

**PONTIAC CITY COUNCIL
FORMAL MEETING
April 7, 2016
6:00 p.m.
124th Session of the 9th Council**

It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Call to order

Moment of Silence or Invocation

Pledge of Allegiance

Roll Call

Authorization for excused absences for councilmembers

Amendments to and approval of the agenda

Approval of Minutes

1. March 31, 2016
2. Closed Session Minutes 03-31-2016

Department Head Report

Special Presentation

3. Water Resource Commission –Waterline Construction and Water Quality Update

Subcommittee Oral Report-Finance

Community Announcements

Recognition of Elected Officials

AGENDA ITEMS

4. Resolution(s) regarding Senior Center Millage for the August 2, 2016 Ballot.

Public Comment

Mayor or Deputy Mayor Report

Clerk and Council Closing Comments

Adjournment

March 31, 2016

**Official Proceedings
Pontiac City Council
123rd Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, March 31, 2016 at 6:00 p.m. by President Patrice Waterman.

Invocation – Minister Kathlee James

Pledge of Allegiance

Roll Call

Members Present: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward.

Mayor Waterman was present.

Deputy Mayor Jane Bais-Disessa was present.

Clerk announced a quorum.

16-80 Special Meeting scheduled by Council on Saturday, April 2, 2016 at 3:00 p.m. Moved by Councilperson Woodward and supported by Councilperson Holland.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Motion Carried.

16-81 Approval of the Agenda. Moved by Councilperson Woodward and supported by Councilperson Holland.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Motion Carried.

16-82 Journal of March 24, 2016. Move by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Motion Carried.

16-83 Resolution to go into Closed Session. Move by Councilperson Woodward and supported by Councilperson Pietila.

Whereas, the City's Attorney has requested to go into closed session concerning the status of cases: 16-151049-CE, Super Happy Dollar, Inc. v. City of Pontiac and 15-154396-GC, Marc Seay v. City of Pontiac; and

March 31, 2016

Whereas, Section 8€, MCL 15.268, permits a public body “to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have detrimental financial effect on the litigation or settlement position of the public body”; and

Whereas, Section 8(h), MCL 15.26, allows a public body to go into closed session to consider material exempt from discussion or disclosure by State or federal statute; and

Whereas, the City Council believes an open meeting would have a detrimental financial effect on the litigation or settlement position of the City.

Now Therefore, Be It Resolved, by the Pontiac City Council that it recesses into closed session for the purpose of consulting with its attorney regarding settlement strategy in the cases Super Happy Dollar, Inc. v. City of Pontiac and Marc Seay v. City of Pontiac.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Resolution Passed.

Mayor Waterman left the meeting at 6:18 p.m.

16-84 **Resolution for Marc Seay vs. the City of Pontiac.** Moved by Councilperson Taylor-Burks and supported by Councilperson Carter.

Whereas, the City Council of the City of Pontiac, does hereby find as follows:

Whereas, Plaintiff Marc Seay was employed by the City of Pontiac as a fire fighter between 1992 and 2006. Upon leaving his employ with the City, Plaintiff Marc Seay deferred his retirement until age 50; and

Whereas, on October 2, 2015, Plaintiff Marc Seay filed a lawsuit against the City of Pontiac claiming he was entitled to his sick payout of \$8,034.00 and that by failing to payout his sick leave of \$8,034.00, the City breached its contract, violated his equal protection rights, and was unjustly enriched; and

Whereas, the City continues to expressly deny any wrong doing or liability for any of the Counts in Plaintiff’s Complaint; and

Whereas, having been fully advised of all of the facts and circumstances in support of Plaintiff’s claims, the Pontiac City Council believes that settlement at this time of all claims would be in the City’s financial best interest.

Now Therefore, Be It Resolved, by the Pontiac City Council that the litigation filed by Marc Seay against the City of Pontiac, and currently pending in the Hazel Park District Court, be resolved by a payment to Plaintiff Marc Seay in the amount of \$6,500.00 in complete and total satisfaction of all of Plaintiff’s claims.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Resolution Passed.

Departmental Head Report – Joseph Sobota, City Administrator

March 31, 2016

16-85 Postpone indefinitely the report received from the City Administrator regarding special revenue funds budget amendments. Moved by Council Williams and supported by Councilperson Woodward.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Motion Carried.

