



**PONTIAC CITY COUNCIL
FORMAL MEETING**

February 9, 2017

6:00 p.m.

172nd 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

Invocation

Pledge of Allegiance

Roll Call

Authorization for excused absences for councilmembers

Amendments to and approve of the agenda

Approval of the Minutes

1. January 12, 2017, January 19, 2017, January 21, 2017, January 26, 2017, January 30, 2017 and February 2, 2017.

Deputy Mayor Report or Department Head Reports

Recognition of Elected Officials

Agenda Address

AGENDA ITEMS FOR CITY COUNCIL CONSIDERATION

1. Request to add name to the City's E. Wilson Street Sign.
2. Request for Resolution for Black History Month
3. Resolution for the appointment of the Legislative Office Coordinator Position.
4. Request for appointment of members to the Board of Review.
5. Request for approval of the 2017 Federal Guidelines for the 2017 City of Pontiac Board or Review Instructions for applicants requesting consideration of Hardship Exemption.

FOR INFORMATION ONLY

6. 2017-2018 Budget Calendar

Public Comment

Mayor, Clerk, City Attorney, Council Closing Comments

Adjournment

January 12, 2017

Official Proceedings
Pontiac City Council
166th Session of the Ninth Council

A Study Session Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, January 12, 2017 at 6:00 p.m. by President Patrice Waterman.

Call to Order at 6:00 p.m.

Roll Call

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

Members Absent: Holland.

Mayor Waterman was present.

Clerk announced a quorum.

17-7 **Excuse Councilperson Holland for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

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

No: None

Motion Carried.

17-8 **Approval of the Agenda.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

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

No: None

Motion Carried.

17-9 **Journal of December 28, 2016 and January 5, 2017.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-10 **Journal of Closed Session Minutes January 5, 2017.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Abstain: Williams

Motion Carried.

17-11 **Approval of Consent Agenda Items.** Moved by Pietila and supported by Councilperson Woodward.

WHEREAS, The Pontiac City Council recognizes the acts of heroism and sacrifice, and honoring the individuals who lost their lives in the tragic fire in Pontiac, Michigan on December 24, 2016; and,

WHEREAS, Mr. Michael Ballentine was born on December 12, 1963 and departed this life at the age of 53; and,

WHEREAS, Mr. Ballentine was a lifelong resident of the City of Pontiac; and,

WHEREAS, Mr. Ballentine worked as a chef for 28 years until his retirement; and,

WHEREAS, Mr. Ballentine was a family man and was extremely close to his three brothers and three sisters who all reside in Pontiac, Michigan; and

WHEREAS, Mr. Ballentine was a resident of Woodland Heights.

NOW, THEREFORE, BE IT RESOLVED, that the members of the Pontiac City Council, Mayor and residents of the city offer our deepest and sincerest condolences to the family of Mr. Michael Ballentine may you rest in peace.

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

No: None

Resolution Adopted.

17-11 (a) WHEREAS, The Pontiac City Council is deeply saddened by the tragic fire that took place on December 24, 2016; and,

WHEREAS, the tragedy claimed the life of Mr. Elzy Jones Jr.; and,

WHEREAS, Mr. Elzy Jones Jr. was born on September 2, 1937; and

WHEREAS, Mr. Elzy Jones Jr. was a resident of Pontiac for 38 years; and,

WHEREAS, Mr. Elzy Jones Jr. was a resident of Woodland Heights for eighteen years; and,

WHEREAS, Mr. Elzy Jones Jr. loved his four children, three daughters and one son; and,

WHEREAS, Mr. Elzy Jones worked at St. Paul United Methodist Church until he retired.

NOW, THEREFORE, BE IT RESOLVED, that the members of the Pontiac City Council, Mayor and residents of the city offer our deepest and sincerest condolences to the family of Mr. Elzy Jones Jr. may you rest in peace.

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

No: None

Resolution Adopted.

17-12 Resolution to go into Closed Session. Moved by Councilperson Pietila and supported by Council person Taylor-Burks.

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 section 8 (h) to consider material exempt from discussion or disclosure by state or federal

Statute.

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 in reference to a legal opinion and pending litigation Ottawa Towers Vs. The City of Pontiac.

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

No: None

Resolution Adopted.

Councilman Mark Holland arrived at 6:04 p.m.

Public hearing opened up at 7:08 p.m.

1. Renee Beckley, 95 Crescent Drive Pontiac, Michigan. She stated that this deal came up all of a sudden. She then adds how this will affect the taxpayers, and the tax bill. Who is Boonex? What are their financials? What's their history? Is there a benefit? Will they be paying taxes?
2. Chuck Johnson, 21 N Paddock Pontiac, Michigan He stated there is often talk about the light at the end of the tunnel. At this meeting alone there is 100 million dollars of redevelopment on the City Council Agenda. Why are we questioning who they are? It is all about dollars and cents. We do not want another Silverdome.
3. Robert Martin, 670 Michigan Avenue Pontiac, Michigan. He stated he owns 2 homes in the City. The Council and the Mayor should be on once accord. We haven't been able to use the Phoenix Center; here is an opportunity to put Pontiac back on the Road to Recovery. He is a tax payer and has a vested interest in the City. Put personal agendas and politics aside.
4. Kyle Westburg, 79 Oakland Avenue Pontiac, Michigan. He stated this was a great turnout and this is a fabulous opportunity the city has in front of. We have economic development and it is creating more jobs. The opportunity to sell is a great thing for the City to do. He is in support of the sale.
5. Christian Oswaldo, 100 Newberry Pontiac, Michigan. He stated the sale of the property would facilitate a conversation that has been void for many years downtown. This can be put back into the conversation. It is important that this can be a community asset for the long term.

6. Dominique Hadd, 432 Kuhn Street Pontiac. He stated that prosperity in Pontiac Economic Development is much needed for this city. He doesn't know the right answer, but knows we need a city that is vibrant and amazing. Tough decisions are ahead of us and he is in support of revitalization.
7. Quincy Stewart, 197 Crestwood Pontiac, Michigan. He stated, are there strings attached to this agreement? It should be sold. If it turns out to be an entertainment venue will the residents be included. The residents are being pushed to the side. Pontiac people should be included.
8. Rosie Lance Richardson, 60 N Midland Pontiac, Michigan. She stated she had a concern that there was only one person at the table with the bid. Can other developers be considered? Can this be tabled? There is vested interested in this project. Consider other bids for this?
9. Sean Matthews, 20464 Ardmore Detroit, Michigan. He stated that Boonex is an Australian based company. There focus is software. He has over 20 years in the music industry. The City of Pontiac is a great city and he can liken it to the revitalization of Downtown Detroit. The Phoenix Center is a jewel that is not being used. He stated they are not asking for any tax breaks.
10. Bunia Parker, 7700 Second Street Suite 300 Detroit, Michigan. Principal at Summit Commercial, they will be working with Boonex in terms of the real estate aspect. The firms represent various municipalities and the State of Michigan. They look forward to working with Boonex.
11. Glen Konopaskie 100 Newberry Pontiac, Michigan. He stated he was active in leadership in the recovery of Downtown Pontiac. He reaffirm that we need to better understand how Boonex is. He states, sometimes there are too many demands on the redevelopers. We are coming up on 200 years as the county seat. He is hoping they are brought into some of the meetings.
12. Michael McGuiness 26 Union Pontiac, Michigan. He states, the City taxpayers could be on the hook for 10 million dollars plus liens and such. He says we have explored all options if we want to keep it or tear it down. The potential maximum exposure to the tax payers could be \$700.00 per parcel.

13. Curtis Henderson 30 N Saginaw Pontiac, Michigan. He states he wants us to get thinking a little bit more. He says he hopes if the deal is done can we see the numbers. Have we considered utilizing the venue ourselves? The Phoenix Center is an attractive venue. Have we considered everything? He is not against or for the sale. He wants to know that everything was fully examined.
14. Jason Bower 106 Trojan Street Pontiac, Michigan. He wanted to voice his support of the deal. He went to talk to more individuals about the deal. He states this is a liability and not an asset. Let's get it off the book. This project should be done by private developers.
15. Mark Thomas 223 West Huron and 22 State Street Pontiac, Michigan. He states history repeats himself. He has 31 years in real estate and believes the first buyer is the best buyer. He encourages the city to complete the sale so they concentrate on fixing the streets.
16. Linda Hasson 1075 Williamson Circle Pontiac, Michigan. She is requesting to waiver the seal bid and auction procedure. She is asking to allow the sale of the property and believes this is in the best interest of the tax payers. She would like to thank the Council and the Mayor for all of the work that they both have put into this.
17. Yvette Carson 491 Franklin Road Pontiac, Michigan. She stated, what is Pontiac getting out of the deal? What is Ottawa Tower getting? She wants to make sure things are done in the interest of the residents.
18. Roger Jackson, 306 Midway Pontiac, Michigan. He stated he was excited that 12 days into the New Year and good news was coming. The City has been robbed and raped under the Emergency Managers. He stated make a decision that is best for the City. He benefits by seeing Pontiac grow again.
19. Kathalee James 1579 Marshbank Pontiac, Michigan. She states that she supports the plan wholeheartedly. She has some concerns and hopes that all due diligence is done. She wasn't able to see any financials for Boonex. She just wants the best decision to be made for Pontiac. She thinks it is a good plan. She wants this to be a Win Win Plan.
20. Billie Swazer 1619 Marshbank Pontiac, Michigan. She stated, last month she came and asked how much the taxpayers would have to pay for the Phoenix Center? Her concern is that we do not see any contracts or legal documents. Were all the EM's orders looked at? She thanks Boonex for not asking for a tax break.

