



The Governing Voice for
700,000 Wayne County Residents

CONFERENCE OF WESTERN WAYNE
REGULAR MEETING MINUTES
May 10, 2024

1. CALL TO ORDER- TURNBULL

Mayor Turnbull called the meeting to order at 9:30 am.

Supervisor Heise welcomed the board and audience to Plymouth Township.

2. ROLL CALL- HEISE

Supervisor Heise called the roll:
Supervisor Anne Marie Graham-Hudak, Canton Charter Township;
Mayor Brian Turnbull, City of Northville;
Mr. Jason Rhines, alternate, Northville Charter Township;
Supervisor Kurt Heise, Plymouth Charter Township;
Deputy Supervisor Timothy Rush, alternate, Sumpster Township;
Mayor Robert McCraight, City of Romulus;
Deputy Fire Chief Laura Ridenour, alternate, City of Dearborn;
Mayor Bill Bazzi, City of Dearborn Heights;
Ms. Diane Webb, alternate, City of Wayne;
Mayor Byron Nolen, City of Inkster;
Mayor Ken Voigt, City of Belleville;
Deputy Mayor James Godbout, alternate, City of Westland;
Mayor Suzi Deal, City of Plymouth;
Supervisor David Glaab, Huron Township;
Mr. David Varga, alternate, City of Livonia;
Supervisor Pat McRae, Redford Township;
Supervisor Kevin McNamara, VanBuren Township.

CWW Board Member/voting alternate of record not present: The City of Garden City

Others present: Congresswoman Debbie Dingell, representatives from Senator Gary Peter's and Governor Gretchen Whitmer's office's, and members of the audience.

3. INTRODUCTIONS- TURNBULL

Mayor Turnbull asked board members and members of the audience to introduce themselves.

4. APPROVAL OF AGENDA-TURNBULL

Motion by Glaab, supported by Graham-Hudak to approve the agenda for May 10, 2024.

AYES: All. Motion carried.

5. APPROVAL OF MEETING MINUTES- HEISE

Motion by Heise, supported by Rush to approve the meeting minutes for April 12, 2024.

AYES: All. Motion carried.

6. TREASURES REPORT- HEISE

Motion by Heise, supported by Rhines to approve the Treasurers report for 3/31/24.

AYES: All. Motion carried.

7. DIRECTORS REPORT

A. Executive Director's Report- Sellek

CEO Warren Evans Seeking Countywide SMART Millage

At a Detroit Regional Chamber event on Tuesday, Wayne County CEO Warren Evans announced his administration is working on getting a Countywide Smart Millage on the November ballot. The proposed language the administration is working on would also eliminate the opt-out choice for communities. Currently 17 of the County's 43 communities opt-out, including 10 CWW communities, 6 Downriver communities and the City of Detroit. The measure would be similar to what Oakland County voters approved in 2022.

From Gongwer:

Supreme Court Rules For Township In Drone Photo Case

A unanimous Supreme Court on Friday ruled against a couple seeking to suppress evidence obtained by a township through photos taken by an aerial drone.

The decision came in an opinion written by [Justice Brian Zahra](#) for the entire bench in *Long Lake Township v. Maxon* ([MSC Docket No. 164948](#)), which affirmed a Court of Appeals panel and declined to expand the exclusionary rule to this type of civil case.

There is a long procedural history to the case that began with the township using aerial drone photos as evidence to file suit against Todd and Heather Maxon, alleging they were in violation of a zoning ordinance, a nuisance law and a prior settlement agreement between both parties.

The Maxons sought to suppress the evidence, with a trial court originally disagreeing and a previous Court of Appeals panel reversing in a 2-1 decision. After a first appeal to the Supreme Court, the issue was kicked to a second Court of Appeals panel.

That decision went against the Maxons, concluding that the cost of suppressing the evidence would outweigh any deterrence benefits. The Court of Appeals further held that the exclusionary rule did not apply and that the photographs and video could not be suppressed regardless of whether the township unreasonably searched the Maxons' property.

Zahra wrote that the exclusionary rule implicated in the case may not be applied to civil enforcement proceedings that effectuate local zoning and nuisance ordinances and can only seek prospective, injunctive relief. He said while the township only sought prospective, injunctive relief in the matter, the cost of excluding the drone evidence outweighed the overall benefit of suppressing it, and the rule did not apply in this case.

