

PONTIAC CITY COUNCIL
AGENDA REVIEW
April 14, 2016
6:00 p.m.
125th 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. April 7, 2016

Department Head Report

Public Hearing -Property Assessed Clean Energy Program (PACE)

2. Resolution of Intent to Establish a Property assessed clean energy program.
3. Resolution approving the establishment of a property assessed clean energy program.

Subcommittee Oral Report-DPW

Community Announcements

Recognition of Elected Officials

Public Comment

AGENDA ITEMS

4. Resolution for 7 North Saginaw, Suite D Fillmore 13 Brewery for Microbrewery Pub License.
5. Rescind Resolution 16-94 regarding the Senior Center Millage for .75 mills.
6. Resolution for the Senior Millage for .500 mills.

Mayor or Deputy Mayor Report

Clerk and Council Closing Comments

Adjournment

April 7, 2016

**Official Proceedings
Pontiac City Council
124th Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, April 7, 2016 at 6:00 p.m. by President Patrice Waterman.

Invocation – Kermit Williams

Pledge of Allegiance

Roll Call

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

Members Absent: Carter, Holland and Woodard.

Mayor Waterman was present.

Deputy Mayor Jane Bais-Disessa was present.

Clerk announced a quorum.

16-89 **Excuse Councilman Carter, Councilman Holland and Councilman Woodward for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Williams.

Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

Motion Carried.

16-90 **Approval of the Agenda.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

Motion Carried.

16-91 **Journal of March 31, 2016.** Move by Councilperson Pietila and supported by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

Motion Carried.

16-92 **Closed Session Minutes of March 31, 2016.** Move by Councilperson Pietila and supported by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

April 7, 2016

Resolution Passed.

Department Head Report – Deputy Mayor Jane Bias-DiSessa

Special Presentation – WRC/Waterline Construction & Water Quality Update

Subcommittee Oral Report – Finance – Kermit Williams

Recognition of Elected Officials – State Rep. Tim Greimel and Commissioner David Bowman

16-93 **Council Rescind Resolution 16-79 regarding the Senior Millage.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

~~Whereas, the Pontiac City Council as recommended by the Mayor, desires to submit a millage increase, with the language as attached, for consideration by the electorate of the City of Pontiac in the August 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.~~

~~Exhibit A~~

~~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 1 mill(s) (up to \$1.00 on each \$1,000 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 senior centers. A portion of the millage will be dispensed to the Tax Increment Financing Authority. It is estimated that approximately up to \$660,000 will be collected in the first year that the millage is authorized to be levied.~~

~~Ayes: Pietila, Taylor-Burks, Waterman and Williams~~

~~No: None~~

~~**Resolution Rescinded.**~~

16-94 **Resolution regarding Senior Center Millage for the August 2, 2016 Ballot.** Moved by Councilperson Williams and supported by Councilperson Pietila.

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.

Exhibit A

April 7, 2016

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 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.

Ayes: Pietila, Taylor-Burks, Waterman and Williams

No: None

Resolution Passed.

Councilman Mark Holland arrived at 6:24 p.m.

There were 7 individuals who addressed the body during public comment.

Deputy Mayor Reported.

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

President Patrice Waterman adjourned the meeting at 8:20 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

DPW Subcommittee Report

Attendance Director Terry King, Councilman Don Woodward, Councilman Kermit Williams, and Councilwoman Doris Taylor-Burks

The meeting was called to discuss the two Senior Centers.

Discussion concerning the senior centers hours. We were told, that, rather than just change the hours of operations for the summer months, that, the hours will be rotated between the centers.

Council asked that surveys to go out to both centers, to find out just what the seniors would like to see for the summer months. After we get them back, the Sub Committee will meet and work out a schedule for the Summer Months.

Leaf Pickup, begins on April 15th.

