

FORMAL AGENDA MEETING

Thursday, April 16, 2015
5:30 p.m.
69th Session of the 9th Council

Call to order

Moment of Silence or Invocation

Pledge of Allegiance

Roll Call

Authorization to Excuse Members from Meeting

Amendments to and approve of the agenda

Approval of the Minutes

1. April 9, 2015
2. Closed Session Minutes April 9, 2015

Mayor Report

Departmental Head Reports

Special Presentation

Community Announcements

Recognition of Elected Officials

Agenda Address

Agenda Items

Consent Agenda

3. Resolution for the April 2015 Finance, Public Safety, and I.T. Subcommittee Meetings.

Miscellaneous

4. Report received from the City Administrator regarding the 2015 Holiday Extravaganza.

Ordinances

5. Proposed ordinance to provide an early retirement benefit to certain former employees of the City of Pontiac who are members of the General Employees' Retirement System.

Public Comment

Clerk and Council Closing Comments

Adjournment

April 9, 2015

**Official Proceedings
Pontiac City Council
68th Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, April 9, 2015 at 5:30 p.m. by President Patrice Waterman.

Invocation – Kermit Williams

Pledge of Allegiance

Roll Call

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

Members Absent: Carter and Holland

Mayor Waterman was present

Clerk announced a quorum.

15-93 **Excuse Absences for Councilman Randy Carter and Councilman Mark Holland.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

No: None

Motion Carried.

15-94 **Agenda Item Add-on to the agenda for the Early Retirement Resolution.** Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams and Woodward

No: Pietila

Motion Carried.

Councilman Randy Carter arrived at 5:39 p.m.

15-95 **Approve Agenda to move Public Comment before Closed Session.** Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams and Woodward

No: Carter and Pietila

Motion Carried.

15-96 **Approval of the Agenda.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

April 9, 2015

No: None

Motion Carried.

15-97 **Journal of April 2, 2015.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

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

No: None

Motion Carried.

Councilman Mark Holland arrived at 5:48 p.m.

There were 6 individuals who addressed the body during public comments.

15-98 **Resolution to go into Closed Session.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila

Whereas, the City's attorney has presented The City a letter concerning the status' of the cases of Willie Kellam vs. The City of Pontiac et al; and Craft vs City of Pontiac; and

Whereas, Section 8 (e), 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, the Pontiac City Council believes that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City:

Therefore, Be It Resolved that the Pontiac City Council recesses into closed session for the purpose of consulting with its attorney regarding settlement strategy in the cases of Willie Kellam vs. The City of Pontiac et al; and Craft vs City of Pontiac.

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

No: None

Resolution Adopted.

15-99 **Resolution for Nicole Harris, et al vs. Officer Edward Lasseigne.** Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Whereas, the City Council has met in Closed Session with its attorney regarding the case of Nicole Harris, et al vs. Officer Edward Lasseigne, et al, United States District Court Civil Action No. 12-13763; and

Whereas, the City Council has been fully advised regarding the status of the case and has discussed recommendation with legal counsel regarding further handling of that case;

It Is Resolved, that legal counsel for the City in the aforementioned case be directed to file a Petition for Writ of Certiorari with the United States Supreme Court.

April 9, 2015

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

Mayor Reported

Departmental Head Reports – Joseph Sobota, City Administrator

Special Presentation – PDDBA Parking Presentation

Community Announcement – Dr. Wilsetta-Mcclain and Kermit Williams

Recognition of Elected Officials – Rosie Richardson, Library Board

15-100 Report received from the City Administrator regarding a Resolution for the OPEB Actuarial Report. Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Whereas, the City of Pontiac is required to obtain an actuarial evaluation of OPEB liabilities every two years; and

Whereas, the Finance Director solicited estimates from four qualified firms to perform the study; and

Whereas, the Finance Director believes that the estimate received from Findley-Davies of Toledo, Ohio is the lowest qualified estimate;

Now, Therefore, Be It Resolved, that the Pontiac City Council authorizes the City Administrator to enter into an agreement with Finley-Davies of Toledo, Ohio to perform an actuarial evaluation of OPEB for an amount not to exceed \$12,000 and authorizes the City Administrator to execute the Engagement Letter dated March 24, 2015.