21. Alfred Johnson 223 Bagley Pontiac, Michigan. He stated this is one of the most important decisions that the Pontiac City Council will deal with. This can lay the foundation for other deals. He stated Pontiac is a great place. He says; concentrate on the positive and not the negative. Make the decisions to allow us to be great again. He would like to see us get up and do something positive.
22. Eric Johnson 286 Midway Pontiac, Michigan. He is excited and elated about the diversity that is being shown in this deal. His concern is the \$30,000 on a \$3,000,000 deal. This deal is synopsis. He is concerned about the security of the company. He would feel more comfortable if the down payment was 10 percent.

17-13 Resolution approving of waiving the seal bid or auction procedure for the sale of real property. Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

RESOLUTION APPROVING THE DIRECT SALE OF THE REAL PROPERTY WITH PARCEL ID #14-29-484-006, COMMONLY KNOWN AS THE PHOENIX CENTER PARKING GARAGE

WHEREAS, the City has engaged in discussions with a potential purchaser for the Real Property with Parcel ID #14-29-484-006, commonly known as the Phoenix Center Parking Garage; and

WHEREAS, the proposed sale of the Real Property would be part of a Settlement Agreement and closing package that includes the sale of the Ottawa Tower buildings and the Settlement of all the current and past litigation regarding the Phoenix Center Parking Garage; and

WHEREAS, Section 2-520 of the City Ordinances provides that real property may be sold or exchanged by open public auction, online auction, sealed bid auction, or direct sale; and

WHEREAS, the City Council may waive a sealed bid or auction procedure for real property upon a unanimous vote and after the public has had an opportunity to comment on the proposed disposal procedure; and

WHEREAS, the City Council has held a public hearing on the issue of a direct sale on January 12, 2017; and

WHEREAS, the City Council finds that it is in the best interest of the City to proceed with a direct sale of the Real Property with Parcel ID #14-29-484-006, commonly known as the Phoenix Center Parking Garage.

NOW THEREFORE, BE IT RESOLVED, that the Council formally waives the sealed bid or auction procedure for the Real Property with Parcel ID #14-29-484-006, commonly known as the Phoenix Center Parking Garage and approves the direct sale of the Real Property; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to take any action necessary to accomplish and finalize the direct sale of the property to the purchaser.

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

No: None

Resolution Adopted.

17-14 Amend the language in the resolution to add “But Contingent upon Ottawa Towers full execution of the comprehensive settlement agreement.” Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-15 Resolution approving the direct sale of Parcel ID# 14-29-484-006 known as the Phoenix Center Parking Garage. Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Resolution Sale of Phoenix Center

At a meeting of the City Council of the City of Pontiac, Michigan, held on January 12, 2017, a resolution approving the sale of the of the Phoenix Center to BoonEx Inc., a Georgia corporation, was adopted.

WHEREAS, the City Council of the City of Pontiac, does hereby find as follows:

WHEREAS, On October 30, 1979, the City of Pontiac (the “City”), the Pontiac Downtown Development Authority, and the Downtown Pontiac Development Company entered into a Comprehensive Development Agreement that required the developer to construct a parking deck (the “Deck”), a pedestrian plaza (the “Plaza”), and improvements on the public sites of a certain parcel of land located in the City of Pontiac, now commonly known as the “Phoenix Center”; and

WHEREAS, the Comprehensive Development Agreement provided for the City to convey certain parcels of land within the project area to the developer for development of various private buildings on said parcels of land, including a hotel (which was never constructed), two office buildings (constructed and now known as the Ottawa Towers), a senior citizens building (constructed), and retail buildings (which were never constructed); and

WHEREAS, on May 8, 2016 the City made a Declaration of Easements that created certain reciprocal easements and obligations on the Phoenix Center and adjacent properties; and

WHEREAS, for many years the Ottawa Towers office buildings were occupied by General Motors and other automotive entities until the reorganization and bankruptcy of General Motors; and

WHEREAS, the office buildings are now owned by Ottawa Tower II, LLC and Charles R. Stephens, as Trustee of the North Bay Drywall, Inc. Profit Sharing Plan and Trust (collectively “Ottawa Towers”); and

WHEREAS, the City has been involved in protracted litigation with Ottawa Towers over the use and operation of the Phoenix Center and certain actions that the City was required to undertake as a result of the orders of the City’s Emergency Manager; and

WHEREAS, the Phoenix Center parking garage is only partially utilized by the sole tenant of Ottawa Towers, and the Ottawa Towers office buildings have significant vacancies and are economically under-utilized; and

WHEREAS, BoonEx, Inc. ("BoonEx"), a Georgia corporation, has now entered into a Purchase and Sale Agreement for the Ottawa Towers office buildings; and

WHEREAS, BoonEx also desires to enter into a Purchase and Sale Agreement with the City to purchase the Phoenix Center for \$3,000,000; and

WHEREAS, Ottawa Towers, the City, and BoonEx have proposed to enter into a mutual and simultaneous closing whereby:

- (a) All pending litigation between Ottawa Towers and the City would be settled;
- (b) The Ottawa Towers buildings would be sold to BoonEx by Ottawa Towers;
- (c) Ottawa Towers, with the consent of BoonEx, would discharge all encumbrances that burden the Phoenix Center and impose continuing financial obligations and burdens on the City;
- (d) The City would sell the Phoenix Center to BoonEx for \$3,000,000; and

WHEREAS, the Pontiac City Council has been provided with a legal opinion from the City's attorneys concerning the financial risk of continued litigation with Ottawa Towers in the pending Oakland County Circuit Court cases and the advisability of settlement of the pending litigation with Ottawa Towers; and

WHEREAS, Pontiac City Council believes that the sale of the Phoenix Center to BoonEx, in conjunction with the sale of the Ottawa Towers to BoonEx, is in the best interest of the City in order to revitalize the Ottawa Towers office buildings and the Phoenix Center development.

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the Phoenix Center to BoonEx, Inc. in the amount of \$3,000,000 pursuant to the terms of a certain Purchase and Sale Agreement that has been presented to the City Council, But contingent upon Ottawa Towers full execution of the comprehensive settlement agreement.

BE IT FURTHER RESOLVED, that the Mayor of the City of Pontiac is hereby authorized to take any action necessary to accomplish and finalize the conveyance of the Phoenix Center to BoonEx, Inc., including but not limited to executing any and all documents necessary to convey the Phoenix Center to BoonEx; discharge the City's obligations in the record of title to the Phoenix Center; and to execute a Multiple Party Simultaneous Closing Agreement between Ottawa Towers, the City, and BoonEx that has been presented to the City Council.

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

No: None.

Resolution Adopted.

17-16 Resolution for Settlement of Litigation. Moved by Councilperson Woodward and supported by Councilperson Pietila.

Resolution for Settlement of Litigation

At a meeting of the City Council of the City of Pontiac, Michigan, held on January 12, 2017, a resolution authorizing the settlement of the case of *Ottawa Towers v City of Pontiac*, Oakland County Circuit Court case no. 12-130331-CH and *City of Pontiac v Ottawa Tower II*, et. al., Oakland County Circuit Court case no. 14-139761-CC was adopted.

