6 MS. SEMOS: This is why it happened. So, with  
7 your decision I hope you can sleep good at night. Because  
8 the city is now going to go downhill because of it.

9 MR. VAN de GRIFT: Thank you.

10 City Controller Timothy Sadowski.

11 MR. SADOWSKI: The last city administrator and  
12 the current new interim city administrator had said that  
13 the TAB had questions of me for financial concerns. I  
14 didn't hear any questions today. At our meeting with the  
15 state I did prepare our last five-year history and I did  
16 prepare the questions asked on the community evaluation  
17 criteria. I bet you guys have not seen those.

18 There is pretty much just the answers, where  
19 we've been and where we're going. And I'd like to if  
20 you'd like copies of them it's just my answers to the  
21 community evaluation criteria for your use, this year  
22 audit. It's talking about financial information that's  
23 been reported. It basically says that -- where we're  
24 going and the five-year forecast analysis. And that's  
25 what all I came here for today was I heard you guys had

1 questions and I didn't know what they were so I prepared a  
2 financial packet and that's what I've got right here.

3 MR. SYKES: Thank you.

4 UNIDENTIFIED PERSON: (Indiscernible.)

5 MR. VAN de GRIFF: Thank you.

6 City councilman Nathaniel Elam.

7 MR. ELAM: Good morning.

8 One of the things I've heard here continuously  
9 that this is a personal matter. This is not a personal  
10 matter. This is a disagreement on how the city's being  
11 ran. Under the emergency manager orders. We have a  
12 different opinion on a lot of things that's being done.  
13 We have difference of opinion on for instance how  
14 contracts are put out, how things were -- we had a \$24,000  
15 job that the council was not notified about and over  
16 \$10,000 was supposed to come to the TAB for their  
17 approval. Now, I just heard here something about the  
18 catch basins which is on the agenda for tonight if I'm not  
19 mistaken, that's a \$30,000 job and that should have went  
20 to the Council even before they came to the TAB so what's  
21 the big hurry?

22 UNIDENTIFIED VOICE: (Indiscernible)

23 MR. ELAM: To do what? We were doing one way and  
24 then we turn around and do another way which is kind of  
25 screwy to me.

1           Now, we have a lot -- in the city hall we only  
2           have a few minutes, a few employees and the way you come  
3           in here, everybody's upset on how things are being done.  
4           And we have to go by that, we are elected officials. We  
5           are elected by the people, not by one person but by the  
6           whole community. And I have no dog in this fight. But  
7           what I do want to see is things being done in the correct  
8           manner. Like I told you a long time ago about work order  
9           94, about different jobs that should be appointed by the  
10          council with the incoming administration. And that's not  
11          -- that's -- kind of come click with the work order number  
12          94 that the attorney told you about that. So, and I don't  
13          want people to think that we are hiding something or we  
14          are crooks.

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

16                 MR. ELAM: But the city is equal -- I've been  
17          here for 82 years.

18                 AUDIENCE MEMBER: Amen.

19                 MR. ELAM: Eighty-two years. And I surely want  
20          to see Ecorse get back and do well. It's not about me.  
21          It's about this community.

22                 Thank you.

23                 MR. VAN de GRIFT: Thank you.

24                 Linda A. Lozer.

25                 MS. LOZER: Linda Lozer.



1 I was here on Wednesday and I did miss the first  
2 few minutes of the meeting but what I saw was our city not  
3 this one, but our city attorney read a letter about the  
4 new intern and Mr. O'Neal wanted to get up and talk and he  
5 was told that he had to wait. After the letter was read  
6 then it was opened up to the council which Gary Sammons  
7 said he wanted to adjourn it quickly but the audience  
8 still needed to talk. And then it was our turn to talk.  
9 I was the only one that was here and I said to the council  
10 that I know you guys have your differences, I understand  
11 that. I come to just about every council meeting. I see  
12 Mr. O'Neal in a different eye. He is very honest. He --  
13 at the TAB Board meeting he represents us. He doesn't  
14 have an easy job. It's not his rules that he's following.  
15 It's the state and Ms. Parker who no longer is here. I  
16 see we have a couple new people on board. It's sad that  
17 you have to come today when the other gentleman knew the  
18 background.

19 Mr. O'Neal really didn't get a chance to say  
20 what he wanted to say. The letter spoke against him so  
21 the way he looked at it, at least that I saw, why speak  
22 about it when you had told me I'm being terminated.

23 AUDIENCE MEMBER: (Indiscernible.)

24 MS. LOZER: As far as our city attorney I do  
25 have to disagree. He has been here at a few council

1 meetings. Not that many but I feel bad that we're losing  
2 Mr. O'Neal. I feel he's very honest. I come, like I  
3 said, to a lot of council -- many council meetings. And a  
4 lot of the council people have no input about it. Ms. --  
5 Marilyn talked about the city treasurer. She's right.  
6 She hasn't been here. But we still pay her. Mr. O'Neal  
7 has been here. He's here all the time. You can walk up  
8 and down the hallway and see him and talk to him and he  
9 acknowledges you. When you call him, he calls you back.  
10 When you have a problem he gets you the answer. I think  
11 that's only being honest.

12 I've been in the city-- I'm not going to say how  
13 many years but I've been in the city many, many years and  
14 he is very honest with the city. And we've had mayors  
15 that have lined their pockets. We've had city controllers  
16 that have lined their pockets. And I feel this gentleman  
17 has our back and Mr. O'Neal, if you get another job you  
18 can use me as a reference because I'll speak very highly  
19 of you.

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

21 MS. LOZER: I've very disappointed in the city.

22 MR. SYKES: Thank you.

23 MR. VAN de GRIFT: Thank you. That concludes  
24 public comment.

25 Board comments?

1 MR. SYKES: So we move on to board comments?

2 MR. VAN de GRIFT: Yes, sir.

3 MR. SYKES: Comments?

4 AUDIENCE MEMBER: (Indiscernible) Criminals up  
5 here on the --

6 MR. BOVITZ: I have nothing more.

7 MR. SYKES: I have no comments.

8 There being no further business I'll entertain a  
9 motion to adjourn.

10 MR. BOVITZ: So moved.

11 MS. BROPHY: Support.

12 MR. SYKES: Those in favor of the motion say  
13 aye?

14 MS. BROPHY: Aye.

15 MR. BOVITZ: Aye.

16 MR. SYKES: Aye.

17 Opposed the same?

18 (No response.)

19 MR. SYKES: Motion's been approved.

20 (At 9:47 a.m. meeting adjourned.)

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25

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 May 10, 2016, at the 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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17 RESPECTFULLY SUBMITTED: Dated: May 18, 2016

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19 *s/ Amy Shankleton-Novess*

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21 \_\_\_\_\_  
Amy Shankleton-Novess (CER 0838)

22 Certified Electronic Reporter

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