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

No: None

Abstain: Pietila

Resolution Adopted.

15-101 Resolution for the March 2015 Community Development Subcommittee. Moved by Councilperson Williams and supported by Councilperson Pietila.

Be it Further Resolved that the Pontiac City Council has accepted the written and oral report for the March 17, 2015 Community Development Subcommittee Meeting. The City clerk will properly file and keep all records.

April 9, 2015

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

No: None

Resolution Adopted.

15-102 **Resolution for Gwendolyn (Gwen) Vivian Harrison Long.** Moved by Councilperson Williams and supported by Councilperson Pietila.

WHEREAS, Gwendolyn (Gwen) Vivian Harrison Long was born on April 9, 1930, in West Palm Beach, Florida, and later the family relocated to the City of Pontiac; Gwen was the sister to the late former Mayor & State Representative Charlie Harrison, Jr.; the two of them were an inseparable team; and,

WHEREAS, Gwen attended school and graduated from Pontiac High School in 1947 and later married Melvin Long and to this union seven children were born, she has been blessed to witness the birth of (27) grandchildren, (44) great grandchildren and (8) great great grandchildren; and,

WHEREAS, Gwen was employed with General Motors for 30 years where she retired and has been a faithful member of Anderson Memorial Church where her oldest grandson is Pastor; she proudly serves on **The Mothers Board** and is also a member of the **Crystal Lake Block Club** where she has lived for the past 50 years.

NOW, THEREFORE, BE IT RESOLVED, that the members of the Pontiac City Council and the Mayor express their deepest gratitude and appreciation to **Mrs. Gwendolyn Harrison Long** as one of its lifelong citizens for her devotion to her community and church.

BE IT FURTHER RESOLVED that the city recognizes and salutes **Mrs. Gwendolyn Harrison Long** as she is honored with a dinner on Saturday, April 11, 2015 for the blessing that she has been to her family and friends for **85 years of life “Happy 85th Birthday Gwen”**.

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

No: None

Resolution Adopted.

15-103 **Report received for a resolution for Arthur Brown and Vida Owusu Agyei.** Moved by Councilperson Williams and supported by Councilperson Woodward.

Whereas, The Pontiac City Council has received a report from the Rodwan Consulting Company on behalf of the City of Pontiac General Employees Retirement System and,

Whereas, the report is in regards to the temporary service credit for Arthur Brown and Vida Owusu Agyei and,

Now, Therefore Be It Resolved that the Pontiac City Council accepts and approves to count their temporary service with the City of Pontiac as retirement service credit.

April 9, 2015

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

No: Carter

Resolution Adopted.

15-104 **Agenda Item Ad-On. Resolution to offer early retirement of the General Employees Retirement System.**

WHEREAS, from March 23, 2009 through August 19, 2013, the City of Pontiac has been under the control of either an Emergency Financial Manager and/or Emergency Managers as dictated by Public Act 4, Public Act 72 and Public Act 436; and,

WHEREAS, these managers engaged in the practice of reducing the City of Pontiac workforce through the subcontracting of work and the layoff of City employees; and,

WHEREAS, due to adjustments to the minimum retirement requirements by the Emergency Managers some displaced employees were allowed to retire early under the General Employees' Retirement System and begin drawing an annuity immediately while other employees were laid off with no consideration for early retirement; and,

WHEREAS, those former employees who were separated from employment with the City of Pontiac with no consideration for early retirement have requested the Pontiac City Council to allow them access to early retirement by adjusting the mandatory terms for retirement eligibility under the respective collective bargaining agreements and/or non-union retirement requirements and provisions of the General Employees' Retirement System that were in effect at the time of separation; and,

WHEREAS, the Pontiac City Council has considered this request by these former employees and is desirous of granting the relief sought which is listed in the attached Exhibit A, and having received an actuary evaluation that references the cost associated with this proposal the Pontiac City Council has reached the following resolve.

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council does hereby approve the request for early retirement for those former employees as referenced above and further hereby will consider **An ordinance to offer an early retirement of the General Employees' Retirement System** during the City Council Meeting on Thursday, April 16, 2015 at 5:30 p.m. in the City Council Chambers.