WHEREAS, the City Council of the City of Pontiac, does hereby find as follows:

WHEREAS, On November 2, 2012, Ottawa Towers II, LLC and Charles R. Stephens, as Trustee for North Bay Drywall, Inc. Profit Sharing Trust (collectively, "Ottawa Towers") filed a Complaint in Oakland County Circuit Court, Case No. 12-130331-CH, against the City of Pontiac (the "City"), et. al., seeking, *inter alia*, to enforce and/or recover money damages for alleged impairment of their property interests in the Phoenix Center Parking Garage & Pedestrian Plaza (the "Phoenix Center") by the City. On November 30, 2012, the Oakland County Circuit Court granted an injunction to enjoin the City from undertaking any demolition activities or interference in the use and operation of the Phoenix Center; and

WHEREAS, on March 26, 2014, the City filed a Condemnation Complaint, in Oakland County Circuit Court, Case No. 14-139761-CC, pursuant to the Uniform Condemnation Procedures Act ("UCPA"), MCL 213.51 *et seq.* seeking to acquire certain private property rights that burden the Phoenix Center and benefit the office buildings owned by Ottawa Towers; and

WHEREAS, on October 22, 2014, the Oakland County Circuit Court issued an order that dismissed the condemnation action filed by the City without prejudice as to the Ottawa Towers Defendants; and

WHEREAS, the City appealed the Circuit Court order and the decision was affirmed by the Michigan Court of Appeals on March 15, 2016, No. 32548. On April 26, 2016, the City filed an Application for Leave to Appeal with the Michigan Supreme Court. On October 26, 2016, the Michigan Supreme Court denied the City's Application for Leave to Appeal. Therefore, the October 22, 2014 dismissal by the Oakland County Circuit Court stands as a final judgment and Ottawa Towers can now pursue post-judgment attorney fee and expenses against the City pursuant to MCL 213.66(1); and

WHEREAS, on December 22, 2016, the Receivership Transition Advisory Board ("RTAB") voted to release the City from the obligation of having to demolish the Phoenix Center and it is expected that the State Treasurer will issue an order shortly confirming the recommendation of the RTAB; and

WHEREAS, the City and Ottawa Towers now desire to settle and dismiss all pending litigation between and among the City and Ottawa Towers upon the payment of \$3,000,000 by the City to Ottawa Towers (or its designee); and

WHEREAS, having been fully advised of the facts and circumstances regarding the claims of Ottawa Towers and the financial risk to the City of continued litigation, the Pontiac City Council

has concluded that settlement of all claims by, between and among the Ottawa Towers parties in the pending litigation referenced herein is in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED, by the Pontiac City Council that the litigation pending between and among the City of Pontiac, its co-defendants, and Ottawa Towers, as identified herein, be resolved by payment to Ottawa Towers or its duly appointed designee of \$3,000,000 by the City in complete and total satisfaction of all claims and demands in the pending litigation described herein; and but contingent upon Ottawa Towers full execution of the comprehensive settlement agreement.

BE IT FURTHER RESOLVED, that the Mayor of the City of Pontiac is authorized on behalf of the City to execute all necessary documents to effectuate the settlement, and to direct the City's attorneys to execute and file with the court all necessary papers to effectuate the settlement in complete and total satisfaction of all claims and demands by Ottawa Towers against the City of Pontiac and its co-defendants.

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

No: None

Resolution Adopted.

17-17 Motion to recess for five minutes. Moved by Councilperson Holland and supported by Councilperson Taylor-Burks.

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

No: None

Motion Adopted.

17-18 Resolution concurring with the provision of an amended brownfield plan adopted by the Oakland County Brownfield Redevelopment Authority for the Village at Bloomfield Project. Moved by Councilperson Pietila and supported by Councilperson Woodward.

RESOLUTION CONCURRING WITH THE PROVISIONS OF
AN AMENDED BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
VILLAGE AT BLOOMFIELD PROJECT

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean-up and redevelopment of Brownfields within Oakland County's communities; and

WHEREAS, The Village at Bloomfield project, in the City of Pontiac is a Brownfield under state statute; and

WHEREAS, a Brownfield clean up and redevelopment plan (the "Plan") has been prepared to help redevelop the site in order to restore the environmental and economic viability of it which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Pontiac, relating to the redevelopment of The Village at Bloomfield (the "Property"); and

WHEREAS, the City of Pontiac has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act; and

NOW THEREFORE BE IT RESOLVED THAT, the City of Pontiac hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT, the City's concurrence with the Plan is conditional and will be effective if, and only if, Bloomfield Township agrees to forego any share or payment from the City of Pontiac of property taxes to be captured under the Plan, as otherwise called for in that certain Agreement for Conditional Transfer of Property, as the same may be amended, unless such share or payment is offset or reimbursed to the City by other means.

BE IT FURTHER RESOLVED THAT, should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT, all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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

No: Carter and Holland.

Resolution Adopted.

17-19 Resolution for the Hold Harmless Agreement. Moved by Councilperson Pietila and supported by Councilperson Woodward.

HOLD HARMLESS AGREEMENT

This Agreement, dated and effective on _____, is entered into between the City of Pontiac (the "City"), of 47450 Woodward Avenue, Pontiac, MI 48342, and Bloomfield Village Owner, LLC (the "Developer"), a Delaware limited liability company with an address at One Town Square, Suite 1600, Southfield, Michigan 48076.

Whereas, a land development project known as Bloomfield Park, to be located on land ("Project Land", as described in attached Exhibit A) straddling the municipal boundaries of and located in both the City and the Charter Township of Bloomfield (the "Township") has sat dormant and incomplete since 2008 with partially completed, and weathered structures still standing on the property; and

Whereas, after foreclosure and lengthy litigation, Bloomfield Village Investors Holdings LLC, the sole member of the Developer (i) purchased the rights and interests of the mortgagee holding mortgages and other security interests encumbering the Project Land and various rights

pertaining thereto, (ii) foreclosed on the mortgages and other security interests, and (iii) transferred title to the Project Land and related rights to the Developer; and

Whereas, Developer has applied for and received approval from the Oakland County Brownfield Redevelopment Authority of an Amended Brownfield Plan to facilitate redevelopment of the project site and financing of environmental remediation of the site, including demolition of obsolete structures located thereon; and

Whereas, the Amended Brownfield Plan proposes to capture property taxes corresponding to the increased taxable value of the Village At Bloomfield Project's real and personal property and to reimburse Developer up to Sixty Million Dollars (\$60,000,000) over thirty (30) years for eligible activities; and

Whereas, the City has been requested to pass a resolution concurring with the provisions of the Amended Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority; and

Whereas, the project site is subject to a Development Agreement, dated November 27, 2002, and an Agreement for Conditional Transfer of Property ("Act 425 Agreement"), dated November 27, 2002, which, among other things, govern the sharing of tax collections between the City and the Township concerning the project site; and

Whereas, at the time of this Agreement it is unsettled whether the Township may claim entitlement under the Act 425 Agreement to payment from the City for any portion of the property taxes that would be captured under the Amended Brownfield Plan; and

Whereas, it is of paramount concern to the City that its concurrence in the Amended Brownfield Plan not cause or result in the City being obligated to pay over to the Township any taxes, or equivalent amounts, corresponding to the taxes to be captured under the Amended Brownfield Plan; and

Whereas, the Developer acknowledges that its entry into this Agreement to hold the City harmless from any such possible payment obligation to the Township is of major importance to the City and is a material inducement for the City to concur with the Amended Brownfield Plan.

THEREFORE, the City and Developer agree:

1. In the event, following final approval and implementation of the Amended Brownfield Plan, it is held by a court of competent jurisdiction or it is otherwise legally determined or claimed that the City is responsible under Sections 3.1A, 3.1C and 3.1D of the Act 425 Agreement to pay to the Township any taxes, or an equivalent amount, corresponding to taxes captured for the Project Land under the Brownfield Plan (the "City Tax Obligation"), Developer shall reimburse the City for all amounts paid by the City to the Township with respect to such City Tax Obligation due to any increase in value caused by the development of the Project Land and/or defend and hold the City harmless from any such payment obligation. In the event the City or Developer desire to contest the

right of the Township to receive payment from the City under Sections 3.1A, 3.1C and 3.1D of the Act 425 Agreement, they shall jointly, in the name of the City, pursue such action and cooperate in such efforts without impacting the indemnification provided in the preceding sentence.

2. The parties' rights and obligations under this Agreement shall bind and inure to the benefit of the successors and assigns of the parties hereto and shall run with the land; provided, however (i) the obligations of the Developer under this Agreement shall not be binding on any successor owner or user of any portion of the Project Land; and (ii) in the event the Developer assigns its right to reimbursement corresponding to the increased taxable value of the Village At Bloomfield Project's real and personal property as provided in any reimbursement agreement or other document entered into in connection with the Brownfield Plan, such assignee shall be required to assume the Developer's obligations under this Agreement, whereupon the Developer shall be automatically released from any liability or responsibility under this Agreement assumed by such assignee.
3. The parties' rights and obligations under this Agreement shall survive and shall not merge into any future agreement or amended agreement – including, but not limited to, the Brownfield Plan and any associated reimbursement agreement, amended Development Agreement, or amended Act 425 Agreement – unless the parties rights and obligations under this Agreement are expressly and specifically modified, terminated or superseded in such later Agreement.
4. The term of this Agreement shall correspond to the term of the Brownfield Plan and associated reimbursement agreement, or, if shorter, the period that it is determined the City is responsible for paying to the Township any portion of captured taxes for the Project Land. This Agreement may be amended only in writing signed and dated by the parties hereto.