16-86 Resolution received regarding General Employee Retirement Systems appointment for Kevin Williams. Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

Whereas, on March 10, 2016, City Council of the City of Pontiac passed Resolution no. 16-66 appointing Kevin Williams and James Walker, Jr. as Citizen Trustees to the General Employees Retirement System (“GERS”) Board of Trustees with a partial term expiring of March 31, 2018; and,

Whereas, on March 16, 2016, the Transition Advisory Board met and approved Resolution passed by City Council on December 4, 2014, appointing Kone Bowman to the GERS Board; and

Whereas, the Transition Advisory Board advised that, as of the March 16, 2016, date, there was only one vacancy on the GERS Board for a Citizen Trustee and instructed Council to fill the single-seat vacancy.

Now, Therefore, Be It Resolved, by the Pontiac City Council that the Council hereby appoints Kevin Williams to serve in the vacancy as Citizen Trustee to the GERS Board with a partial term expiring on March 31, 2018.

Ayes: Carter, Pietila, Taylor-Burks, Waterman, Williams and Woodward

No: None

Abstain: Holland

Resolution Passed.

16-87 Report received from the City Engineer regarding the CN-North Spur Acquisition. Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Whereas, The City of Pontiac has an agreement with CN Rail for the purchase of the North Spur property, and;

Whereas, the agreement with CN Rail states that the City will pay \$370,000 for the property, and CN will provide a donation in the sum of the appraisal minus \$370,000, and;

Whereas, it is the recommendation of the Department of Public Works that the City acquire this property for use as City linear park for trail purposes;

Now, Therefore, Be It Resolved that the City Council, after review by the City Attorney and Finance Director, and upon the recommendation of the Mayor, approves the acquisition of the CN Rail North Spur;

Be, It Further Resolved that the Pontiac City Council designate the Mayor and City Clerk to sign this agreement.

March 31, 2016

Ayes: Carter, Pietila, Taylor-Burks, Waterman, Williams and Woodward
No: Holland
Resolution Passed.

Councilman Don Woodward left meeting at 7:29 p.m.

16-88 **Report received from the City Administrator regarding 200 E. Montcalm. (a.k.a "Duck Pond")** Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

Be it further resolved that the Pontiac City Council accepts the offer from RACER TRUST 200 E. Montcalm, and the three parcels with the building and basin remaining; the building will then be converted into a DPW storage/staging facility.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman and Williams
No: None
Resolution Passed.

Deputy Mayor Reported.

City Clerk Sherikia L. Hawkins, Councilman Randy Carter, Councilwoman Doris Taylor-Burks, Councilman Mark Holland, Councilman Kermit Williams, Pro-Tem Mary Pietila and President Patrice Waterman made closing comments.

President Patrice Waterman adjourned the meeting at 8:34 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

Minutes
Saturday, April 2, 2016

Call to order.

The Study Session/Special Meeting of the 9th Council, for the purpose of having a discussion regarding local millages, was called to order by Council President Patrice Waterman at 3:01 p.m. on Saturday, April 2, 2016 in the city council conference room at Pontiac City Hall.

Roll Call.

Council members present – Pietila, Taylor Burks, Waterman, and Williams

Council members absent – Carter, Holland and Woodward

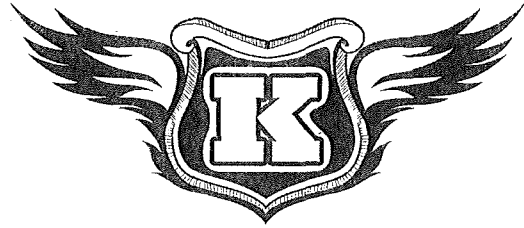
Public Comment. Five members of the audience addressed the City Council.

Mark Holland arrived at 3:09 p.m.

Discussion. The City Council engaged in discussion regarding Local Millages. City Attorney Travis Mihelick was present. During discussion, council members discussed the senior millage and future potential millages for the City of Pontiac. Conversation then shifted to the expenses of the senior centers. Lastly, there was conversation about a millage for a youth center.

Adjournment. Councilmember Taylor-Burks moved to adjourn with a support by Councilmember Pietila. Motion carried unanimously. Meeting adjourned at 4:08 p.m.