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

No: Carter and Pietila

Resolution Adopted.

April 9, 2015

15-105 Postpone for 2 weeks the Report received from the Mayor regarding a resolution for exemption for Senior Center Rental Fees. Moved by Councilperson Holland and moved by Councilperson Taylor-Burks.

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

No: None

Postpone for 2 weeks.

15-106 Report received for the Reappointment of Ahmad Taylor to the Zoning Board of Appeals. Moved by Councilperson Taylor Burks and supported by Councilperson Pietila.

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

No: Holland and Williams

Resolution Adopted.

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

President Patrice Waterman adjourned the meeting at 8:25 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

CONSENT AGENDA

Pontiac City Council Resolution



Be It Further Resolved that The Pontiac City Council has accepted the written and oral report for the April 2015 Finance, Public Safety and I.T. Subcommittee Meetings. The City Clerk will properly file and keep all records.

FINANCE SUBCOMMITTEE MEETING ON
MONDAY, APRIL 6TH
5:00 P.M.

ATTENDEES: Chad Grant, CEO McLaren, Judge Bowman, Mayor Waterman, Finance Director Nazarko, Councilman Holland and President Waterman

Much discussion was had again on the feasibility to sale Lot 1AP Municipal Parking Lot at the NW Corner of Woodward and E. Pike Street. At the last Finance meeting direction was given to provide this committee with (2) appraisals that have been referred to again say appraisal were not provided at the point it was a moot issue.

Mayor stated the following that; the two appraisals one for \$230 Thousand Dollars and another one done two years later for \$140 Thousand dollars but instead of providing said appraisals she stated Joseph was supposed to have provided them she therefore gave us a copy of report of lots that had been sold in the fire sale in and around the city which we already had.

Upon my arrival and checking my email this afternoon there is an email from Garland with the one of the phantom appraisal.

It was the decision to have McLaren seek 3 outside appraisal firms and bring to this body and a selection will be made from the 3 to an appraisal then we will decide what direction this will go.

Second topic of discussion was the OPEB Actuarial Report

Lastly, as it relates to the Zoning Ordinance Amendment and Master plan the Finance Subcommittee asked the question regarding policy and procedures and why the procedure was not followed as it relates to this document because anything over \$10,000 should go for bid. Mayor stated that because most Municipalities given allowance to the firm that does the Master Plan and they make the exception for them to do the Ordinances. But now since this matter was challenged there is a big discrepancy in the fee change being almost reduced in half shows that this situation was overblown and circumstance her at hand were being taken advantage of.

Public Safety Subcommittee Report

Meeting of April 8, 2015

Meeting was called to order at 5:00 p.m.

Those in attendance were: Council ProTem, Mary Pietila, Chairperson, Councilman Don Woodward, Risk Manager Brian Long, STARR EMS, Deputy Fire Chief John Lyman, and Sgt I. Ramsey. Mayor Waterman joined us at 5:30.

Sgt I. Ramsey.

Reported that the substation has received numerous calls of Campgrounds being set up in different areas of the City, in which deputies explained it was not allowed, the majority moved on.... One noticeable one was that on Woodward as you enter the downtown area, Trustees were utilized to break that one down and dispose of the items left behind... the occupants were given several days notice prior.

Other than that calls are at a steady pace; simple assaults being the majority reported. OCSO is being dispatched to all public safety calls. Starr and Fire until they are cleared, by the department they are responding with.

There are plans to visit with Management at North Hill Farms with the Public Safety departments and ProTem on Monday April 13, 2015.

Deputy Chief Lyman,

Reported there were 829 calls for service in the last Quarter, Jan – March 2015, 81 calls for fire, one resulting from a rollover accident. The majority of the responses are coming from Station 7 on Pike Street, with 177 calls out of Station 6, on Walton and 147 from Station 8 on Madison. (Please see attached for the Quarterly report (numbers))

Safer grant was extended for another 6months allowing the FD to down spend the remaining 2 mil dollars. Pontiac will maintain the 13 Fire Fighters at all times after the spend down. Pontiac stations will be manned with 3 man trucks with, in addition to the ladder, one tower and one BC. There has been a redo of the Kitchen at Station 7 using a grant from Home Depot, installed was new flooring, lights and appliances There will be a change in command staff, as of April 29, 2015 Deputy Chief Lyman will be the Chief and Fire Marshall Covey will be promoted to Deputy Chief. Swearing in will be May 8, 2015

Starr EMS Risk Manager Brian Long

Reported that there would be, a Car Seat Safety Check, on Wed April 15, 2015. Upcoming with partnership with McClaren Hospital there will be bicycle safety check, which date is to be determined.

