

**WORK SESSION AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS**

Monday, October 10, 2022, 5:30 P.M.

- 1) Call to Order**
- 2) Student Recognition**
- 3) Public Comment on Agenda Items (3 minute limit per person)**
- 4) November 2022 Election Update**
- 5) Reorganization of Community Services Duties**
- 6) Transitional Housing Discussion**
- 7) Funding for the Future**
- 8) Any Other Matters**
- 9) Acknowledgement of Visitors/Public Comment (3 minute limit per person)**

STAFF REPORT

Date: October 5, 2022
Subject: November 2022 Election Update
From: Kelli A. VandenBerg, City Clerk
Date: October 10, 2022 Work Session

For most of 2022, the staff of the City Clerk's Office has been preparing and administering elections. First May, then August and now the November general election. This election will likely be the largest non-Presidential election we have administered. Given some of the dialog regarding elections, I thought it would be valuable to share some of the details of these preparations, as well as opportunities for the public to further engage in the election process.

Absentee Ballots

Voting via absentee ballot has seen a marked increase since voters approved Proposal 3 in November 2018. Concerns related to COVID-19 further enhanced interest in absentee voting into 2020. To demonstrate this increase, there was a total of 4,448 absentee ballots submitted for the November 2018 election. Already for November 2022, we have issued an initial batch of nearly 8,000 ballots and we will continue to issue ballots until Election Day. I would anticipate final numbers for this election will be closer to 10,000-12,000 absentee ballots.

The issuance of absentee ballots includes numerous checks, including a signature verification for each ballot issued. While not a particularly difficult task, assembly of 8,000+ absentee ballots is still a major undertaking. Each mail piece includes a ballot, two envelopes, a secrecy sleeve, instructions, and an I VOTED sticker. In addition to the physical assembly, staff are documenting each step of the process in paper and electronic form.

The return of ballots is another aspect of the absentee process with several checks and balances. Each envelope receives a date and time stamp, the signature is verified, and the ballot is marked as received in the statewide voter database. All received ballots are filed and secured until processing occurs on Election Day.

On Election Day, a dedicated Absentee Voter Counting Board (AVCB) opens and processes all absentee ballots. This team consists of 12-14 election inspectors. We use two high speed scanners to tabulate the ballots in the AVCB. Any discrepancies are addressed by two inspectors of different political affiliations. The AVCB operates during the same hours as in-person precincts, opening at 7:00 a.m. and closing at 8:00 p.m. Closing the AVCB and generating necessary reports is incredibly time-consuming and often yields results in the early morning hours following Election Day.

Election Inspectors

Wyoming's November election will rely on nearly 200 election inspectors to assist with precinct operations on Election Day. Many of these individuals have helped us for years, while others are

more recent additions. With 30 precincts in 22 locations across the city, it is imperative that each precinct team has the skills to carry out all Election Day duties. These duties include the physical set up of the precinct tables, chairs, voting booths, equipment, and signs; the technical skills to operate the laptop and voting equipment; and interpersonal skills required to assist voters and other inspectors with various registration or voting questions.

In recent years, there has been increasing pressure on election inspectors as various groups question their efforts and processes, and the process and the integrity of the entire election system. Media reports on the national scale trickle down to local precincts and create scenarios that inspire inspectors to resign. Pay for election workers is modest and the work has become increasingly complex, so even those who can work elections are choosing not to. We are grateful for those who continue to serve as election inspectors as they are truly the backbone of democracy.

Finding replacements for our retiring inspectors has been a mixed experience. Many come to us with a true desire to help and an interest in understanding the process. Others appear to have different motivation and news reports suggest some have even been influenced to do this work as a means to gain access for more nefarious purposes. Navigating this while administering all of the other aspects of the election is daunting. Thankfully, we have maintained a strong core group of inspectors. Additionally, we have had support from many city employees who use this opportunity as a way to engage with our citizens on a different level.