Finance Subcommittee Minutes April 4, 2016:



KERMIT@KERMITWILLIAMS.COM

Attendees: President Waterman, Councilman Holland, Councilman Williams,
Finance Director Nazarko, Mayor Waterman, Deputy Mayor Bais-Disessa

Items Discussed

- Monthly Report Review – Finances reviewed (Item of Note the Police and Fire Veba Arguments were heard Wednesday April 6, 2016 no ruling as of yet)
- Senior Millage Breakdown year by year. Fixed Cost from last year provided by the Finance director attached

Meeting Adjourned at 6:03

04/06/2016

REVENUE AND EXPENDITURE REPORT FOR CITY OF PONTIAC
PERIOD ENDING 06/30/2015

GL NUMBER	DESCRIPTION	Acruial Amounts
Fund 212 - Senior Activities Millage		
Revenues		
212-000-403.073	PROPERTY TAX CHARGEBACKS - PETERSON	308.18
212-000-403.074	PROPERTY TAX CHARGEBACKS - BOWEN	308.20
212-000-403.703	CURRENT PROPERTY TAXES - PETERSON	150,645.27
212-000-403.704	CURRENT PROPERTY TAXES - BOWEN	150,644.25
212-000-405.005	PROPERTY TAX - PY NON AD VALOREM COLLECT	1,921.06
212-000-665.001	Investments Income	227.76
212-000-666.001	Interest Earned- Cash Pool	847.78
212-000-669.703	RENTALS - PETERSON CENTER	4,360.00
212-000-669.704	RENTALS - BOWEN CENTER	8,797.50
212-000-675.000	Contribution From Private Source	544.00
Total Dept 000		318,604.00
TOTAL Revenues		318,604.00
Expenditures		
Dept 813-Ruth Peterson Senior Citizen Center		
212-813-702.000	Salaries & Wages	22,137.10
212-813-702.004	Overtime Wages	4,707.04
212-813-702.100	MAINTENANCE WAGES	11,148.01
212-813-702.104	MAINTENANCE - OVERTIME	0.00
212-813-705.002	Temporary/Part-time Clerical/Tech	0.00
212-813-707.003	CELL PHONE STIPEND	0.00
212-813-707.005	Safety Shoe Allowance	0.00
212-813-708.010	Vacation Payoff	0.00
212-813-708.011	Sick Leave Payoff	0.00
212-813-715.000	F.I.C.A. - City Contribution	2,906.46
212-813-716.000	MEDICAL INSURANCE	913.07
212-813-717.000	Life Insurance	83.41
212-813-718.006	Employer 401A Contribution	0.00
212-813-718.500	MERS EMPLOYER CONTRIBUTIONS	0.00
212-813-719.000	Workers Compensation Insurance	985.63
212-813-719.001	Dental Insurance	41.47
212-813-719.007	WORKERS COMP ALLOCATION	0.00
212-813-721.010	Health Care Waiver	0.00
212-813-727.000	Office Supplies	96.09
212-813-728.000	Postage	1.24
212-813-729.001	Printed Forms	0.00
212-813-731.001	Personal Computer Supplies	0.00
212-813-731.003	Computer Equipment (Supplies)	0.00

04/06/2016

REVENUE AND EXPENDITURE REPORT FOR CITY OF PONTIAC
PERIOD ENDING 06/30/2015

212-813-745.000	Recreation Supplies	1,345.34
212-813-749.001	Motor Fuel, Oil & Lubricants	0.00
212-813-760.000	Medical Supplies	0.00
212-813-776.001	Janitorial Supplies	892.96
212-813-776.002	Building Maintenance Supplies	1,874.80
212-813-776.003	Bldg. Equipment Maint. Supplies	482.56
212-813-776.004	Parking Lot Supplies	0.00
212-813-807.000	Services - Membership Dues	0.00
212-813-816.000	Services - Contracted Construction	0.00
212-813-818.000	Other Professional Services	287.50
212-813-818.006	Contractual Mowing Services	213.00
212-813-818.008	Bank Service Charges	192.43
212-813-818.037	Contractual Janitorial Services	12,643.89
212-813-818.245	PROF. SERV - SNOW REMOVAL	5,820.00
212-813-819.000	Contractual Temp/PT Labor	0.00
212-813-820.008	Services - Security Alarm Systems	714.10
212-813-851.000	SERVICES - COMMUNICATIONS-TELEPHONE	1,886.79
212-813-851.001	Services - Telephone Equip Charge	0.00
212-813-851.002	In-State Long Distance	0.00
212-813-851.003	SERVICES - OPTEMAN CHARGES	28,238.37
212-813-852.010	SERVICES - CABLE TV/INTERNET	1,238.89
212-813-864.000	Truck & Bus Rental	0.00
212-813-880.000	Services - Community Promotion	0.00
212-813-902.002	Advertising	0.00
212-813-914.000	Insurance Property Coverage	1,599.60
212-813-921.000	Utilities Electricity	6,630.49
212-813-922.000	Utilities Water & Sewer	1,971.23
212-813-923.000	Utilities Gas Heat	7,596.45
212-813-931.001	Services - Building Maintenance	8,987.94
212-813-931.002	Services - Ground Maintenance	0.00
212-813-931.003	Services - Building Equip Maint	1,570.60
212-813-932.008	Services - Maintenance-Fire Exting	31.60
212-813-942.000	Services - Equipment Rentl Non-City	0.00
212-813-942.001	Copier Lease	260.45
212-813-956.001	Operating Reserve	0.00
212-813-956.006	Restricted UDAG Reserve	0.00
212-813-958.003	Tax Refund & Sale of Delinq. Taxes	0.00
212-813-962.012	Administration general 2 Senior Act	0.00
212-813-962.021	592 DPW&U Admin Allocation	0.00
212-813-962.022	101 Admin Allocation-To Other Funds	19,635.00
212-813-962.023	101 Bldg&Grds Alloc-To Other Funds	0.00
212-813-977.011	Computer Equipment	327.15
Total Dept 813-Ruth Peterson Senior Citizen Center		147,460.66