January 12, 2017

[Signatures on Following Page]

January 12, 2017

**Signature Page to Hold Harmless Agreement between the
City of Pontiac and Bloomfield Village Owner, LLC**

**CITY OF PONTIAC
LLC**

BLOOMFIELD VILLAGE OWNER,

By: _____

By: _____

Dr. Deirdre Waterman, Mayor

Its: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Hold Harmless Agreement was acknowledged before me on _____, 2017, by Dr. Deirdre Waterman, the Mayor, of the City of Pontiac., on behalf of the City.

Subscribed and sworn to before me
on _____, 2017.

_____, Notary Public
Oakland County, Michigan
My Commission Expires: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Hold Harmless Agreement was acknowledged before me on _____, 2017, by _____, the _____, of Bloomfield Village Owner, LLC, on behalf of the company.

Subscribed and sworn to before me
on _____, 2017.

_____, Notary Public
Oakland County, Michigan
My Commission Expires: _____

January 12, 2017

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

17-20 Resolution for the Ratification of 2016 Development Agreement between the City of Pontiac and Bloomfield Village Owner LLC regarding Village at Bloomfield Park.

**2017 DEVELOPMENT AGREEMENT BETWEEN CITY OF PONTIAC
AND BLOOMFIELD VILLAGE OWNER, LLC REGARDING VILLAGE AT
BLOOMFIELD PROJECT**

This Development Agreement (“Agreement”) is executed and is effective on _____, 2017, between the CITY OF PONTIAC (“City”), a Michigan municipal corporation, and BLOOMFIELD VILLAGE OWNER, LLC (“Developer”), a Delaware limited liability company.

WHEREAS, a land development project known as Bloomfield Park, straddling the municipal boundaries of and located in both the City and the Charter Township of Bloomfield (the “Township”), has sat dormant and incomplete since 2008 with partially completed, and weathered structures still standing on the property; and

WHEREAS, after foreclosure and lengthy litigation, Bloomfield Village Investors Holdings LLC, the sole member of the Developer (i) purchased the rights and interests of the mortgagee holding mortgages and other security interests encumbering the Bloomfield Park land and various rights pertaining thereto, (ii) foreclosed on the mortgages and other security interests, and (iii) transferred title to the Bloomfield Park land and related rights to the Developer; and

WHEREAS, the Developer intends to redevelop the site as a mixed-use project, to be known as the Village at Bloomfield Project (the “New Development”), which may include residential, dining, grocery, retail, entertainment, and healthcare components; and

WHEREAS, Developer has applied for and received approval from the Oakland County Brownfield Redevelopment Authority of an Amended Brownfield Plan to facilitate redevelopment of the project site and financing of environmental remediation of the site, including demolition of obsolete structures located thereon; and

WHEREAS, the Brownfield Plan proposes to capture property taxes corresponding to the increased taxable value of the Village At Bloomfield Project’s real and personal property and to reimburse Developer up to Sixty Million Dollars (\$60,000,000) over thirty (30) years for eligible activities; and

WHEREAS, the City has been requested to pass a resolution concurring with the provisions of the Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority; and

WHEREAS, the project site is already subject to a Development Agreement, among the City, Township, and the previous owners of the Bloomfield Park land, dated November 27, 2002 (as the same may be amended, the “Joint Development Agreement”), and an Agreement for Conditional Transfer of Property between the City and Township, dated November 27, 2002 (as the same may be amended, the “Act 425 Agreement”); and

WHEREAS, the City and Developer intend, through this Agreement, to supplement the Joint Development Agreement as between the City and Developer only, by setting forth and agreeing to herein additional promises and commitments between the City and Developer; and

WHEREAS, the City’s Mayor and City Council have determined that this Agreement is appropriate for the proposed development of the New Development, is consistent with the public health, safety and welfare of the City’s residents and businesses, and will result in positive impacts and benefits for the City and its residents and businesses; and

WHEREAS, the City and Developer are concurrently entering into a Hold Harmless Agreement (which is incorporated herein by reference and made a part hereof) concerning responsibility for payment, if any is determined to be owed, to the Township by the City under Sections 3.1A, 3.1C and 3.1D of the Act 425 Agreement of any portion of taxes to be captured under the Brownfield Plan; and

WHEREAS, the Developer acknowledges that its entry into this Agreement is of major importance to the City and is a material inducement for the City to proceed with various approvals and authorizations for the New Development.

THEREFORE, the City and Developer agree as follows in consideration for the mutual promises and consideration given and received by them:

1. No Preemption. Unless otherwise expressly provided herein, this Agreement shall not be deemed to waive, preempt, supersede, or render ineffective any applicable municipal or governmental laws, ordinances, codes, regulations or processes, including but not limited to zoning, brownfield and economic incentives, taxes, assessments or fees, and Developer shall be subject to all review and approval processes required under the City’s ordinances, regulations and rules; provided, however, the foregoing is not intended to modify any such agreements contained in the Joint Development Agreement or Act 425 Agreement.

2. Construction Jobs.

(a) In connection with the initial development and construction of each component of the New Development, Developer shall implement, or require its general or prime contractor(s) to implement, a local hiring policy which provides (i) a preference for such general or prime contractor(s) to hire Pontiac Based Businesses (as defined below) as subcontractors and suppliers for jobs relating to the development and construction of the New Development, and (ii) a preference for such general or prime contractor(s), and, to the extent possible, their subcontractors and suppliers, to hire City residents to perform jobs relating to the development and construction of the New Development. Further, the Developer may retain Pontiac Based Businesses to provide architectural, engineering, environmental and other professional and

consulting firms services relating to the development and construction of the New Development. For purposes of this Agreement, a "Pontiac Based Business" shall mean a business that is either (y) headquartered in the City, or (z) has an office, store or other facility within the City. Developer shall require its general or prime contractors to advertise available on-site jobs in local media and electronically on a City-sponsored website and social media, if such resources exist. In addition, Developer shall consult with and provide written notice to at least two local hiring organizations, which may include non-profit organizations involved in referring eligible applicants for job opportunities. Developer shall require its general or prime contractors to consider in good faith all applications submitted by City residents and businesses and maintain a preference for hiring City residents and businesses that are qualified to perform the on-site jobs relating to the initial development and construction of each component of the New Development. Developer shall, in its agreements with its general or prime contractors, include a requirement for this local hiring policy, and, in connection therewith, Developer will introduce such contractors to, and encourage such contractors to participate in, the "Community Ventures" program offered by the Michigan Economic Development Corporation. For avoidance of doubt, the foregoing terms and requirements shall not apply to the initial development and construction of components of the New Development performed by or on behalf of other owners or users thereof (or their general or prime contractors), although the Developer will notify such owners and users of this local hiring policy and encourage them to comply therewith.

(b) In the event Pontiac Based Businesses and City residents do not receive, in the aggregate, payments totaling at least Two Million One Hundred Thousand Dollars (\$2,100,000.00) for jobs relating to the development and construction of the New Development (computed before deductions for taxes, other governmental payments, offsets and similar items) during the period ending when the development and construction of each phase and component of the New Development is complete, the Developer will donate to job training and/or work force programs designated by the City, an amount equal to fifty percent (50%) of the difference between Two Million One Hundred Thousand Dollars (\$2,100,000.00) and the total sum actually paid to Pontiac Based Businesses and City residents for jobs relating to the development and construction of the New Development.

3. Gateway Signage. The Developer, together with the City, shall design a gateway entrance sign (the "Sign") to be installed at a location determined by the City and reasonably approved by the Developer. If the designated location is not situated within the boundaries of the New Development owned by Developer, the Developer will work with the City to obtain any easements necessary to install, maintain, repair and replace the Sign. Further, the design, installation, and use of the Sign shall be subject to the approval of the Joint Development Council, and meet the requirements of the Town Center District Zoning Ordinance. The Developer will pay the cost to design, make and install the Sign, in an aggregate amount not to exceed Fifty Thousand Dollars (\$50,000.00). The City will be responsible for maintaining, repairing and replacing the Sign, at its sole expense.

4. Permanent Jobs. The City acknowledges the Developer has limited control to influence or affect the hiring practices of the ultimate users and tenants of the New Development. But, Developer agrees to in good faith, use commercially reasonable efforts to encourage the ultimate users and tenants of the New Development to advertise, reach out, recruit, and consider

for hire, City residents for full or part time employment opportunities, and to afford those residents a fair opportunity to apply and compete for such jobs.

5. Public Safety. In the event the New Development, within any calendar year, generates or necessitates more than 200 public safety (i.e., police, fire and EMS) responses, , Developer shall be responsible for paying the City \$150.00 (which amount shall increase annually by 3% starting on January 1, 2018) per public safety response over 200. The City shall invoice the Developer after the close of each calendar year for any such public safety response overage.