"Because we hold that the exclusionary rule does not apply to this civil proceeding to enforce zoning and nuisance ordinances, we decline to address whether the use of an aerial drone under the circumstances presented here is an unreasonable search in violation of the United States or Michigan Constitutions," Zahra wrote. "The exclusionary rule operates to exclude or suppress evidence in certain legal proceedings if the evidence is obtained in violation of a person's constitutional rights. The contemporary understanding of the exclusionary rule is that it is a judge made rule intended to deter law enforcement misconduct in the context of the Fourth Amendment."

However, Zahra wrote that It is not a constitutional right, and it is not intended to vindicate a defendant's constitutional rights.

"We hold that the costs of applying the exclusionary rule in this case would outweigh the benefits. Applying the exclusionary rule would prevent the Township from effectuating its nuisance and zoning ordinances – a serious cost," Zahra wrote. "It would do so for little benefit given that exclusion of the photographs and video here would not deter future misconduct by law enforcement officers or their adjuncts, proxies, or agents."

The court also declined to consider whether the local government's use of a drone to take photos was an unreasonable search in violation of the state or federal constitutions.

Airspace Link Update

Airspace Link (ASL) has completed over 70 interviews within CWW community departments; they have presented Canton with their final report and have presented it to their entire team in person. Romulus, Westland, Livonia and Dearborn final reports are nearly completed. ASL is now scheduling meetings to present the final reports in person.

Plymouth, Plymouth Township, Northville and Northville Township surveys have been fully completed and their initial reports will be sent out at the end of this week. Once those are sent, ASL will begin scheduling the interviews.

Belleville, Inkster and Dearborn Heights initial surveys are almost complete as well. Sumpter Township interviews to start this Friday.

If you do not see your community listed above, I will contact you with an update.

Naloxone/Test Strip Machines

Wayne County is beginning to roll out the naloxone (Narcan)/test strip vending machines that were purchased with opioid settlement funds. The County is looking for input for placement.

We know that many fentanyl overdoses are accidental, and that fentanyl can be cut with a variety of drugs. Powdered fentanyl looks just like many other drugs and in addition to being mixed with other drugs, it can be manufactured to resemble prescription opioids.

Fentanyl test strips are a low-cost, harm reduction strategy helping to prevent overdoses. They can detect the presence of fentanyl in many kinds of drugs (cocaine, methamphetamine, heroin, etc.) and drug forms (pills, powder, and injectables).

If you have any input for Wayne County in regard to locations for these machines, please contact Ms. Sellek or Dr. Avani Sheth at asheth@waynecounty.com

LEO Announces New Grant Funding Tool For Municipalities

Michigan communities now have a one-stop platform to access technical assistance to access grant funds.

The Michigan Department of Labor and Economic Opportunity (LEO) and the Michigan Municipal League (MML) launched the MI Funding Hub to allow all municipalities to access an online library of available grants and funding opportunities. MML will also provide technical assistance, including training, outreach and an online help desk.

The hub will connect communities with funds from multiple sources, including state and federal dollars. MML will also maintain a partial list of private resources, such as philanthropic foundations, that have funds directed towards municipal projects.

The funds will support long-standing and future infrastructure needs, economic development, housing, water, transportation and workforce development.

Draft Resolution 2024-02 For Consideration

Transforming the Great Lakes and St. Lawrence River Basin into a Thriving Blue-Green Economic Corridor While Safeguarding Our Freshwater Resources

WHEREAS the Great Lakes and St. Lawrence River Basin forms the largest freshwater ecosystem in the world, providing drinking water to more than 40 million people and serving as the foundation of our communities' economic prosperity.

WHEREAS basin communities collectively comprise the world's third largest economy, generating \$6 trillion in economic output annually.

WHEREAS heavy industry and manufacturing has predominated in parts of the basin, often degrading our water quality and perpetuating environmental challenges in disadvantaged communities.

WHEREAS basin-wide ecosystem restoration efforts are yielding significant economic dividends for local communities.

WHEREAS some experts anticipate climate-related migration to basin communities to grow as conditions worsen in arid and coastal environments in Canada and the United States, with freshwater access being a major advantage.

WHEREAS Canadian and U.S. residents are increasingly keen to live, work, invest and play in vibrant communities with ample access to environmentally friendly lifestyles, jobs, development and recreation.

WHEREAS building a thriving freshwater economy requires attracting industries to foster job creation and climate and water innovation; harnessing clean, accessible waterfronts as drivers of economic revitalization; implementing clean and renewable energy sources.

