

June 13, 2013

**Official Proceedings
Pontiac City Council
211th Session of the Eighth Council**

A Special meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, June 13, 2013 at 6:07 P.M. by President Lee Jones.

Invocation by Pastor John Smith

Moment of Silence

Pledge of Allegiance

Roll Call

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

Absent: Deputy Mayor Glass and Councilperson Patrice Waterman.

Clerk announced a quorum.

13-111 **Excuse Councilmember P. Waterman.** Moved by Councilperson Pietila and supported by Councilperson G. Williams.

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

No: None

Motion Carried

13-112 **Report received from The Pontiac City Council for a resolution regarding The Yak Club or Porky's Bikini Bar.** Moved by Councilperson K. Williams and supported by Councilperson Pietila.

WHEREAS, pursuant to Section 1-24 of the Municipal Code, the city Council has the authority to suspend or revoke any license or permit issued pursuant to the Pontiac Municipal code after notice and hearing;

WHEREAS, Section 10-107, 10-164, 10-193, 10-194, 10-195 and any other relevant sections of the Code, permit the Council to revoke any liquor licenses or entertainment permits after notice and hearing for the reasons listed in the Code;

WHEREAS, Council was presented with a signed letter for Sgt. Gerald Schroeder of the Oakland County Sheriff detailing several Code violations by Little David's Island Bar, DBA: The Yac Club and/or Pork's Bikini Bar, located at 22 E. Kennett, Pontiac Michigan 48340;

WHEREAS, Council was also presented with a decision of the Michigan Liquor Control Commission detailing several additional violations and a plea agreement by Little David's Island Bar, DBA: The Yac Club and/or Porky's Bikini Bar;

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WHEREAS, it is in the best interest of the City to conduct a hearing regarding the above violations to determine if any applicable liquor licenses and/or entertainment permits should be revoked for violations of 10-195 and/or any other relevant Code sections;

NOW THEREFORE, BE IT RESOLVED, that a hearing shall be held on June 24, 2013 before city Council regarding the above subject matter where the responsible parties may present evidence, testimony, and confront any adverse witness;

NOW THEREFORE BE IT RESOLVED, that notice of such a hearing shall be mailed out pursuant to section 10-194 of the Code.

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

No: None

Resolution Adopted

13-113 **Report received from The Pontiac City Council for a resolution regarding the Sale of The Pontiac Municipal Golf Course.** Moved by Councilperson G. Williams and supported by Councilperson D. Watkins.

WHEREAS, the City Council for the City of Pontiac is in receipt of correspondence from the Emergency Manager dated Jun 7, 2013, advising the Council that pursuant of Section 19(1) of Public Act 436, he is requesting the approval of this body to sell the Pontiac Municipal Golf Course at a minimum price of \$650,000.

WHEREAS, the Emergency Manager also stated in the same correspondence of June 7, 2013 that he had requested the approval of Council to sell the golf course at a minimum bid of \$800,000 at an earlier date.

WHEREAS, the Emergency Manager also stated in the same correspondence of June 7, 2013 that after extensive efforts to market the Pontiac Municipal Golf Course, he has determined that there are no interested purchasers at the \$800,000 price level.

WHEREAS, the Emergency Manager also stated in the same correspondence of June 7, 2013 that he is requesting the lower level price of \$650,000 so that it will allow him to meet his revenue target for next year.

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 disapproved the proposed action within 10 days, the governing body of the local government, within seven days of its disapproval of the action proposed by the emergency manager, must 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 for the City of Pontiac Municipal Golf Course at the \$650,000 price level.

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NOW THEREFORE, BE IT RESOLVED, that the City Council shall within 7 days, submit to the local emergency financial assistance loan board an alternative proposal regarding the selling of the Pontiac Municipal Golf Course as required by Section 19(2) of Public Act 436.

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

No: None

Resolution Adopted

13-114 Report received from Council for a resolution for alternative proposal for the Retiree Healthcare.

WHEREAS, the City Council for the City of Pontiac is in receipt of correspondence from Mr. Harlan Goodrich, Secretary, Local Emergency Financial Assistance Loan Board dated May 30, 2013 requesting additional information regarding the Alternate Proposal City Council submitted to the Loan Board on May 21, 2013;

WHEREAS, the Loan Board has requested a Certified copy of the City Council resolution that disapproved the Emergency's Manager's proposed action to authorize the City to be excused of its obligation to fund the retiree health care for a period of two years and a notarized proof of call or a waiver of notice for each absent member if the resolution was passed at a special meeting;

WHEREAS, the Loan Board has requested that City Council choose one Alternative Proposal, either the 420 transfer or the modification of the contract for the early repayment of bonds using money received from the sale of the water treatment facility; and

WHEREAS, the Loan Board has requested that the single alternative proposal, including a dollar amount reflecting savings, be approved by City Council via resolution and that a certified resolution be included as part of the submission along with a notarized proof of call if the resolution is adopted at a special meeting and a Councilperson is absent;

NOW THEREFORE, BE IT RESOLVED, that the city Council hereby approves President Jones' correspondence dated June 13, 2013, addressed to the Loan Board which specifies that Council's Alternative Proposal is to request that the Emergency Manager be required to continue to provide retiree health care until such time as the Retirement Board is able to obtain state and federal approval to use excess retirement system assets to fund retiree health care;

NOW THEREFORE, BE IT RESOLVED, that City Council's request that the EM continue to fund retiree health care until Retirement Board can obtain state and federal approval, will yield substantially the same financial result as the action proposed by the EM.

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

No: None

Resolution Adopted

13-115 Suspend the Rules. Moved by Councilperson G. Williams and supported by Councilperson Pietila.

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Ayes: : Carter, Jones, Pietila, Watkins, G. Williams and K. Williams.
No: None
Motion Carried

13-116 **Suspend the Rules to move public and closing comments to agenda review.**
Moved by Councilperson G. Williams and supported by Councilperson Carter.

Ayes: : Carter, Jones, Pietila, Watkins, G. Williams and K. Williams.
No: None
Motion Carried

13-117 **Adjournment.** Moved by Councilperson G. Williams, and supported by
Councilperson Pietila.

Ayes: Carter, Pietila, Waterman, G. Williams and K. Williams
No: None
Motion Carried

Meeting Adjourned at 6:52 p.m.

SHERIKIA HAWKINS
CITY CLERK