6. City Support. The City shall support, and cause its representative on the Joint Development Council to approve the Developer's preliminary site plan for the New Development as set forth on Exhibit A attached hereto and made a part hereof, as the same may be modified to accommodate any reasonable requests acceptable to Developer made by proposed users or other members of the Joint Development Council, or in response to market conditions. Further, the City will support the Developer's request to the State of Michigan to allow the Developer to capture tax increment revenue attributable to school millages.

7. Term. The term of this Agreement shall correspond to the term of the Brownfield Plan and associated reimbursement agreement.

8. Binding Effect. This Agreement may be recorded at the Register of Deeds and shall inure to the benefit of and shall be binding upon the parties hereto and their successors and assigns, and shall run with the land; provided, however (i) the obligations of the Developer under this Agreement shall not be binding on any successor owner or user of any portion of the property located within the New Development unless such owner or user receives any assignment of, and assumes, the development rights of the Developer with respect to the New Development; and (ii) at such time as one or more property owners' associations, condominium associations, or successor owners or users, take over the maintenance, repair and/or administration of the New Development, or any portion thereof, and, in connection therewith, agrees to perform some or all of the obligations of the Developer under this Agreement, the Developer shall be automatically released from any liability or responsibility under this Agreement assumed or taken over by such property owners' association(s), condominium association(s) and/or successor owners or users.

[Signatures on Following Page]

January 12, 2017

**Signature Page to 2017 Development Agreement between the
City of Pontiac and Bloomfield Village Owner, LLC
Regarding Village at Bloomfield Project**

CITY OF PONTIAC

BLOOMFIELD VILLAGE OWNER, LLC

By: _____
Dr. Deirdre Waterman, Mayor

By: _____
Its: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Hold Harmless Agreement was acknowledged before me on _____, 2017, by Dr. Deirdre Waterman, the Mayor, of the City of Pontiac., on behalf of the City.

Subscribed and sworn to before me
on _____, 2017.

_____, Notary Public
Oakland County, Michigan
My Commission Expires: _____

STATE OF MICHIGAN
COUNTY OF OAKLAND

The foregoing Hold Harmless Agreement was acknowledged before me on _____, 2017, by _____, the _____, of Bloomfield Village Owner, LLC, on behalf of the company.

Subscribed and sworn to before me
on _____, 2017.

_____, Notary Public
Oakland County, Michigan
My Commission Expires: _____

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

January 12, 2017

Councilperson Holland was excused from the meeting at 10:26 p.m.

17-21 Resolution for the approval of the removal of parcels of 14-29-428-002, 14-29-284-007, and 14-29-284-008 from the boundaries of the Tax Increment Finance Authority and the establishment of a Brownfield District for the parcels 14-29-428-002, 14-29-284-007, and 14-29-284-008. Moved by Councilperson Taylor-Burks and Councilperson Pietila.

Resolution for the removal of parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008 from the boundaries of the Tax Increment Finance Authority and the establishment of a Brownfield District for parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008

WHEREAS, the Pontiac City Council held a public hearing during its regular scheduled City Council meeting at 6:00 P.M. on Thursday, January 5, 2017 in Pontiac City Hall, City Council Chambers, 47450 Woodward Ave., for the purpose of receiving public comment on the proposal to remove from the boundaries of the Tax Increment Finance Authority parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008.

Parcel 14-29-428-002:

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 29, T3N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as: Part of "Assessor's Plat No. 121", as recorded in Liber 53 of Plats, Page 41, Oakland County Records; Lot 2, except that part described as follows: Beginning at a point on the southeasterly lot line, said point being 120.2 feet southwesterly from the southeast corner of "Assessor's Plat No. 121"; thence N 21°20'37" E, 39.75 feet; thence N 26°51'04" W, 221 feet; thence S 63°08'56" W, 5 feet; thence N 26°51'04" W, 18.22 feet to a point on a curve to the left having a radius of 553.11 feet; thence northwesterly along the arc of said curve to a point on the northwesterly lot line; thence northeasterly to the northeast corner of Lot 2; thence southeasterly along the northeasterly lot line to the southeasterly corner of Lot 2; thence southwesterly along the southeasterly lot line to the point of beginning; Also, all of Lots 3 through 15 except the westerly 10 feet of Lots 8 through 15, inclusive, measured at right angles with the westerly line of said Lots 8 through 15.

Parcel 14-29-284-007:

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 29, T3N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as: Lot 17 of "Assessor's Plat No. 121" as recorded in Liber 53 of Plats, Page 41, Oakland County Records.

Parcel 14-29-284-008:

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 29, T3N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as: Lot 16 of "Assessor's Plat No. 121" as recorded in Liber 53 of Plats, Page 41, Oakland County Records.

WHEREAS, the City of Pontiac Community Development Department recommends the removal of parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008 from the boundaries of the Tax Increment Finance Authority.

January 12, 2017

WHEREAS, the City of Pontiac Community Development Department recommends the approval of the establishment of a brownfield district for parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008

NOW THEREFORE BE IT RESOLVED THAT, the Pontiac City Council approves the removal from the boundaries of the Tax Increment Finance Authority parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008 and establishes a brownfield district for parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008.

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

No: None

Resolution Adopted.

17-22 Resolution for the Oakland County Brownfield Redevelopment Authority to review the Pontiac East Gateway Redevelopment Project. Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Resolution Requesting the Oakland County Brownfield Redevelopment Authority to Review the Pontiac East Gateway Redevelopment Project

WHEREAS the City of Pontiac has a Brownfield project known as the Pontiac East Gateway Redevelopment project that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority;

WHEREAS the City of Pontiac has a Brownfield Authority but desires to have the Oakland County Brownfield Redevelopment Authority handle the Pontiac East Gateway Redevelopment Project

WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like the City of Pontiac;

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the City of Pontiac by reviewing the proposed Pontiac East Gateway Redevelopment project, provided that the City of Pontiac acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- OCBRA intends to collect an administrative fee of \$5,000.00 per year for the length of the Brownfield plan; and

WHEREAS the City of Pontiac will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that the City of Pontiac requests that the OCBRA undertake review of the Pontiac East Gateway Redevelopment Project.

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

No: None

Resolution Adopted.

17-23 Resolution concurring with the provisions of a Brownfield Redevelopment Authority for the Pontiac East Gateway Redevelopment Project. Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

**RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
PONTIAC EAST GATEWAY REDEVELOPMENT PROJECT**

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean-up and redevelopment of Brownfields within Oakland County’s communities; and

WHEREAS, the property located at 65 East University (Property), a former General Motors (GM) site in the City of Pontiac is an environmental hazard, a “facility” under state statute; and

WHEREAS, a Brownfield clean up and redevelopment plan (the “Plan”) has been prepared to restore the environmental and economic viability to this parcel which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Pontiac, relating to the redevelopment of the 65 East University; and

WHEREAS, the City has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act; and

NOW THEREFORE BE IT RESOLVED THAT, the City of Pontiac hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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

No: None

Resolution Adopted.

January 12, 2017

President Patrice Waterman adjourned the meeting at 11:21 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

January 19, 2017

Official Proceedings
Pontiac City Council
167th Session of the Ninth Council

A Study Session Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, January 19, 2017 at 6:08 p.m. by President Patrice Waterman.

Call to Order at 6:08 p.m.

Roll Call

Members Present: Holland, Pietila, Taylor-Burks and Woodward.

Members Absent: Carter, Waterman and Williams.

Mayor Waterman was present.

Clerk announced a quorum.

17-24 **Excuse Councilperson Carter, Waterman and Williams for personal reasons.** Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

Councilman Kermit Williams arrived at 6:19 p.m.

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

Agenda Items For City Council Consideration

1. Request for approval of bid by Redigan Outdoor Services.
2. Request for approval of as-needed Engineering Services.
3. Request for approval of amendment of TIFA Boundaries.
4. Discussion of NO-HAZ Agreement.

Pro-Tem Mary Pietila adjourned the meeting at 7:16 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

January 21, 2017

Official Proceedings
Pontiac City Council
168th Session of the Ninth Council

A Special Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Saturday, January 21, 2017 at 3:00 p.m. by President Patrice Waterman.

Call to Order at 3:00 p.m.

Roll Call

Members Present: Carter, Pietila, Waterman and Woodward.

Members Absent: Holland, Taylor-Burk and Williams.

Mayor Waterman was absent.

Clerk announced a quorum.

17-25 **Excuse Councilperson Holland, Taylor-Burks and Williams for personal reasons.**
Moved by Councilperson Pietila and supported by Councilperson Woodward.

Ayes: Carter, Pietila, Waterman and Woodward.

No: None

Motion Carried.

Councilman Mark Holland arrived at 3:03 p.m.

There were no individuals who addressed the body during public comment.

Councilman Kermit Williams arrived at 3:07 p.m.