Logic and Accuracy Testing

In the coming weeks, staff will begin the process of testing election equipment. This is a major undertaking and requires the preparation of a test deck for each precinct in Wyoming. Each test deck consists of several ballots that demonstrate different voting scenarios. These scenarios are established by the Bureau of Elections and test the accuracy of the equipment, ballots, and programming to ensure voting results are accurately tabulated. Ballots are tabulated and the results of that tabulation are compared with the pre-determined results. Once this process is complete, all testing vote totals are zeroed out and all equipment is sealed. These seal numbers are recorded in each precincts' poll book for verification on Election Day.

This preliminary testing is performed on all election equipment. For this election, 1,794 ballots will be put through the tabulators. That equates to 46 ballots per precinct, plus an additional 9 ballot styles to account for school district, county commission and state house splits. Following preliminary testing, a sampling of equipment is tested in the public accuracy test. Wyoming's public accuracy test is tentatively planned for Tuesday, November 1, at 9:00 a.m. For many years, no public attended these tests. In recent years, we are seeing more interest and attendees at this event. This is a great opportunity to see how our election process works.

Election Issues

The election landscape has been interesting since 2020. Despite the ongoing conversations about elections, there has been very little legislative change here in Michigan. We continued to operate with the same laws, rules and guidelines through elections in 2021 and 2022, though the questions we face continue to focus on the November 2020 election.

A recent challenge for clerks across the state is a barrage of requests under the Freedom of Information Act (FOIA) for materials and documents related to the November 2020 election. Seemingly driven by individuals or groups that continue to question the results of that election, these requests are often a copy-and-paste list of election-related materials. These materials include everything from a copy of the election software and various reports to a visual inspection of all ballots. Due to restrictions related to the handling of these materials, a staff member of the Clerk's Office would need to assist with any visual inspection and due to protection of personal data, many items would need to be reviewed and redacted before release, if released at all. Several of these requests have been estimated to cost in excess of \$30,000, though many requestors have asked that we waive these fees. A 50% good faith deposit is required to proceed.

Of the eight FOIA requests received this year related to the 2020 election cycle, it is interesting that seven have been received since August 15. The records retention requirement for ballots is 22-months from date the election was certified, so the November 2020 ballots were scheduled for destruction beginning on September 23. While these materials have been available for 22 months, it is only now that they are being requested. Currently, destruction of the materials from the November 2020 election is on hold, pending the outcome of these requests. We will continue to fulfill these FOIA requests and administer this election, but I do have concerns about what may be next.

General safety of our elections is another area of concern. Threats against election staff, intimidation of election inspectors and planned disruptions on Election Day are all part of the programming at trainings and conferences. These topics will be addressed in election inspector training and are also items being discussed with our police department as we make plans for enhanced support on Election Day. Wyoming has been fortunate with only limited experience with threatening or intimidating behaviors. While we hope that remains true, we will do our best to be prepared.

I look forward to discussing our election preparations and related topics with you at the work session and welcome any questions you might have.

To: Curtis Holt, City Manager
 From: John McCarter, Deputy City Manager
 Date: October 5, 2022
 Subject: Community Services Department Duties Reorganization

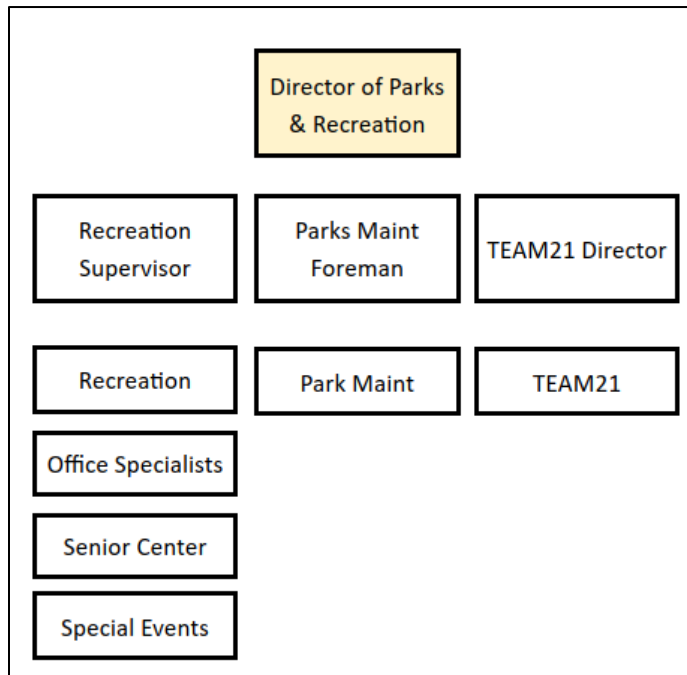
The purpose of this memorandum is to outline a proposed reorganization of the Community Services Department following the recent retirement of Rebecca Rynbrandt. These changes will split the existing department into two functional departments with Parks & Recreation becoming its own department and Inspections & Community Development Block Grants (CDBG) being combined with Planning & Economic Development to form the Community & Economic Development Department.