Meeting adjourned at 11am

Doris Taylor-Burks Chairwoman

PUBLIC HEARING

**CITY OF PONTIAC
STATE OF MICHIGAN**

**RESOLUTION OF INTENT TO ESTABLISH A PROPERTY ASSESSED CLEAN
ENERGY PROGRAM AND CALLING PUBLIC HEARING**

Minutes of a regular meeting of the City Council of the City of Pontiac, Michigan (the “City”), held on the _____, at _____, prevailing Eastern Time.

PRESENT: Council Members _____

ABSENT: Council Members _____

WHEREAS, the City of Pontiac City Council intends to authorize the establishment of a property assessed clean energy program (“PACE Program”) and create a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010 (“Act 270”), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the City Council intends to find that financing energy projects is a valid public purpose because it reduces energy costs, reduces greenhouse gas emissions, stimulates economic development, improves property values and increases employment in the City; and

WHEREAS, the types of energy projects, either energy efficiency improvements or renewable energy systems, that may be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the City Council; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass (includes a biomass stove but does not include an incinerator or digester); solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill; and

WHEREAS, the City Council intends to create a PACE district having the same boundaries as the City’s jurisdictional boundaries; and

WHEREAS, the City Council intends to join Lean & Green Michigan™, and intends to utilize Levin Energy Partners, LLC as PACE administrator (the “PACE Administrator”) to administer its PACE Program; and

WHEREAS, the report referenced in Section 9(1) of Act 270 (the “PACE Report”) shall be available on the City’s website at <http://www.pontiac.mi.us/>, and shall be available for viewing at the office of the City Clerk located at: 47450 Woodward Ave., Pontiac, MI 48342.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council, being fully apprised of the PACE Program, finds that financing energy projects is a valid public purpose because it reduces energy costs, reduces greenhouse gas emissions, stimulates economic development, improves property values and increases employment in the City.

2. The City Council, by adoption of this Resolution, formally states its intention to establish a PACE district having the same boundaries as the City’s jurisdictional boundaries and a PACE Program as described in and for the reasons set forth in this Resolution.

3. The City Council formally states its intention to provide a property owner based method of financing and funds for energy projects from owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no City moneys, general City taxes or City credit of any kind whatsoever shall be pledged, committed or used in connection with any project as required by and subject to Act 270.

4. The City Council, by adoption of this Resolution, formally states its intention to join Lean & Green Michigan™, and to utilize Levin Energy Partners, LLC as PACE Administrator.

5. The City Council hereby sets a public hearing for _____, at _____, in the City Council office, 47450 Woodward Ave., Pontiac, MI 48342, to receive comments on the proposed PACE Program, including the PACE Report.

6. The City Clerk is authorized and directed to publish a notice of intent to establish a PACE district and a PACE Program, and a notice of the public hearing set by this Resolution in a newspaper of general circulation in the City as a display advertisement prominent in size. The City Clerk shall maintain on file for public review a copy of the PACE Report and shall cause the PACE Report to be available on the City’s website in accordance with the requirements of Act 270.

7. All resolutions and parts of resolutions inconsistent with this Resolution are repealed to the extent of such inconsistency.

YEAS: Council Members _____

NAYS: Council Members _____

RESOLUTION DECLARED ADOPTED.

Sherikia L. Hawkins
City Clerk

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, Michigan, at a regular meeting held on _____, 2016, at _____, prevailing Eastern Time, and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by Act 267.

Sherikia L. Hawkins
City Clerk

**CITY OF PONTIAC
STATE OF MICHIGAN**

**RESOLUTION APPROVING THE ESTABLISHMENT
OF A PROPERTY ASSESSED CLEAN ENERGY PROGRAM**

Minutes of a regular meeting of the City Council of City of Pontiac, Michigan (the "City"), held on the _____, at _____, prevailing Eastern Time.