Interviews – Monique A. Sharpe and Amanda Hustzti (for the finalist legislative coordinator position)

Councilman Don Woodward left at 3:12 p.m.

President Patrice Waterman adjourned the meeting at 4:10 p.m.

SHEILA R. GRANDISON
DEPUTY CITY CLERK

January 26, 2017

Official Proceedings
Pontiac City Council
169th Session of the Ninth Council

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, January 26, 2017 at 6:00 p.m. by President Patrice Waterman.

Call to Order at 6:00 p.m.

Roll Call

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

Members Absent: Carter and Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

17-26 **Excuse Councilperson Carter and Woodward for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-27 **Council removed public hearing items #1 (ordinance to amend various sections of Chapter 22, Article VIII of the City of Pontiac Code of Ordinances), #2 (ordinance to amend various sections of Chapter 22, Article I, Section 22-3 of the City of Pontiac Code of Ordinances) and #4 (ordinance to amend various sections of Chapter 22, Article VI of the City of Pontiac Code of Ordinances) and approved the agenda.** Moved by Councilperson Williams and supported by Councilperson Pietila.

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

No: None

Motion Carried.

Special Presentation – Kelly Williams Pontiac School Board Superintendent

Deputy Mayor Report or Departmental Head Reports – Jane Bais-DiSessa and Attorney Travis Mihelick

President Patrice Waterman opened up public hearing #3 (an ordinance to amend Chapter 86, Article VI, Section 86-223 of the City of Pontiac Code of Ordinances) at 6:37 p.m.

There were 4 individuals who addressed the public during public hearing.

1. Renee Beckley, 95 Crescent Dr. She said that Pontiac used to be a nice city back in the 80's but has gone downhill since then. Renee said that we, the city of Pontiac should look into the Ordinance that Bloomfield Hills or Auburn Hills uses to punish illegal dumping. Start charging \$1,000 up to \$5,000 or even jail time to stop the illegal dumping.
2. Chuck Johnson, 21 N. Paddock. He stated that he drives up and down the city of Pontiac 7 days a week and notice that the city of Pontiac is not doing its job. The building department is not holding up there end of the bargain to make sure contractors are getting the work done around the

January 26, 2017

city. They got a new truck but need to get more man power to get the job done and enforce the illegal dumping order.

3. Coleman Yoakum, 32 Newberry. He stated that he is tired of cleaning up the same alley for 3 years and tired of asking his neighbors to put bags and bags from the cleanup in their garbage cans. It's time to double down on the punishment for illegal dumping.
4. Christine Jackson, 19 Ruth. She stated that the city of Pontiac needs to participate in recycling to eliminate illegal dumping.

President Patrice closed public hearing at 6:44 p.m.

17-28 **Council adopts an Ordinance to amend Chapter 86, Article VI, Section 86-223 of the City of Pontiac Code of Ordinances.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

Be It Resolved that the Pontiac City Council adopts by title an ordinance to amend Chapter 86, Article VI, Section 86-223 of the City of Pontiac Code of Ordinances.

Ordinance No. 2340

An Ordinance to amend Chapter 86, Article VI, Section 86-223 of the City of Pontiac Code of Ordinances.

The City of Pontiac ordains:

Section 1. Amendments.

Article VI, Section 86-223 shall be amended to read as follows:

86-223 Dumping or removing material onto or from public or private property; penalty

- (a) Earth or other materials shall not be dumped, placed on or removed from any premises unless the express, written permission of the owner of such land is obtained and exhibited on request of the enforcing officer by the operator of the vehicle used for loading, transporting or dumping such material. Such permission shall be subject to zoning regulations and to the requirement that no nuisance shall be created.
- (b) The provision of this section shall apply to any vehicle owner **or individual** who causes or permits **any dumping** in violation of this section. In any proceeding arising from violation of the provisions of this section, it shall be a rebuttable presumption that the **individual or** owner of the vehicle is that corporation, partnership or individual in whose name the vehicle is registered, or to whom the license plates are issued, or whose name appears on the body of the vehicle, and that the owner of the vehicle was the person who caused or permitted the vehicle to dump in violation of this section.
- (c) The police department, **the Building Department, and/or the Department of Public Works** shall investigate the complaint of any witness to an allegedly unauthorized dump upon being provided **the identity or description of the individual or the** name on the vehicle or the license plate number of the vehicle.
- (d) Any **individual or** vehicle owner convicted for violation of this section shall be punished by a fine of not less than \$300.00 and not exceeding \$500.00 or by imprisonment for a period not exceeding 90 days, or by both such fine and imprisonment, in the discretion of the court, and/or community service may be ordered at the discretion of the court.

Section 2. Severability.

If any section, clause, 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 this Ordinance shall stand and be in full force and effect.

Section 3. Saving Clause.

A prosecution which is pending on the effective date of this ordinance and which arose from a violation for an ordinance repealed by this or ordinance, or a prosecution which is started within one (1) year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance and which was committed prior to the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

Section 4. 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 5. Publication.

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

Section 6. Effective Date.

This Ordinance shall be effective ten days after date of adoption by the City Council.

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

No: None

Ordinance Adopted.

President Patrice Waterman opened up public hearing #5 (release of interest in real property parcel 14-29-453-033 commonly known as 112 west pike and the Lawrence parking lot) at 6:55 p.m.

There were no individuals who spoke during this public hearing.

President Patrice Waterman closed public hearing at 6:56 p.m.

17-29 **Resolution release of interest in real property parcel 14-29-453-033; commonly known as 112 West Pike and the West Lawrence Parking Lot. Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.**

Be It Resolved that the Pontiac City Council grants and releases the interest in real property for parcel 14-29-453-033 commonly known as 112 West Lawrence Parking Lot.

Agreement Granting Interest in Property

This Agreement Granting Interest in Property (the "Agreement") by and between the Salvation Army, an Illinois corporation whose address is 5550 Prairie Stone Parkway, Hoffman Estates, Illinois 60192 ("Grantor") and the City of Pontiac, a Michigan municipal corporation whose address is 474500 Woodard Ave, Pontiac, Michigan 48342 ("Grantee"), made effective as of the date of the last signature on this Agreement ("the Effective Date").

RECITALS

- A. The economic Development Corporation of the City of Pontiac (the "EDC") conveyed to Grantor title to a certain parcel of real property located at or about West Lawrence Street in the City of Pontiac, Oakland County, Michigan, more fully describe on the attached Exhibit "A" (the "Parking Lot Parcel") by Quick Claim Deed dated June 19, 1990, recorded in Liber 11442, page 391, Oakland County records on June 28, 1990 and recorded in Liber 11519, Page 820, Oakland County records on August 20, 1990 (the "Conveyance").
- B. The Conveyance contained a reversionary interest in the Parking Lot Parcel with the Grantee, as successor in interest to EDC, at the request of Grantor, has subsequently released, terminated and cancelled.
- C. In conclusion for the release of reversionary interest in the Parking Lot Parcel by Grantee, Grantor has agreed to grant to Grantee a similar interest in the Parking Lot Parcel upon the terms and conditions more particularly set forth in the Agreement.

Now, Therefore, in consideration of the foregoing recitals and the mutual promises herein set forth, the parties hereby agree as follows:

1. **Grant a Reversionary Interest.** Grantor hereby grants to Grantee a reversionary interest in the Parking Lot Parcel, whereby all right, title and interest in the Parking Lot Parcel will revert to Grantee upon the sale by Grantor of its fee simple interest in a certain parcel of real property located in the city of Pontiac, Oakland County, Michigan, described as:

Lot 49, except the Westerly 30 feet, also all of Lots 50, 51, 52 and 53, Assessor's Plat No. 112, according to the plat thereof as recorded in Liber 53 of Plats, page 7, Oakland County Records; and Lot 21, Assessor's Plat No. 113, according to the plot thereof as recorded in Liber 53 of Plats, page 8, Oakland County Records.

Commonly known as: 112 West Pike Street
Part of Parcel No.: 14-29-453-033

2. **Recording.** The parties agree to cause this Agreement to be recorded with the Oakland County Register of Deeds to give record notice of the interest of Grantee in the Parking Lot Parcel.
3. **Contingency.** This Agreement is to contingency upon final approval and execution by the Board of Trustees of The Salvation Army, Territorial Headquarters, Hoffman Estates, Illinois.
4. **Authority.** Grantor and Grantee each represent and warrant to the other that (a) it has full power and authority to enter into this Agreement and to perform and carry out all obligations, covenants and provision hereof; and (b) this Agreement constitutes the legal valid and binding obligations of said party in accordance with the terms hereof and has been duly authorized and/or committee action as the case may be of each party.

EXHIBIT "A"

January 26, 2017

Lot 47, except the Southerly part measured 22.76 feet along the West lot line and 33.95 feet along the East lot line, also all lot 48, also the Westerly 30 feet of Lot 49, Assessor's Plot No. 112, according to the plot thereof as recorded in Liber 53 of Plats, page 7, Oakland County records.