We plan to bring forth contracts with Krashawn Martin and Nicole Hofert to take on the roles of Director of Parks & Recreation and Director of Community & Economic Development, respectively, on the Monday October 17th regular meeting. This reorganization will be on the October 10th Work Session for discussion.

The changes outlined in this memo result in an estimated savings of \$7,180 in the General Fund.

Parks & Recreation Department

I recommend reclassifying the vacant position of Director of Community Services to Director of Parks & Recreation. The current position is split between the Parks, Inspections and CDBG funds, whereas the new Parks & Recreation Director position would be funded 100% out the Parks Fund. The result would be an estimated increase of \$47,078 annually in the Parks Fund.



The current structure of Parks & Recreation would not change. Three supervisory staff would continue to report to the Director. Krashawn, who current serves as Management Analyst. Special events, community engagement and the Diversity, Equity & Inclusion (DEI) Task Force would be added to her duties in Parks & Recreation.

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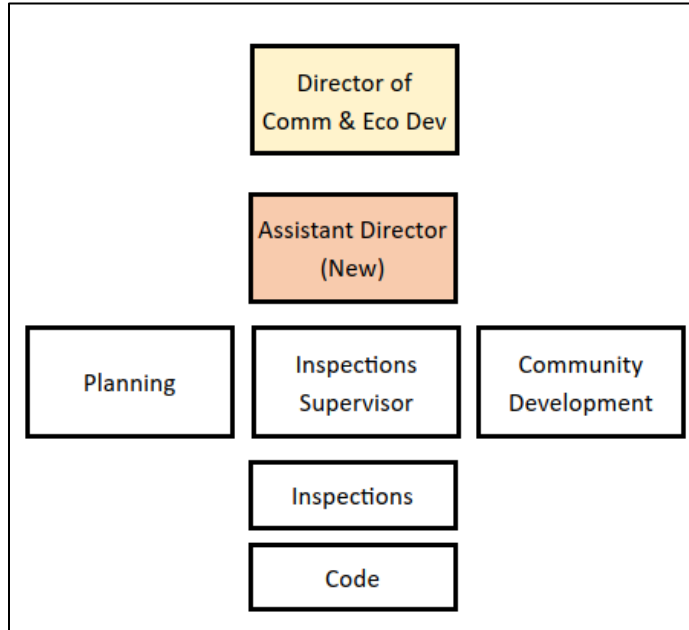
CITY COUNCIL

Sheldon DeKryger John Fitzgerald Kent Vanderwood Marissa Postler Robert Postema Sam Bolt

Jack A. Poll, Mayor

Community & Economic Development Department

I recommend that the current position of Director of Planning and Economic Development be reclassified to Director of Community and Economic Development. Nicole Hofert, current Director of Planning and Economic Development, would remain in this role, adding CDBG and Inspections to her responsibilities.



By combining these functional areas, we bring all private development activity under one umbrella, allow us to streamline the process and ensure efficiencies throughout.

I am also recommending the addition of a position to provide support to the Director related to CDBG, and potentially other areas. In the org chart, it is listed as an assistant director, but the title may change. I will work with the Director after the department is combined and she has had an opportunity to determine the best use of this position to determine the best way to structure this additional position. CDBG is technical in nature, taking up much of the former

director’s time. Given this is federal funding dedicated to some of the most vulnerable populations that we act as stewards of, it is essential we have resources in place to provide oversight.

