

**PONTIAC CITY COUNCIL
AGENDA REVIEW MEETING
April 28, 2016
6:00 p.m.
128th 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 21, 2016

Department Head Report

Subcommittee Oral Report – Community Development

Community Announcements

Recognition of Elected Officials

Public Comment

AGENDA ITEMS

Consent Agenda

2. Resolution against the Abuse and Exploitation of Individuals with Disabilities.
3. Resolution for National Mental Health Awareness Month.
4. Resolution for the Sister City Club in Kusatsu, Shiga, Japan.

Mayor or Deputy Mayor Report

Clerk and Council Closing Comments

Adjournment

April 21, 2016

**Official Proceedings
Pontiac City Council
126th Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, April 21, 2016 at 6:00 p.m. by President Patrice Waterman.

Invocation – Pastor Matlock

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.

16-102 **Approval of the Agenda.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

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

No: None

Motion Carried.

16-103 **Journal of April 14, 2016.** Move by Councilperson Pietila and supported by Councilperson Woodward.

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

No: None

Abstain: Carter and Waterman

Motion Carried.

Department Head Report – Deputy Mayor Jane Bias-DiSessa

Community Announcements – Shari Scott and Kermit Williams

Recognition of Elected Officials – Rosie Richardson Chairperson of Pontiac Library Board

16-104 **Resolution approving the establishment of a property assessed clean energy program.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

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

April 21, 2016

(“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 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 April 14, 2016 at 6:00 p.m., in the City Council room, 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.

April 21, 2016

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. The City's Finance Director 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. However, any contract where the financed amount exceeds 75% of two times the last State Equalized Value of the property must first be approved by a majority vote of City Council prior to the Finance Director or his/her designee entering into the contract on behalf of the City of Pontiac.
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 Finance Director 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 Finance Director or his/her designee is hereby 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, subject to the limitations in paragraph 7, above.
11. All resolutions and parts of resolutions inconsistent with this Resolution are repealed to the extent of such inconsistency.

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

No: None

Resolution Passed.

There were 8 individuals who addressed the body during public comments.

Mayor Waterman Reported.

President Patrice Waterman left meeting at 7:14 p.m.

April 21, 2016

City Clerk Sherikia L. Hawkins, Councilman Don Woodward, Councilman Randy Carter, Councilwoman Doris Taylor-Burks, Councilman Kermit Williams and Pro-Tem Mary Pietila made closing comments. Councilman Mark Holland had no closing comments.

Councilman Mark Holland left meeting at 7:19 p.m.

Pro-Tem Mary Pietila adjourned the meeting at 7:44 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

Community Development Subcommittee Meeting of April 19, 2016

Meeting was called to order at 5:00 P.M. Present were Council members, Don Woodward, Chairperson, Doris Taylor Burks, and Pro-Tem Mary Pietila: Interim Director, Joseph Sobota, Project Manager, C. Smith, Department Manager, Jeff Bowdell, Mayor Waterman, and Deputy Mayor Dessa-Bias.

Mr. Sobota reported that the blight court, would not be in place until after May 1 as the questions another subcommittee had, for the law department was turned over to him, as they were policy questions, not needing a legal reference and had been answered, the ordinance was now submitted to the Attorney for their review before coming back to both subcommittees and ultimately, Council for a vote. This is a several month delay, and example of why, micromanagement of subcommittees, are an inappropriate waste of time.

Hess Street has been in front of the planning commission and City Engineer already and will be coming in front of the whole Council for an approval on Vacating. Hess is a dead end street which runs between Branch and Grant alongside of the Lawn Tennis Courts, which is a vacant street. The positive to Vacating this vacant street, means one less to have to provide maintenance to.

There are ongoing audits of the CDBG and Home Program monies being done by HUD this week and last.

We voted to recommend Council amend the business license ordinance to replace the team inspection requirement with a property maintenance inspection, which saves applicants \$150. We also voted to recommend council amend the ordinance to state that the common areas and core systems (HVACs, electrical and plumbing) in multi-tenant buildings are the responsibility of the property owner, not the tenant.

We reached no conclusion on any of the rental registration discussions, and will discuss them further at next month's meeting.

This meeting was adjourned at 6:00 P.M.

Meeting was recorded by ProTem.

CONSENT AGENDA

CITY OF PONTIAC
RESOLUTION

Against the Abuse and Exploitation of Individuals with Disabilities

WHEREAS, according to a United States Census Bureau report, about 56.7 million people (19 percent of the United States population) reported having a disability in the 2010 Census, and according to a broad definition of disability, more than half of those reporting indicated that the disability was severe; and,

WHEREAS, in 1990, the United States Congress passed the Americans with Disabilities Act (ADA), it recognized the long history of mistreatment to which people with disabilities had been subjected; and,

WHEREAS, the preamble of the ADA states: “individuals with disabilities are a discrete and insular minority who have been faced with restrictions and limitations, subjected to a history of purposeful unequal treatment, and relegated to a position of political powerlessness...,” and,

WHEREAS, the ADA recognizes that the “nation’s proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals;” and,

WHEREAS, the United States Department of Justice reports that “persons with disabilities are victims of nearly 1 million nonfatal violent crimes every year, including rape, sexual assault, aggravated and simple physical assault, and robbery; and,

WHEREAS, we believe that people with disabilities should have equal access to rights, opportunities, and services and be protected from discrimination, abuse, and neglect.