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

No: None

Resolution Passed.

President Patrice Waterman opened up public hearing #6 (Sale of vacant land parcel 14-28-380-035) at 6:58 p.m.

There were 5 individuals who addressed the body during public hearing.

1. Renee Beckley, 95 Crescent. Where and what is the parcel used for?
2. Linda Watson, 529 California. What is the lot size and where is it?
3. Representative from Community Housing Network. He explained where the parcel is and said it is a good purpose to sell.
4. Mike McGuinness, 26 Union. He said he likes it and hope it passes.
5. Chuck Johnson, 26 N. Paddock. He stated that he hopes sale passes but be mindful of that street being used because it will tear up and won't get repaired.

President Patrice Waterman closed public hearing at 7:01 p.m.

17-30 **Resolution for sale of Vacant Land Parcel 14-28-380-035.** Moved by councilperson Pietila and supported Councilperson Williams.

Be It Resolved that the Pontiac City Council accepts the offer from Community Housing Network for \$500.00 to purchase parcel #14-28-380-035.

Be I Further resolved, that the Pontiac City Council authorizes the Mayor and Clerk to execute the sell.

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

No: None

Resolution Passed.

President Patrice Waterman opened up public hearing #7 (Sale of vacant land parcel 14-29-130-011) at 7:03 p.m.

There were no individuals who addressed the body during this public hearing.

President Patrice Waterman closed public hearing at 7:03 p.m.

Councilman Kermit Williams left at 7:03 p.m.

17-31 **Resolution for sale of Vacant Land Parcel 14-29-130-011.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Be It Resolved that the Pontiac City Council accepts the offer from Wolf homes, Inc. to purchase parcel #14-29-130-011.

Be I Further resolved, that the Pontiac City Council authorizes the Mayor and Clerk to execute the sell.

January 26, 2017

Ayes: Holland, Pietila, Taylor-Burks and Waterman

No: None

Resolution Passed.

Councilman Kermit Williams was absent during the vote.

17-32 **Resolution for an approval of bid by Redigan Outdoor Services.** Moved by Councilperson Holland and supported by Councilperson Pietila.

Whereas, the City of Pontiac has advertised and received responses to a proposal for snow removal and salt services on city owned parking lots, sidewalks and parking areas along Saginaw Street in the downtown and;

Whereas, a bid tabulation was prepared and reviewed by the purchasing agent of the city, and;

Whereas, the City identified the low bidder as Redigan Outdoor services with a total of \$5,930.00

Now, Therefore, Be It Resolved: The Pontiac City Council authorized through the Mayor or the Deputy Mayor to enter into a contract with Redigan Outdoor Services for snow removal and salt services.

Ayes: Holland, Pietila, Taylor-Burks and Waterman

No: None

Resolution Passed.

Councilman Kermit Williams was absent during the vote.

Councilman Kermit Williams came back at 7:13 p.m.

17-33 **Resolution for an approval of as-needed Engineering Services.** Moved by Councilperson Taylor-Burks and supported by Councilperson Holland.

Whereas, the City of Pontiac has advertised and received responses to a request for qualifications for As-Needed Engineering Services on October 24, 2016 and publically opened bids, and;

Whereas, a review panel has scored the responses, and;

Whereas, the diverse types of work and project in the next few years will necessitate multiple firms with varied expertise, and;

Whereas, after scoring, the most qualified consultants were: Hubbell, Roth and Clark, Inc., Alfred Benesch and Company, Nowak and Fraus, Anderson Eckstein and Westrick and NTH Consultants. The total funding for any and all work performed under these as-needed contracts will not exceed budgeted amounts.

Now, Therefore, Be It Resolved, the Pontiac City Council authorized the Mayor to enter a 3 year contracts with: Hubbell, Roth and Clark, Inc., Alfred Benesch and Company, Nowak and Fraus, Anderson Eckstein and Westrick and NTH Consultants for as needed engineering services as budgeted in the general fund and both major and local street funds.

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

No: None

Resolution Passed.

17-34 **Motion to amend the NO-HAZ Agreement to add language for no charge to the citizens.** Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-35 **Resolution for approval of NO-HAZ Agreement.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and,

Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and,

Whereas, recognizing there is a need to provide regular easily accessible household hazardous waste collection services to North Oakland County residents; and,

Whereas, collection events for household waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale, and

Whereas, Oakland County, through its Waste Resource Management Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ), and,

Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program, and,

Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program, and,

Whereas, the NO HAZ Interlocal agreement establishes a NO HAZ advisory board to assist and advise Oakland County in the development of the NO HAZ program.

Now, Therefore, Be It Resolved: That our community, the City of Pontiac, hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature and with no cost to be borne by the citizens of Pontiac, and,

Be It Further Resolved; that we hereby appoint Terrance King as our official representative to the NO HAZ Advisory Board, to work with the Oakland County Waste Resource Management Division as needed to plan the NO HAZ program for 2017.

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

No: None

Resolution Passed.

17-36 **Council schedules a public hearing for approval to amend the TIFA district boundaries on Thursday, February 23, 2017 at 6:00 p.m.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Whereas, the City of Pontiac has received a request to establish a brownfield district within the existing TIFA district; and,

Whereas, in order for the brownfield district to be established, the parcel must either be removed from the TIFA district or the district must be removed from the TIFA development plan; and,

Whereas, because the current parcel's taxable value is significantly below the base value of the parcel, removal from the TIFA district is most desirable; and,

Whereas, the diverse types of work and project in the next few years will necessitate multiple firms with varied expertise, and;

Therefore, Be It Resolved, that the Pontiac City Council shall hold a public hearing during its regular scheduled City Council meeting at 6:00 p.m. on Thursday, February 23, 2017 in Pontiac City Hall, City Council Chambers, 47450 Woodward Ave., for the purpose of receiving public comment on the proposal

January 26, 2017

to remove from the boundaries of the Tax Increment Finance Authority parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013.

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

No: None

Resolution Passed.

Councilman Kermit Williams left at 7:51 p.m.

There were 9 individuals who addressed the body during public comments.

Honorable Mayor Deirdre Waterman Reported.

Councilman Kermit Williams came back at 8:17 p.m.

Attorney Travis Mihelick, Councilman Holland, Councilwoman Doris Taylor-Burks, Councilman Kermit Williams, Pro-tem Mary Pietila and President Patrice Waterman made closing comments. Deputy Clerk Sheila R. Grandison had no closing comments.

President Patrice Waterman adjourned the meeting at 8:40 p.m.

SHEILA R. GRANDISON
DEPUTY CITY CLERK

January 30, 2017

**Official Proceedings
Pontiac City Council
170th Session of the Ninth Council**

A Special Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Monday, January 30, 2017 at Noon by President Patrice Waterman.

Call to Order at Noon

Roll Call

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

Members Absent: Carter, Holland, and Williams.

Mayor Waterman was present.

Clerk announced a quorum.

17-37 **Excuse Councilperson Carter, Holland and Williams for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

Ayes: Pietila, Taylor-Burks, Waterman and Woodward

No: None

Motion Carried.

Holland arrived at 12:05 p.m.

17-38 **Request for this proposed ordinance to become an emergency ordinance with immediate effect.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-39 **A request to change the zoning at 1999 CenterPoint Parkway from C-4 Suburban Business to M-2, General Industrial Zone District Parcel No. 19-03-201-002.** Moved by Taylor-Burks and supported by Woodward.