These changes would be cost neutral in the General Fund and cost an estimated \$29,712 in the Inspections Fund and \$22,044 in the CDBG Fund.

Management Analyst Reclassification

Krashawn’s move to Director of Parks & Recreation would leave a vacant Management Analyst position in the City Manager’s Office. I recommend reclassifying this position to a Communications Manager position, which would be responsible for Communications functions, including management of the Communications Specialist. Duties include oversight of the city’s social media pages, website, and media relations. We have worked over the last few years to build an internal communications office that is a resource to all departments across the city but currently lack the capacity with only one staff member to truly address the needs of our complex operation. With the Rebranding Campaign due to wrap up by the end of this calendar year, this position is critical in leading the implementation of the city’s new brand. This position would fall in the same range as the Management Analyst so it would be cost neutral.

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CITY COUNCIL

Sheldon DeKryger John Fitzgerald Kent Vanderwood Marissa Postler Robert Postema Sam Bolt

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RESOLUTION NO. _____

RESOLUTION ADOPTING AND PROPOSING ELECTOR APPROVAL OF AN AMENDMENT TO THE CITY CHARTER TO PROVIDE FOR LEVY OF ADDITIONAL PROPERTY TAX AT THE MAY 2, 2023 SPECIAL ELECTION TO SUPPORT FIRE SERVICES, POLICE AND LAW ENFORCEMENT SERVICES AND FIRST RESPONDER SERVICES

WHEREAS:

1. Population growth, additional development, increased traffic, crime trends, increased demands for fire department responses, and other factors have led city leaders to conclude additional police officers and firefighters are needed to provide for the safety of city residents and property, as well as the safety of city police officers and firefighters.
2. Hiring of additional police officers and firefighters requires additional revenues.
3. Section 9.1 of the City Charter of the City of Wyoming, currently limits property taxation as follows:

Sec. 9.1. Power to tax: tax limit.

The City shall have the power to assess taxes and levy and collect rents, tolls and excises. Exclusive of any levies authorized by statute to be made beyond charter tax rate limitation, the annual ad valorem tax levy shall not exceed one-half percent of the valuation of all real and personal property subject to taxation in the City, except that an additional two-tenths of one percent, 2 mills on the dollar, may be levied for sewer, water and street improvements, but this latter shall in no way be construed as limitation on the issuance of bonds for water or sewer purposes. An additional thirty-nine thousandths (39/1000) of one percent, 0.39 mills on the dollar, or less, may be levied annually for the operation, maintenance and any other expenses for the public library in the City of Wyoming or for capital improvements in public parks in the City of Wyoming.

- (a) *Sidewalk snowplowing and maintenance levy.* The city shall have the power to levy an additional 2/100 of one percent, 0.2 mills on the dollar for the purpose of snowplowing sidewalks and to repair and construct sidewalks within the city.
 - (b) *Public transportation levy.* An additional twenty-five thousandths (25/1000) of one percent (1%), a 0.25 mills on the dollar, or less, may be levied annually for use for public transportation. (This subsection shall expire on June 30, 2000).
 - (c) *Parks, recreation and senior citizens centers levy.* An additional fifteen-hundredths of one percent, 1.5 mills on the dollar, or less, may be levied annually for use for the operation, maintenance and any other expenses for parks, recreation and senior citizens centers.
 - (d) *Fire department levy.* An additional seventy-five-thousandths of one percent, 0.75 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Fire Department.
 - (e) *Police department levy.* An additional one hundred-twenty-five-thousandths of one percent, 1.25 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Police Department.
 - (f) *Public Safety levy.* An additional one hundred-twenty-five thousandths of one percent, 1.25 mills on the dollar, may be levied annually for public safety for the operation, maintenance and administration of police and fire services.
4. The City Council wishes to amend the City Charter to levy an addition 1.5 mills of additional *ad valorem* property tax for fire services, police and law enforcement services, and first responder services.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Section 9.1 of City Charter of the City of Wyoming, Michigan be amended by adding subsection (g) to read as follows:
 - (g) *Fire, law enforcement and first responder levy.* An additional one-hundred-fifty-thousandths of one percent, 1.50 mills on the dollar, may be levied annually for public safety including fire services, police and law enforcement services, and first responder services.
2. If the proposed City Charter amendment is approved by city electors, section 9.1 of the City Charter of the City of Wyoming, Michigan would read as follows:

Sec. 9.1. Power to tax: tax limit.