04/06/2016

REVENUE AND EXPENDITURE REPORT FOR CITY OF PONTIAC
PERIOD ENDING 06/30/2015

Dept 814-Bowen Senior Citizen Center		
212-814-702.000	Salaries & Wages	32,744.56
212-814-702.002	Temporary Employee Wages	0.00
212-814-702.004	Overtime Wages	3,645.46
212-814-702.100	MAINTENANCE WAGES	11,829.00
212-814-702.104	MAINTENANCE - OVERTIME	272.00
212-814-705.002	Temporary/Part-time Clerical/Tech	0.00
212-814-707.003	CELL PHONE STIPEND	0.00
212-814-708.010	Vacation Payoff	0.00
212-814-708.011	Sick Leave Payoff	0.00
212-814-715.000	F.I.C.A. - City Contribution	3,709.53
212-814-716.000	MEDICAL INSURANCE	928.76
212-814-717.000	Life Insurance	84.03
212-814-718.006	Employer 401A Contribution	0.00
212-814-718.500	MERS EMPLOYER CONTRIBUTIONS	0.00
212-814-719.000	Workers Compensation Insurance	1,018.61
212-814-719.001	Dental Insurance	42.26
212-814-719.007	WORKERS COMP ALLOCATION	0.00
212-814-721.010	HEALTH CARE WAIVER	0.00
212-814-727.000	Office Supplies	125.34
212-814-728.000	Postage	3.10
212-814-745.000	Recreation Supplies	0.00
212-814-760.000	Medical Supplies	0.00
212-814-776.001	Janitorial Supplies	2,168.57
212-814-776.002	Building Maintenance Supplies	1,027.05
212-814-776.003	Bldg. Equipment Maint. Supplies	823.06
212-814-776.004	Parking Lot Supplies	0.00
212-814-776.005	Event Equipment Maint. Supplies	0.00
212-814-779.004	De-Icing	0.00
212-814-780.005	Grounds Maintenance Supplies	266.73
212-814-806.000	Engineering Services	0.00
212-814-807.000	Services - Membership Dues	0.00
212-814-818.000	Other Professional Services	300.60
212-814-818.006	Contractual Mowing Services	544.00
212-814-818.008	Bank Service Charges	192.43
212-814-818.037	Contractual Janitorial Services	16,567.55

04/06/2016

REVENUE AND EXPENDITURE REPORT FOR CITY OF PONTIAC
PERIOD ENDING 06/30/2015

212-814-818.245	PROF. SERV - SNOW REMOVAL	8,705.00
212-814-819.000	Contractual Temp/PT Labor	0.00
212-814-820.008	Services - Security Alarm Systems	714.10
212-814-851.000	SERVICES - COMMUNICATIONS-TELEPHONE	1,450.55
212-814-851.001	Services - Telephone Equip Charge	0.00
212-814-851.003	SERVICES - OPTEMAN CHARGES	28,238.38
212-814-852.010	SERVICES - CABLE TV/INTERNET	1,205.60
212-814-864.000	Truck & Bus Rental	1,425.00
212-814-880.000	Services - Community Promotion	0.00
212-814-901.000	Printing and Bindery Service	0.00
212-814-902.002	Advertising	0.00
212-814-914.000	Insurance Property Coverage	1,622.50
212-814-921.000	Utilities Electricity	7,440.00
212-814-922.000	Utilities Water & Sewer	1,538.44
212-814-923.000	Utilities Gas Heat	5,053.22
212-814-931.001	Services - Building Maintenance	1,382.15
212-814-931.002	Services - Ground Maintenance	232.54
212-814-931.003	Services - Building Equip Maint	734.91
212-814-932.008	Services - Maintenance-Fire Exting	42.74
212-814-942.000	Services - Equipment Rentl Non-City	0.00
212-814-942.002	COPIER SUPPLES	21.21
212-814-943.000	Services - Equip Rentl City-Owned	0.00
212-814-956.001	Operating Reserve	0.00
212-814-956.006	Restricted UDAG Reserve	0.00
212-814-957.002	Training Expense	0.00
212-814-958.003	Tax Refund & Sale of Delinq. Taxes	0.00
212-814-962.012	Administration general 2 Senior Act	0.00
212-814-962.021	592 DPW&U Admin Allocation	0.00
212-814-962.022	101 Admin Allocation-To Other Funds	21,235.92
212-814-974.043	BOWEN PARKING LOT REPLACEMENT	0.00
Total Dept 814-Bowen Senior Citizen Center		157,334.90
TOTAL Expenditures		304,795.56
Fund 212 - Senior Activities Millage:		
TOTAL REVENUES		318,604.00
TOTAL EXPENDITURES		304,795.56
NET OF REVENUES & EXPENDITURES		13,808.44