PRESENT: Council Members _____

ABSENT: Council Members _____

WHEREAS, the City Council of City of Pontiac, Michigan previously has adopted a Resolution of Intent to authorize the establishment of a property assessed clean energy program ("PACE Program") and create a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010 ("Act 270"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the City Council hereby finds that financing energy projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the City; and

WHEREAS, the types of energy projects, either energy efficiency improvements or renewable energy systems, that may be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the City Council; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass (includes a biomass stove but does not include an incinerator or digester); solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill; and

WHEREAS, the City Council conducted a public hearing on _____, 2016, at _____, in the City Council office, 47450 Woodward Ave., Pontiac, MI 48342, to receive

comments on the proposed PACE Program, including the Report referenced in Section 9(1) of Act 270 (the “PACE Report”); and

WHEREAS, the City Council intends to establish a PACE Program as described in the PACE Report, so as to provide a property owner based method of financing and funds for energy projects, including owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no City moneys, general City taxes or City credit of any kind whatsoever shall be pledged, committed or used in connection with any project as required by, and subject to Act 270.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The PACE Program for the City is established and approved.
2. The PACE district, having the same boundaries as the City’s jurisdictional boundaries, is established.
3. The PACE Program constitutes a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in the City.
4. The PACE Report is incorporated herein in full by reference, and is approved and adopted.
5. The City formally joins Lean & Green Michigan™ and Levin Energy Partners, LLC is designated as PACE administrator to administer the PACE Program.
6. In accordance with the PACE Report, amendments to the PACE Program shall not require a public hearing.
7. In accordance with Act 270, an assessment imposed under the PACE Program, including any interest on the assessment and any penalty, shall constitute a lien against the property on which the assessment is imposed until the assessment, including any interest or penalty, is paid in full. The lien runs with the property and has the same priority and status as other property tax and assessment liens. The City has all rights in the case of delinquency in the payment of an assessment as it does with respect to delinquent property taxes. When the assessment, including any interest and penalty, is paid, the lien shall be removed from the property. [TITLE OF AUTHORIZED OFFICIAL] or his/her designee is authorized and directed to execute and deliver any special assessment agreement, document or certificate necessary or appropriate to create, establish and record an assessment under the PACE Program.
8. In accordance with Act 270, installments of assessments due under the PACE Program may be included in each summer and winter tax bill issued under the General Property Tax Act, 1893 PA 206, MCL 211.1 to 211.155 (“Act 206”), and may be collected at the same time and in the same manner as taxes collected under Act 206. Under owner-arranged financing,

the City may impose an assessment and forward payments to the commercial lender or the record owner may pay the commercial lender directly. In all projects where the property owner will pay the installments of assessments through periodic payments to the City, the PACE special assessment agreement will provide for the City to be reimbursed for the actual costs of administering the billing and payment process.

9. The City may join with any other local unit of government, or with any person, or with any number or combination thereof, by contract or otherwise as may be permitted by law, for the implementation of the City's PACE Program, in whole or in part, and the [TITLE OF AUTHORIZED OFFICIAL] or his/her designee is authorized to execute and deliver such documents, agreements or certificates as may be necessary or advisable to permit the cooperative implementation of the PACE Program as provided by Act 270 or other applicable law.

10. The [TITLE OF AUTHORIZED OFFICIAL] or his/her designee is authorized to sign necessary documents, agreements or certificates, and to take all other actions necessary or convenient to implement a PACE Program consistent with the PACE Report.

11. All resolutions and parts of resolutions inconsistent with this Resolution are repealed to the extent of such inconsistency.

YEAS: Council Members _____

NAYS: Council Members _____

RESOLUTION DECLARED ADOPTED.

Sherikia L. Hawkins
City Clerk

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Pontiac, Michigan, at a regular meeting held on _____, 2016, at _____, prevailing Eastern Time, and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by Act 267.