The City shall have the power to assess taxes and levy and collect rents, tolls and excises. Exclusive of any levies authorized by statute to be made beyond charter tax rate limitation, the annual ad valorem tax levy shall not exceed one-half percent of the valuation of all real and personal property subject to taxation in the City, except that an additional two-tenths of one percent, 2 mills on the dollar, may be levied for sewer, water and street improvements, but this latter shall in no way be construed as limitation on the issuance of bonds for water or sewer purposes. An additional thirty-nine thousandths (39/1000) of one percent, 0.39 mills on the dollar, or less, may be levied annually for the operation, maintenance and any other expenses for the public library in the City of Wyoming or for capital improvements in public parks in the City of Wyoming.

- (a) *Sidewalk snowplowing and maintenance levy.* The city shall have the power to levy an additional 2/100 of one percent, 0.2 mills on the dollar for the purpose of snowplowing sidewalks and to repair and construct sidewalks within the city.
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 - (c) *Parks, recreation and senior citizens centers levy.* An additional fifteen-hundredths of one percent, 1.5 mills on the dollar, or less, may be levied annually for use for the operation, maintenance and any other expenses for parks, recreation and senior citizens centers.
 - (d) *Fire department levy.* An additional seventy-five-thousandths of one percent, 0.75 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Fire Department.
 - (e) *Police department levy.* An additional one hundred-twenty-five-thousandths of one percent, 1.25 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Police Department.
 - (f) *Public Safety levy.* An additional one hundred-twenty-five thousandths of one percent, 1.25 mills on the dollar, may be levied annually for public safety for the operation, maintenance and administration of police and fire services.
 - (g) *Fire, law enforcement and first responder levy.* An additional one-hundred-fifty-thousandths of one percent, 1.50 mills on the dollar, may be levied annually for public safety including fire services, police and law enforcement services, and first responder services.
3. The proposal for this City Charter amendment shall be placed on the ballot for the May 2, 2023 special election as follows:

PROPOSAL TO INCREASE PROPERTY TAXATION FOR PUBLIC SAFETY

Shall section 9.1 of the Charter of the City of Wyoming be amended by adding subsection (g) to state as follows?

“1.50 mills on the dollar (\$1.50 per \$1,000 of taxable value) for public safety including fire services, police and law enforcement services, and first responder services.”

This is an increase in the City of Wyoming’s property taxation of 1.50 mills (\$1.50 per \$1,000 of taxable value).

If approved and levied, the amount of revenue raised by the levy in the first year is estimated as \$3,863,734.28. A portion of this amount (\$749.96) will be captured by the Wyoming Brownfield Redevelopment Authority and a portion of this amount (\$6,388.89) will be captured by the Downtown Development Authority of the City of Wyoming.

- 4. The City Clerk and City Attorney are authorized and directed to send a copy of this resolution to the governor and to the attorney general for approval of the proposed charter amendment and ballot proposal.
- 5. The City Clerk and City Attorney are authorized and directed to publish the full text of the proposed charter amendment together with the existing City Charter section 9.1 in at least one edition of *The Grand Rapids Press* and to take all other steps to ensure the proposal is placed on the ballot and notices provided as required by the City Charter; the home rule city act, 1909 PA 279, MCL 117.1 *et seq.*; the Michigan election law, 1954 PA 116, MCL 168.1 *et seq.*; and any other applicable law.
- 6. All resolutions and parts of resolutions that conflict with this resolution are rescinded.

Moved by Councilmember:

Seconded by Councilmember:
Motion Carried Yes:
 No:

CERTIFICATION

I certify that this Resolution was adopted by the City Council of the City of Wyoming, Michigan at a regular meeting held on _____, 2022.

Kelli A. Vandenberg, Wyoming City Clerk

Resolution No. _____