Their call volume is steady. Starr will be taking possession of a new vehicle costing \$78,000.00 in the next week, which should be road ready by the end of the month. 5 vehicles were totaled in the year of 2014. The additional one will complete the fleet of 41 vehicles, 2 are wheel chair accessible. Because they are a private pay entity, there is no cost to the city for the vehicles.

Meeting was adjourned at 5:45 as all business was covered, and Sgt Ramsey was needed on the road, and conversations changed subject.

2015 Q1

Incident Type Response Summary by Station

Date Range: From 1/1/2015 To 3/31/2015

Station Selected: 6, 7, 8

Incident Type Selected: All

| <u>Incident Type</u> Station ID | <u>Incident Count</u> | <u>Used in Ave. Resp.</u> | <u>Average Response Time</u> HH:MM:SS | <u>Total Loss</u> | <u>Total Value</u> |
|------------------------------------|-----------------------|---------------------------|--|---------------------|-----------------------|
| Station: 6 | | | | | |
| Fire | 7 | 6 | 00:04:40 | \$12,500.00 | \$14,000.00 |
| EMS/Rescue | 94 | 86 | 00:05:12 | \$0.00 | \$0.00 |
| Hazardous Condition | 6 | 6 | 00:06:02 | \$0.00 | \$0.00 |
| Service Call | 9 | 8 | 00:06:20 | \$0.00 | \$0.00 |
| Good Intent | 48 | 8 | 00:04:52 | \$0.00 | \$0.00 |
| False Call | 11 | 10 | 00:07:48 | \$0.00 | \$0.00 |
| Blank or Invalid | 2 | | | \$0.00 | \$0.00 |
| Totals: | 177 | 124 | 00:05:29 | \$12,500.00 | \$14,000.00 |
| Station: 7 | | | | | |
| Fire | 56 | 53 | 00:05:25 | \$729,500.00 | \$849,500.00 |
| EMS/Rescue | 280 | 274 | 00:05:27 | \$0.00 | \$0.00 |
| Hazardous Condition | 17 | 16 | 00:05:34 | \$0.00 | \$0.00 |
| Service Call | 18 | 16 | 00:07:36 | \$0.00 | \$0.00 |
| Good Intent | 67 | 14 | 00:06:02 | \$0.00 | \$0.00 |
| False Call | 60 | 60 | 00:05:51 | \$0.00 | \$0.00 |
| Blank or Invalid | 7 | | | \$0.00 | \$0.00 |
| Totals: | 505 | 433 | 00:05:36 | \$729,500.00 | \$849,500.00 |
| Station: 8 | | | | | |
| Fire | 18 | 18 | 00:05:39 | \$127,000.00 | \$1,107,000.00 |
| EMS/Rescue | 87 | 85 | 00:05:02 | \$0.00 | \$0.00 |
| Hazardous Condition | 8 | 8 | 00:06:44 | \$0.00 | \$0.00 |
| Service Call | 6 | 5 | 00:06:45 | \$0.00 | \$0.00 |
| Good Intent | 19 | 6 | 00:05:03 | \$0.00 | \$0.00 |
| False Call | 9 | 9 | 00:05:33 | \$0.00 | \$0.00 |
| Totals: | 147 | 131 | 00:05:20 | \$127,000.00 | \$1,107,000.00 |
| Total Incident Count: | 829 | | | \$869,000.00 | \$1,970,500.00 |

I.T. SUBCOMMITTEE MEETING MINUTES

April 13, 2015

Present:

Madam Mayor Deirdre Waterman

Pro Tem Mary Pietila

Councilperson Doris Burks

Councilman Randy Carter

Mr. Ken Martin Enterprise Engineer of I.T. for City of Pontiac.