Sherikia L. Hawkins
City Clerk



Memorandum

To: Pontiac City Council

From: Sherikia L. Hawkins, City Clerk

Date: April 12, 2016

Re: Fillmore 13 Brewery

Mr. Lee Roumaya has approached the city in regards to 7 North Saginaw, Fillmore 13 Brewery, Micro Brewery Use. Mr. Roumaya has been working closely with the City Planner. They have completed the Zoning Compliance Verification. At this point they are requesting a Microbrew license. The owner will be at the meeting to entertain any questions that the Honorable Council may have.

Fillmore 13 Brewery
7 North Saginaw Suite D
Pontiac, MI 48324



- Who we are...

Laith Roumaya, Nicole Roumaya, Howard Williams, and our master brewer Bo Holcomb.

- Our mission...

Is to start Fillmore brewery, a brewery/restaurant featuring hand crafted beers, pizza, sandwiches, salads, appetizers, and charcuterie boards, in a comfortable setting with seating up to 120 people with 2 TVs and light music, we want people to put their phones down, close their laptop, and have a conversation, the way it used to be. We have over 70 years of experience combined in this business and we're very committed to this concept.

- Why Pontiac...

The city of Pontiac is no stranger to us as we used to visit frequently, we see a lot of great history and architecture and its too nice of a downtown to not be thriving, this is where we can make a big difference as breweries and bring communities together. A special thanks to Bob Waun from the Core group for introducing us to the 7 North Saginaw property as we have signed a 15 year lease and have great financial backing from Huntington Bank. We passed on many other cities as we want Pontiac to be our new home for a long time.

- A special thanks to the city of Pontiac, our landlord, and the building manager for helping us get a step closer to bringing this great concept to the city of Pontiac.

Laith Roumaya
Chaselr@comcast.net
586-260-7701



CITY OF PONTIAC
MICHIGAN
Department of Building Safety

February 9, 2016

Mr. Lee Roumaya
Fillmore 13 Brewery
7 N. Saginaw Suite D
Pontiac, Michigan 48342

RE: Zoning Compliance Verification – 7 North Saginaw, Fillmore 13 Brewery, Micro Brewery Use

Mr. Roumaya:

1. **Current zoning.** The existing building and land at 7 North Saginaw is zoned C-2 Downtown Business and is subject to the use restrictions applicable to that classification in the zoning ordinance.
2. **Conformance with current zoning requirements.** The proposed Micro Brewery (Fillmore 13 Brewery) is a permitted use within the C-2 zone district. The proposed project is in compliance with the applicable provisions of the zoning ordinance, including:
 - a. Area, width and depth of the land as a building site;
 - b. Floor space area;
 - c. Setback from property lines of the land;
 - d. Height of the building; and
 - e. Number of parking spaces.
3. **No applications pending.** To the best of our knowledge, no application for rezoning of the property is now pending. No challenge to the zoning or other governmental approval or use of the site is pending.

There may be ordinance violations related to other tenants at this address. A Building Department team inspection of the existing building may be required to obtain an Occupancy Permit. In accordance with the Michigan Building Code, a building permit will be required for construction work. A permit from the State of Michigan Liquor Control Commission may be required. Additionally, a City of Pontiac Business License is required for the proposed Micro Brewery use.

Should you have any questions, please feel free to contact me at the Department of Building Planning and Safety at 248-758-2816.

Sincerely,

C. James Sabo, AICP
City Planner



Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)

Moved by _____ and supported by _____
that the application from _____
(name of applicant)

for the following license(s): _____
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit
 Extended Hours Dance Permit Hours Required: _____
 Extended Hours Entertainment Permit Hours Required: _____

to be located at _____
be considered for _____
(approval or disapproval)

Approval **Disapproval**
Yeas: _____ Yeas: _____
Nays: _____ Nays: _____
Absent: _____ Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of th resolution offered and adopted by the _____
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Name and title of authorized officer (please print): _____
Signature and date of authorized clerk: _____
Phone number and e-mail of authorized officer: _____

NOTES