WHEREAS the Great Lakes and St. Lawrence Cities Initiative was founded in 2003 as a coalition of local elected leaders working collaboratively to promote the economic, environmental and

social health of basin communities, making the Cities Initiative the ideal organization to facilitate sustainable, and resilient economic development while safeguarding our freshwater resources.

NOW THEREFORE BE IT RESOLVED THAT:

- The Cities Initiative will launch the Mayors Commission on Economic Transformation at its Annual Conference in Montréal, QC, May 15-17, 2024, to promote sustainable, and resilient economic development basin-wide and appropriate freshwater stewardship for the benefit of current and future generations.

- The *Action Plan for the Great Lakes and St. Lawrence Economic Transformation, 2025-2035* will map paths for municipal action to support the following:
 - Industrial Transformation: attracting industries to foster job creation and climate and water innovation while protecting the basin's unparalleled freshwater ecosystem
 - Energy Transformation: implementing clean and renewable energy sources to respond to the expected growth in clean energy consumption for businesses, industries and residents
 - Transportation Transformation: expanding sustainable, integrated and water-borne commerce, mobility and tourism
 - Waterfront Transformation: developing shorelines intentionally by weaving together multiple uses, including residential and recreation, to create accessible and thriving economic centers

- CWW encourages local communities to work with the Cities Initiative and its members to guide the Mayors Commission on Economic Transformation.

Motion by Bazzi, supported by Webb to adopt the resolution.

Ayes: All. Motion carried.

2024 Police Week

May 12, 2024-May 18, 2024

2024 WWBLB

This year's event will return to The Henry, The Autograph Collection on Tuesday, October 1. Timing will remain the same as last year: 4-6 p.m. networking and cocktails with dinner and presentation from 6-7:30 p.m.

Pricing will also remain the same as in previous years: \$1,800 Corporate Table Sponsorships, \$150 for individual and \$1,200 for table of eight without sponsorship.

As a reminder, your local chamber is responsible for their ticket sales and keeps 100% of the profit from all tickets they sell.

The full flyer for the event is included at your seat.

Next CWW Meeting

The June 14, 2024 meeting will be held in Sumpter Township.

B. LEGISLATIVE UPDATE- PUCKETT

Federal

U.S. House Passes Fourth Amendment Is Not For Sale Act

The U.S. House of Representatives passed H.R. 4639 – the Fourth Amendment Is Not For Sale Act 219 – 199. The bill, introduced by Rep. Davidson (R-Ohio), would prohibit law enforcement and intelligence agencies from purchasing personal information about customers or subscribers of electronic and remote computing service providers such as social media, cell phone, email and cloud computing companies without first obtaining a court order.

Privacy advocates argue that the government's purchase of large quantities of personal information via third-party data collectors represents an end-around the U.S. Constitution's Fourth Amendment. While law enforcement claims it takes away legal, relevant, and publicly readily investigative tools from law enforcement and will delay or prevent their ability to aid victims and solve crimes.

The bill faces uncertainty in the future with the U.S. Senate and White House.

State

Legislature

The Michigan House of Representatives returned to a Democrat 56 – 54 majority since mid-November.

Trial Court Funding

The current funding system for trial courts was set to sunset May 1, 2024. In 2014, the Supreme Court ruled that courts could not levy certain costs on defendants. House Bill 5392 (Rep. Lightner – R) extends the sunset to allow trial courts to impose certain costs on criminal defendants until December 31, 2026.

House Bill 5392 was originally tie-barred to House Bill 5534 (Rep. Breen – D) which would require the State Court Administrative Office to collect specific data on funding and develop proposals to change trial court funding. CWW supported House Bil 5392 to extend the sunset but did not support House Bill 5534.

The House of Representatives did not have support for House Bill 5534 and removed the tie-bar. On April 30, Governor Whitmer signed House Bill 5392 into law, which takes effect immediately. HB 5534 passed the House on May 9.

House Bill 4965 - Franchise Fees

The Senate Oversight Committee heard testimony on House Bill 4965 (Rep. Andrews – D) that would exempt streaming services from paying franchise and PEG fees. CWW opposes HB 4965 as it could result in approximately \$100 million revenue loss to local governments. The fees support Right of Way maintenance and local programing. Revenue from these fees has steadily decreased due to the increase of streaming services and traditional cable is starting to transition to a streaming service as well.