Meeting begins @ 5:30 p.m.

Old Business: Sewer Update:

Unable to provide the city residents with the necessary legal obligation of the WRC (Water Resource Commission) and the City of Pontiac to access the risk management of whom the sidewalk and street, that was damage do to United Water, might be repaired, awaiting legal opinion, before publishing information on City of Pontiac Website.

Issue of Animal Control update. Since Oakland County Sheriff has taken over animal control for the City of Pontiac some four years ago. Our City Municode for Ordinance, has not been updated and republished, since former Mayor Charlie Harrison. Documents on the City of Pontiac Website sections pertaining to "Dogs". This matter more than likely need to be updated by our own City Clerk. Formerly the "Old Ordinance" stated:

1. Number of dogs per house were limited to three.
2. More than three dogs per house required a kennel license from the State of Michigan.
3. Business license from the City of Pontiac.
4. Permission from all neighbors.
5. City of Pontiac Ordinance's has been repeal my former emergency finance manager Mr. Fred Leeb.
6. County required to utilize State of Michigan Laws and Statues, since no local ordinance exist in Pontiac.

We are having dialog regarding, suggesting repeal of repeal ordinance to have local control to enforce number of dogs per house, reestablishing fines for violation.

1. Enforcing Noise ordinance for barking dog.
2. Pit Bull and vicious dogs, whom may attack or cause personal injury.
3. Formally, since Pit's are digger original ordinance declared a fence be buried a minimal of (18) inches deep.
4. Grandfather State License for certain animal and shot records.
5. Reevaluate and publish City of Pontiac, "Zoning Laws" for animal.
6. What is a Domestic Animal?
7. What animal are for religion purposes? (Goats).

The New software entitled "Citizen Request for Action" is an online application through BS &A software and a link of this has been added on every page of the city website.

Information obtain for our Internet Technology Department manager, has shown that the residents are utilizing the technology and reporting numerous "pothole and street light outages"


Meeting adjourned @ 6:14 pm.

Recorder: Councilman Randy Carter

MISCELLANEOUS

Memorandum

To: Pontiac City Council

From: Joseph M. Sobota, M.P.A., City Administrator/Community Development Director 

Date: April 1, 2015

Re: 2015 Holiday Extravaganza

The Holiday Extravaganza Advisory Board has asked the City of Pontiac to co-sponsor the annual event and designate a City representative to serve on their Board. By doing so, the City will be assuming complete liability for the event and will not require the Board to obtain an insurance policy, saving the Board \$5,000. If the City Council chooses to accept the request, then the City Council should also consider waiving the Special Event permit fee of \$500.00 and the Right-of-Way permit fee.

I am in full support of the City co-sponsoring the Holiday Extravaganza as the City has done for 32 of the past 33 years. I also support the waiving of the permit fees identified above (although the permit fee is waived, applications and formal permissions must still be obtained).

If City Council agrees with these recommendations, the following resolution is in order:

Whereas, the City of Pontiac has been a co-sponsor of the Holiday Extravaganza for 31 of the 32 years that the event has been held in Pontiac; and,

Whereas, the Holiday Extravaganza Advisory Board has requested that the City of Pontiac co-sponsor the event in 2014 and appoint a representative to serve on the Holiday Extravaganza Advisory Board of Directors; now,

Be it resolved that the Pontiac City Council names the City of Pontiac as a co-sponsor of the Holiday Extravaganza; and,

Be it further resolved that the Pontiac City Council designates City Engineer John Balint to serve on the Holiday Extravaganza Board of Directors; and,

Be it further resolved that the City Council waives the Special Event Permit fee and the Right-of-Way permit fee.



Presented By:

GENSYS WORKS!

CELEBRATING 34 YEARS

April 1, 2015

President Patrice Waterman and
Members of the City Council
City of Pontiac

Dear President Waterman and City Council Members:

The Holiday Extravaganza Board of Directors would like to thank you for your 33 years of support and commitment to Holiday Extravaganza events.

We are honored and pleased to present our request for the City of Pontiac to become Co-Sponsor the 34th Annual Holiday Extravaganza on Saturday, December 5th - Winter FUN Festival 8:30 a.m. – 10:30 a.m. and Parade – 11:00 a.m. in Downtown Pontiac. The Holiday Extravaganza Advisory Board is requesting waiver of the special event fee of \$500.