CITY OF PONTIAC CITY COUNCIL

RESOLUTION

WHEREAS, the Pontiac City Council desires to submit a millage increase, with the language as attached, for consideration by the electorate of the City of Pontiac in the August 2, 2016 primary election;

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Pontiac City Council that the attached language be submitted to the Election Division of Oakland County, Michigan, for approval and inclusion on the August 2, 2016, primary election ballot for consideration by the voters of the City of Pontiac.

PASSED AND APPROVED BY THE CITY COUNCIL, Pontiac, Michigan, this _____ day of April, 2016.

AYES: _____

NAYS: _____

I, Sherikia Hawkins, M.A., Clerk of the City of Pontiac, hereby certify that the above Resolution is a true copy and accurate copy of the Resolution passed by the City Council of the City of Pontiac on April _____, 2016.

SHERIKIA HAWKINS, City Clerk

Dated: _____

**MILLAGE PROPOSITION TO PROVIDE SERVICES
FOR SENIOR CITIZENS**

Shall the limitation on taxes which may be assessed against the property in the City of Pontiac, County of Oakland, State of Michigan, be increased and the City of Pontiac be authorized to levy not to exceed .750 mill(s) (\$0.75 on each \$1,000.00 of taxable valuation) for a period of ten (10) years, from 2017 to 2026, inclusive for the purpose of providing funds for planning, coordinating, evaluating, providing, and maintaining services to person 60 years of age and older, including but not limited to maintenance of the senior centers. A portion of the millage will be dispensed to the Tax Increment Financing Authority. It is estimated that \$495,000 will be collected in the first year that the millage is authorized to be levied. If approved, this would be a newly authorized additional millage.

Should this proposition be approved?

_____ YES

_____ NO

CITY OF PONTIAC CITY COUNCIL

RESOLUTION

WHEREAS, the Pontiac City Council, desires to submit a millage renewal, with the language as attached, for consideration by the electorate of the City of Pontiac in the August 2, 2016 primary election;

NOW THEREFORE, BE IT FURTHER RESOLVED, by the Pontiac City Council that the attached language be submitted to the Election Division of Oakland County, Michigan, for approval and inclusion on the August 2, 2016, primary election ballot for consideration by the voters of the City of Pontiac.

PASSED AND APPROVED BY THE CITY COUNCIL, Pontiac, Michigan, this _____ day of April, 2016.

AYES: _____

NAYS: _____

I, Sherikia Hawkins, M.A., Clerk of the City of Pontiac, hereby certify that the above Resolution is a true copy and accurate copy of the Resolution passed by the City Council of the City of Pontiac on April _____, 2016.

SHERIKIA HAWKINS, City Clerk

Dated: _____

**MILLAGE PROPOSITION TO PROVIDE SERVICES
FOR SENIOR CITIZENS**

Shall the City of Pontiac continue to levy against the property in the City of Pontiac, County of Oakland, State of Michigan, .500 mill(s) (\$0.50 on each \$1,000.00 of taxable valuation) for a period of ten (10) years, from 2017 to 2026, inclusive for the purpose of providing funds for planning, coordinating, evaluating, providing, and maintaining services to person 60 years of age and older, including but not limited to maintenance of the senior centers. A portion of the millage will be dispensed to the Tax Increment Financing Authority. It is estimated that \$330,000.00 will be collected in the first year that the millage is renewed. If approved, this would be a renewal of a previously authorized millage expiring in 2016.

Should this proposition be approved?

_____ YES
_____ NO

NOTES