House Bill 5438 – Short Term Rentals

The House Local Government and Municipal Finance Committee had two weeks of testimony on House Bill 5438 (Rep. Andrews – D) which would create a statewide registry for short-term rentals and prohibit rental platforms like Airbnb from booking transactions at properties that are not registered with the state or in good standing with their municipality. The bill would also create a 6 percent excise tax on short-term rentals that are rented for more than 14 days, most of which would go back to the community where the rental property was located.

More than 150 local leaders from across Michigan, including CWW, supported HB 5438. However, the Chair of the committee stated that the bill will need some adjustments based on committee testimony. Some of the concerns were requirements for the registry and a compromise on the excise tax to have more parity with hotels.

Election Legislation

SB 603 (Sen. Chang – D) – 604 (Sen. Moss – D) would make significant changes to the state’s process for election recounts. The changes include: changes to the

thresholds for automatic recounts, legislative races would have automatic recount thresholds, the timetable for recount petitions and counter petitions to be filed would change, establishing a procedure to allow a recount when the ballot seals have been broken, and how to deal with precincts where the number of ballots does not match the number of people shown as having voted in the pollbook. The bills passed the Senate on a party line vote and have been sent the House.

The Senate Elections and Ethics Committee took testimony on Senate Bills 401 – 404. The package of bills would create a State Voting Rights Act. SB 401 (Sen. Camilleri – D) would prohibit a local government from imposing any law, practice, policy or method of election that leads members of a protected class and other members of

the electorate, or that would impair the ability of a protected class or otherwise influence the outcome of an election. It would also establish court proceedings regarding a violation of the act and prescribe a process for local governments to remedy violations with approval from the Secretary of State. Additionally, it would require the courts to oversee the implementation of election laws or policies proposed by any local government that had a history of violating voting rights.

The companion bills would create a data institute that will work with a state university to collect information on Michigan elections deemed necessary by the Secretary of State, as well as addressing language assistance and curbside voting. The Senate Fiscal Agency states the bills would result in significant costs to both the Michigan Department of State and local governments that have complaints filed against them. For this reason, Michigan Township Association and Michigan Municipal League are currently opposed to the package.

House Bill 5699 (Rep. Tsernoglou – D) was recently introduced. As part of a four-bill package, **it would move the beginning of the term of office for newly elected township, city and village officials to December 1.** The date change is being

proposed to ensure individuals do not take the oath of office prior to certification of the election. The bill has been referred to the House Elections committee.

Budget

Both the Senate and House General Government budgets include significant increases in revenue sharing and utilize the trust fund concept. The Senate creates a Revenue Sharing Trust Fund and dedicates 9.1% of the 4% sales tax to the fund. The House creates a Revenue Sharing Trust Fund and dedicates 8% of the 4% sales tax to the fund and also includes a Violence Prevention Trust Fund by dedicating 1.5% of the 4% sales tax to the fund.

The House Appropriations Environment, Great Lakes and Energy Subcommittee did not include the Governor's landfill tipping fee increase from 36 cents per ton to \$5 per ton.

The Chair of the committee said the committee determined it would be better to have additional discussions about increasing the tipping fee and to consider a slower roll out, rather than changing the policy in conjunction with the budget process.

The House Appropriations Military and Veterans Affairs and State Police Subcommittee included an additional \$50 million for local governments to cover costs of climate change emergency disaster relief for natural events, which are ineligible for federal reimbursement.

May Revenue Estimating Conference

The May Revenue Estimating Conference will be held Friday, May 17 at 9 a.m.

8. PRESENTATIONS

DTE's Glenn Rowland and Ali Tellaih presented on DTE's outdoor lighting program and their EV Charging program.

9. ELECTED OFFICIALS' COMMENTS

Congresswoman Debbie Dingell invited the members of the board to join her in a meeting to address the railroad issues communities are facing. She welcomes all questions and complaints to her office so they can address all topics at this upcoming meeting. The Congresswoman and her personnel are working on submitting community projects. The Congresswoman let the board know that Congresswoman Tlaib is working on water affordability and if any communities have any questions or concerns to direct them to Congresswoman Tlaib's office.

10. PUBLIC COMMENT

Comments were made by the public.

11. OTHER BUSINESS

None.

12. ADJOURNMENT

Motion by Bazzi, supported by McRae to adjourn the CWW Board Meeting at 10:52 a.m.

AYES: All. Motion carried.