Also, by having the City of Pontiac be a Co-Sponsor, we would like to have a representative be assigned from the City of Pontiac, to serve on the Holiday Extravaganza Advisory Board of Directors, which meets 2-3 times per year.

Please contact me at your earliest convenience, if you have any questions. We look forward to your endorsement and approval.

Sincerely,

Linda Zabik
Project Manger
Holiday Extravaganza

cc: Hon. Deirdre Waterman
Joseph M. Sobota, City Administrator
James Sabo, City of Pontiac Planner
Thomas Kimble, Chairperson – Holiday Extravaganza Advisory Board

ORDINANCES

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)
CITY OF PONTIAC) ss

WHEREAS, from March 23, 2009 through August 19, 2013, the City of Pontiac has been under the control of either an Emergency Financial Manager and/or Emergency Managers as dictated by Public Act 4, Public Act 72 and Public Act 436; and,

WHEREAS, these managers engaged in the practice of reducing the City of Pontiac workforce through the subcontracting of work and the layoff of City employees; and,

WHEREAS, due to adjustments to the minimum retirement requirements by the Emergency Managers some displaced employees were allowed to retire early under the General Employees' Retirement System and begin drawing an annuity immediately while other employees were laid off with no consideration for early retirement; and,

WHEREAS, those former employees who were separated from employment with the City of Pontiac with no consideration for early retirement have requested the Pontiac City Council to allow them access to early retirement by adjusting the mandatory terms for retirement eligibility under the respective collective bargaining agreements and/or non-union retirement requirements and provisions of the General Employees' Retirement System that were in effect at the time of separation; and,

WHEREAS, the Pontiac City Council has considered this request by these former employees and is desirous of granting the relief sought which is listed in the attached Exhibit A, and having received an actuary evaluation that references the cost associated with this proposal the Pontiac City Council has reached the following resolve.

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council does hereby approve the request for early retirement for those former employees as referenced above and further hereby will consider **An ordinance to offer an early retirement of the General Employees' Retirement System** during the City Council Meeting on Thursday, April 16, 2015 at 5:30 p.m. in the City Council Chambers.

I, Sherikia L. Hawkins, City Clerk of Pontiac, Michigan, do hereby certify that the foregoing is a true copy of a resolution adopted by the Pontiac City Council at a regular meeting held _____, 2015.

Given under my hand and seal of
The City of Pontiac, Michigan

This ____ day of _____, A.D., 2015

Sherikia L. Hawkins, CMC
CLERK OF THE CITY OF
PONTIAC, MICHIGAN

EXHIBIT A

Ordinance No. _____

An Ordinance to provide an early retirement benefit to certain former employees of the City of Pontiac who are members of the General Employees' Retirement System.

The City of Pontiac ordains:

Section 1. Amendments

The General Employees' Retirement System ordinance shall be amended to read as follows:

- a. Section 92-21 shall be amended to add the following language:

Retirement Window

Any former City of Pontiac Employees who are or were members of the General Employees' Retirement System and who meet the following criteria will be eligible to participate in an early retirement:

1. The former employee was involuntarily separated from employment with the City of Pontiac between March 23, 2009 and August 19, 2013, for reasons not connected with disciplinary action.
2. The former employee had ten (10) years of service credit in the General Employees' Retirement System at the time of separation from employment. Former employees who meet this requirement based on the Reciprocal Retirement Act shall also be eligible for this benefit.
3. A qualifying individual retiring under this provision will have their annuity calculated based on years of service credit at the time of separation in conjunction with the applicable multiplier and formula contained in the individual's Collective Bargaining Agreement or the individual's non-union pay plan in effect at the time of the person's separation.
4. Annuity will be payable from the date of final City approval, provided, eligible members file their intention to retire no later than 30 days following final approval and not before final approval.

Section 2. Severability.

If any section, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause or provision

declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

Section 3. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Publication.

The Clerk shall publish this Ordinance in a newspaper of general circulation.

Section 5. Effective Date.

This Ordinance shall be effective ten days after date of adoption.

NOTES