

May 16, 2013

**Official Proceedings
Pontiac City Council
206th Session of the Eighth Council**

A Special meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, May 16, 2013 at 6:11 P.M. by President Pro Tem Patrice Waterman.

Invocation by Holbert Maxey

Moment of Silence

Pledge of Allegiance

Roll Call

Members Present: Carter, Pietila, Waterman, Watkins, G. Williams and K. Williams.

Absent: Deputy Mayor Glass and Councilperson Lee Jones.

Clerk announced a quorum.

13-89 **Excuse Councilmember Lee Jones.** Moved by councilperson G. Williams and supported by Councilperson K. Williams.

Ayes: Carter, Pietila, Waterman, Watkins, G. Williams and K. Williams.

No: None

Motion Carried

13-90 **Report received from the Pontiac City Council regarding; the potential modifications of the following sections; Article IX, section 13C, Article IX, Section 11B, Article IX, Section 10C of the collective bargaining agreement with the SAEA union and GERS retirement system and the funding of health, dental, life, optical, and hearing insurance.** Moved by Councilperson G. Williams and supported by Councilperson Pieila.

WHEREAS, the City Council for the City of Pontiac is in receipt of correspondence from the Emergency Manager dated May 10, 2013 stating that he intends to request that the State Treasurer authorize the City to be excused of its obligation to fund health insurance, dental insurance, life insurance, optical insurance, and hearing insurance for all retirees for a period of two years or the end of receivership, whichever comes later, effective July 1, 2013, for all non-union retirees and retirees who were members of the following unions upon retirement:

- Michigan Association of Police;
- Pontiac Police and Fire Dispatchers Association;
- Michigan Association of Public Employees;
- Technical, Professional, and Office Workers Association of Michigan,
- Pontiac Municipal Employees Association;

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- Pontiac Police Officers Association;
- Pontiac Police and Supervisors Association;
- Local 530 Utility Workers;
- Supervisory & Administrative Employees Association (SAEA);
- Pontiac Professional Management Association (PPMA);
- Teamsters Local 214;
- American Federation of State, County and Municipal Employees, AFL-CIO, Local 202 (AFSCME)
- Local #376, Pontiac Fire Fighters Union, International Association of Fire Fighters Affiliated with AFL-CIO

WHEREAS, the Emergency Manager has also advised City Council that he intends to adopt an ordinance to authorize a \$400 per month increase in the pension benefit of every GERS pensioner for a period of one year in order to minimize economic harm to retirees;

WHEREAS, the City Council has been advised that the Board of Trustees for the City of Pontiac General Employees' Retirement System has voted to obtain state and federal approval on the possible transfer to excess assets in the Retirement System to fund retiree health care in accordance with the requirements of Internal Revenue Code Section 420 and Michigan Public Act 28 of 1966; and,

WHEREAS, in order to receive state approval, the Board of Trustees will seek to obtain an opinion from the Attorney General;

WHEREAS, Section 19(1) of Public Act 436 of 2012 provides that the governing body of the local government shall have 10 days from the date of submission to approve or disapprove the action proposed by the emergency manager;

WHEREAS, Section 19(2) of Public Act 436 provides that if the governing body of the local government disapproves the proposed action within 10 days, the governing body of the government shall, within 7 days of its disapproval of the action proposed by the emergency manager, submit to the local emergency financial assistance loan board an alternative proposal that would yield substantially the same financial results as the action proposed by the emergency manager.

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby approves the Retirement Board action to obtain state and federal approval on the possible transfer of excess assets in the Retirement System to fund retiree health care in accordance with the requirements of Internal Revenue Code Section 420 and Michigan Public Act 28 of 1966, and hereby rejects the Emergency Manager's intent to discontinue retiree health care and to temporarily increase retirement benefits by \$400;

NOW THEREFORE, BE IT RESOLVED, that the City Council hereby respectfully requests that State Representative Tim Greimel assist the Board of Trustees in obtaining an opinion from the Attorney General regarding this important issue;

NOW THEREFORE, BE IT RESOLVED, that the City Council shall within 7 days, submit to the local emergency financial assistance loan board that alternative proposal presented by the Retirement System Board of Trustees.

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Ayes: Pietila, Waterman, Watkins, G. Williams and K. Williams

No: Carter

Resolution Adopted

13-91 **Report received from the Emergency Manager's Officer concerning potential transfer of Senior Transportation Services to SMART.** Moved by Councilperson K. Williams and supported by Councilperson G. Williams.

WHEREAS, Public Act 436 of 2012 requires the emergency manager to request the approval of the local governing body before the emergency manager can sell an asset that exceeds \$50,000 in value; and,

WHEREAS, Emergency Manager Louis H. Schimmel has presented his request to the Pontiac City Council for approval to transfer senior transportation services to SMART that exceed \$50,000 in value; and,

WHEREAS, the Pontiac City Council has concluded that an alternative proposal is not feasible that would yield substantially the same financial result as the actions proposed by the emergency manager; NOW, THEREFORE,

BE IT RESOLVED, that the Pontiac City Council approves the transfer of the responsibility of senior transportation services to SMART effective July 1, 2013.

Ayes: Pietila, Waterman, Watkins, G. Williams and K. Williams.

No: Carter

Resolution Adopted

13-92 **Report received from the Mayor for a resolution to proclaim the period of May 10- May 19, 2013 as Lions Cane Week.** Moved by Councilperson G. Williams and supported by Councilperson Pietila.

WHEREAS, there are over 18,000 blind persons in Michigan who are dependent upon White Cane or Leader Dog; and

WHEREAS, the period of May 10th through May 19th has been proclaimed Lions White Cane Week; and

WHEREAS, the Lions of Pontiac are dedicated to sight conversation activities by aiding the visually impaired of all ages through eye examinations and eyeglasses for the needy; and

WHEREAS, the Lions of Pontiac support Welcome Home for the Blind, Leader Dogs for the Blind Michigan Eye Bank and Transportation Center, and other worthy community service projects; and

WHEREAS, the Lions of Pontiac also supports the Eyeglass Recycling Program, enabling thousands of needy people all over the world to see clearly for the first time; and

WHEREAS, the Lions of Pontiac give freely of their time and effort to support sight conversation projects; and

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WHEREAS, through the sale of miniature White Canes, funds are raised for these worthwhile projects;

NOW, THEREFORE BE IT RESOLVED, that Mayor Leon B. Jukowski and the Pontiac City Council proclaim the period of May 10th 2013 through May 19th, 2013 as White Cane Week and urge all citizens to become familiar with the meaning and purpose of the White Cane Law, and to lend support to Lions Club projects.

Ayes: Carter, Pietila, Waterman, Watkins, G. Williams and K. Williams

No: None

Resolution Adopted

There were 2 individuals who addressed the body during public comments.

Mayor Jukowski, City Clerk Sherikia Hawkins and all Councilmembers did not have closing comments for this special meeting.

13-93 **Adjournment.** Moved by Councilperson G. Williams and supported by Councilperson Pietila.

Ayes: Carter, Pietila, Waterman, Watkins, G. Williams and K. Williams.

No: None

Motion Carried

Meeting Adjourned at 6:41 p.m.

SHERIKIA L. HAWKINS
CITY CLERK