NOW, THEREFORE, I, Dr. Deirdre Waterman, Mayor of Pontiac, Michigan and the members of the Pontiac City Council, do hereby resolve to urge the residents of our community and communities across our State to:

Work with community service organizations to create an environment of respect, dignity and mutual cooperation for individuals with disabilities through education and special activities; and

Support the fundamental conviction that all persons are entitled to equal protection, equal opportunity and the enjoyment of civil rights.

Dr. Deirdre Waterman, Mayor

Patrice Waterman, President

Mary Pietila, President Pro-Tem

Don Woodward, Councilman

Randolph Carter, Councilman

Mark Holland, Sr., Councilman

Doris Taylor-Burks, Councilwoman

Kermit Williams, Councilman

Pontiac City Council Resolution



- WHEREAS, mental health is important for our individual well-being and vitality, as well as that of our families, communities and businesses; and
- WHEREAS, one in five Americans experience a mental health illness that requires treatment at some point in their lives; and
- WHEREAS, one in 10 children have a serious emotional disturbance that, if untreated, can lead to school failure, physical illness, substance use, jail and even suicide; and
- WHEREAS, May 5th has been designated for the National Children’s Mental Health Awareness Day; and
- WHEREAS, the State of Michigan will designate a Mental Health First Aid Training Week in May, recognizing an in-person training that teaches people how to help people developing a mental illness or in a crisis; and
- WHEREAS, stigma and stereotypes associated with mental illnesses often keep people from seeking treatment that could improve their quality of life; and
- WHEREAS, mental health is a biologically based brain disorder that cannot be overcome through “will power” and is not related to a defect in a person’s “character” or intelligence; and
- WHEREAS, mental health recovery is a journey of healing and transformation, enabling people with a mental illness to live in a community of his or her choice while striving to achieve his or her full potential; and
- WHEREAS, mental health recovery not only benefits individuals with mental health disorders by focusing on their abilities to live, work, learn, and fully participate and contribute to our society, but enriches the culture of our community life; and
- WHEREAS, the Oakland County Community Mental Health Authority, and its service provider agencies, are committed to inspiring hope, empowering people, and strengthening communities.

Now, THEREFORE, BE IT RESOLVED that, Oakland County Community Mental Health Authority, hereby recognizes May 2016 as Mental Health Month. OCCMHA calls upon our citizens, government agencies, public and probate institutions, businesses and schools to recommit our state to increasing awareness and understanding of mental illness, and the need for appropriate and accessible services for all people with mental illnesses to promote recovery.

Resolution of the City of Pontiac

WHEREAS, since 1978 Pontiac has participated in a Sister City Program with Kusatsu, a city in Shiga Prefecture in the country of Japan which was founded on October 15, 1954; and,

WHEREAS, the mission of sister city programs is to create bonds between individuals from cities across the world by creating cultural and educational exchanges; and,

WHEREAS, The City of Pontiac is dedicated to pursuing regional, national, and international relations which produce community benefit; and,

WHEREAS, a sister city partnership facilitates a mutually beneficial relationship between two cities for the exchange of information, expertise, and culture; and,

WHEREAS, Four (4) Pontiac School teachers, Sebrina Shields (Kennedy School), Susan Skwirsk (Kennedy School), Sylvia Sturgis (ITA), and Chad Fisher (ITA), and two (2) Pontiac Member Trustees Brenda Carter and Trustee William Carrington have been selected to participate in a program sponsored by the US-Japan Foundation; and,

WHEREAS, the focus of the program is *Discovering Japan in the 21st Century; Reconciliation with the Past; and*

WHEREAS, a bridge of warmth and understanding exists between the two cities which has been nurtured by exchange visits; and

WHEREAS, The Mayor and the Pontiac City Council would like to commend Mr. and Mrs. Masanori Aoji who will serve as gracious hosts to the Pontiac Delegation.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the members of the Pontiac City Council extend their heartfelt appreciation to Mayor Wataru Hashikawa and City Council President Tsuyoshi Nishida of Kusatsu and all other elected officials and citizens of this great city.

Dr. Deirdre Waterman, Mayor

Patrice Waterman, President

Mary Pietila, President Pro-Tem

Don Woodward, Councilman

Randolph Carter, Councilman

Mark Holland, Sr., Councilman

Doris Taylor-Burks, Councilwoman

Kermit Williams, Councilman

NOTES