ORDINANCE NO. 2341

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING DISTRICT CLASSIFICATIONS FOR A SPECIFIC PARCEL ID NUMBER 19-03-201-002 AT THE NORTHEAST CORNER OF CAMPUS DRIVE AND CENTERPOINT PARKWAY FOR REZONING.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

January 30, 2017

Appendix B of the Code of Ordinances, Article 2, Zoning Districts and Permitted Uses, Section 2.103, the Zoning Map of the City of Pontiac, is amended to CHANGE THE ZONING DISTRICT CLASSIFICATION FROM C-4 SUBURBAN BUSINESS DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT AND ALLOW THE USES PERMITTED IN THAT ZONE DISTRICT FOR PARCEL IDENTIFICATION NUMBER 19-03-201-002 LEGALLY DESCRIBED AS:

LAND SITUATED IN THE CITY OF PONTIAC, IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN IS DESCRIBED AS FOLLOWS:

PART OF SECTION 3, TOWN 2 NORTH, RANGE 10 EAST, CITY OF PONTIAC. OAKLAND COUNTY, MICHIGAN, ALSO BEING PART OF LOTS 5, 6 AND 7 AND PART OF BELTLINE RAILROAD EXCEPTED, AS PLATTED A PART OF ASSESSOR'S PLAT NO. 110, AS RECORDED IN THE LIBER 52, PAGE 26 OF PLATS, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT DISTANT S89°46'13"E ALONG THE NORTH LINE OF SECTION 3, 71.08 FEET AND S02°36'47"W ALONG THE EXTENSION OF THE EASTERLY LINE OF CENTERPOINT PARKWAY (120 FEET WIDE), 67.78 FEET FROM THE NORTH 1/4 CORNER OF SAID SECTION 3, TOWNSHIP 2 NORTH, RANGE 10 EAST, SAID POINT OF BEGINNING BEING ON THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) AND EASTERLY LINE OF SOLD CENTERPOINT PARKWAY; THENCE DUE EAST ALONG SOUTHERLY LINE OF SAID SOUTH BOULEVARD, 1227.63 FEET; THENCE DUE SOUTH, 185.48 FEET; THENCE S44°50'04"E, 20.48 FEET; THENCE DUE EAST, 453.06 FEET; THENCE N74°26'44"E, 16.09 FEET TO A POINT ON THE WEST LINE OF NORTH CONNECTOR ROAD (66 FEET WIDE); THENCE DUE SOUTH ALONG THE WEST LINE OF SAID OF NORTH CONNECTOR ROAD, 336.65 FEET TO A POINT ON THE NORTH LINE OF CAMPUS DRIVE (WIDTH VARIES); THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTHERLY LINE OF SAID CAMPUS DRIVE: (1) N89°22'30"W, 856.31 FEET; AND (2) 356.03 FEET ALONG A CURVE TO THE LEFT (RADIUS 443.00 FEET, CENTRAL ANGLE 46°02'49", CHORD BEARING AND DISTANCE S67°36'06"W, 346.52 FEET); AND (3) S44°34'41"W, 56.60 FEET; AND (4) 296.63 FEET ALONG A CURVE TO THE RIGHT (RADIUS 350.00 FEET, CENTRAL ANGLE 48°33'32", CHORD BEARING AND DISTANCE S69°52'06"W, 287.83 FEET); AND (5) N87°23'13"W, 260.00 FEET TO A POINT ON THE EASTERLY LINE OF CENTERPOINT PARKWAY (120 FEET WIDE); THENCE NORTHERLY ALONG EASTERLY LINE OF SAID CENTERPOINT PARKWAY N02°36'47"E, 783.39 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 1999 CENTERPOINT PKWY, PONTIAC, MI 48341

Section 2. Severability.

If any section, clause, 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 this 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. Effective Date

January 30, 2017

This Ordinance is declared an emergency ordinance and has immediate effect.

17-40 **Motion to Amend Resolution No. 17-15.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

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

No: None.

Motion Carried.

17-41 **Request to amend resolution No. 17-15 approving the sale of real property commonly known as the Phoenix Center.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

City of Pontiac City Council
Resolution 17-41
Resolution to Amend Resolution 17-15
(Sale of Phoenix Center)

At a meeting of the City Council of the City of Pontiac, Michigan, held on January 30, 2017, a resolution to amend Resolution 17-15 that approved the sale of the of the Phoenix Center to BoonEx Inc., a Georgia corporation, was adopted.

WHEREAS, on January 12, 2017, the City Council of the City of Pontiac, approved Resolutions 17-13 (the direct sale of the real property commonly known as the “Phoenix Center”), Resolution 17-15 (the sale of the Phoenix Center to BoonEx, Inc.), and Resolution 17-16 (the settlement of litigation by and between Ottawa Tower II, et. al and the City of Pontiac); and

WHEREAS, on January 13, 2017, the City executed a Purchase and Sale Agreement (the “Agreement”) with BoonEx, Inc. for the sale of the Phoenix Center pursuant to Resolution 17-15 (the City and BoonEx, collectively “the Parties” herein); and

WHEREAS, during the due diligence review the Parties determined that certain structural elements of the Phoenix Center are located on adjacent parcels, including the staircases that provided ingress and egress to the Pontiac Phoenix Center, and which are an integral part of the structure, and therefore should have been included in the description of the Phoenix Center under the Agreement; and

WHEREAS, the City has also identified certain existing easements for rights of way, utilities, and public road right of way that must be identified, defined, located and excepted from the conveyance of the Phoenix Center under the Agreement; and

WHEREAS the Parties have agreed to amend the legal description for the Pontiac Phoenix Center in the Agreement to include the parcels that contain the structural elements (the staircases) identified herein; to except and preserve certain easements, and right of way for the benefit of the public; and to adjust the purchase price for the Phoenix Center in connection with the interests described herein; and

WHEREAS the Parties have further agreed to adjust the due diligence period under the Agreement to permit the review and assessment of the interests described herein.

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the Phoenix Center to BoonEx, Inc. in the amount of \$3,250,000 pursuant to the terms of a certain Purchase and Sale Agreement as amended by the proposed Amendment to Purchase and Sale Agreement that has been presented to the City Council.

January 30, 2017

BE IT FURTHER RESOLVED, that the Mayor of the City of Pontiac is hereby authorized to take any action necessary to accomplish and finalize the conveyance of the Phoenix Center premises, as described on the attached Exhibit A, to BoonEx, Inc., including but not limited to executing any and all documents necessary to convey the Phoenix Center to BoonEx; discharge the City's obligations in the record of title to the Phoenix Center; and to complete the Multiple Party Simultaneous Closing Agreement between Ottawa Towers, the City, and BoonEx that has previously been approved by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL, Pontiac, Michigan, this 30th day of January, 2017.

AYES: _____

NAYS: _____

I, Sherikia Hawkins, M.A., Clerk of the City of Pontiac, hereby certify that the above Resolution is a true and accurate copy of the Resolution passed by the City Council of the City of Pontiac on January ____, 2017.

Sherikia Hawkins, City Clerk

Dated: _____, 2017

w:\p\Pontiac, City of\Ottawa Towers\Documents\City of Pontiac City Council Amended Resolution-Sale of Phoenix Center

EXHIBIT A
LEGAL DESCRIPTION

The land situated in the County of Oakland, City of Pontiac, State of Michigan, is described as follows:

PARCEL 1:

Lots 8 through 13, both inclusive, part of Lots 45, 47 and 48, all of Lots 49 through 62, both inclusive, part of Lot 64, all of Lot 65, part of Lot 66, all of Lot 67, and part of Lot 68, including vacated alley adjacent to Lots 11 and 59, and including part of vacated Perry Street, of ASSESSOR'S PLAT NO. 131 A REPLAT OF ASSESSOR'S PLAT NO. 44 AND LOTS 1. TO 20 INC. OF EASTERN ADDITION, PTS. S.W. 1/4 SEC. 28 & S.E. 1/4 SEC. 29, T.3N. R.10E., CITY OF PONTIAC, OAKLAND CO., MICHIGAN, according to the plat thereof as recorded in Liber 54A of Plats, page 65, Oakland County Records, part of Lots 4 through 14, both inclusive, of ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. 1/4 SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH., according to the plat thereof as recorded in Liber 54A of Plats, page 71, Oakland County Records, including vacated part of Auburn Avenue lying North of said ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. 1/4 SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH., and including that part of vacated Saginaw Street lying within or adjacent to said ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. 1/4 SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH. and said ASSESSOR'S PLAT NO. 131 A REPLAT OF ASSESSOR'S PLAT NO. 44 AND LOTS 1 TO 20 INC. OF EASTERN ADDITION, PTS. S.W. 1/4 SEC. 28 & S.E. 1/4 SEC. 29, T.3N. R.10E., CITY OF PONTIAC, OAKLAND CO., MICHIGAN, part of Lot 101, of ORIGINAL PLAT OF THE CITY OF PONTIAC, according to the plat thereof as recorded in Liber 1 of Plats, page 1, Oakland County Records, all of Lots 1, 2 and 3, and part of Lots 4 and 5, including part of vacated Dawson Alley, of ASSESSOR'S PLAT NO. 65, according to the plat thereof as recorded in Liber 1 of Assessor's Plats, page 65, Oakland County Records, and part of Lot 8, all of Lots 9, 10 and 11, part of Lots 12, 13 and 14, and part of Lots 35, 38 and 39, including part of vacated Patterson Avenue, of ASSESSOR'S PLAT NO. 114 A REPLAT OF SUB. OF OUTLOTS 18, 22 & 23 IN S.E. 1/4 SEC. 29, according to the plat thereof as recorded in Liber 53 of Plats, page 9, Oakland County Records, all described as: Beginning at a point distant South 14 degrees 36 minutes 54 seconds East, 360.29 feet from the Northeast corner of Lot 96 of ORIGINAL PLAT OF PONTIAC; thence North 75 degrees 13 minutes 16 seconds East, 94.87 feet; thence South 14 degrees 32 minutes 05 seconds East, 35.76 feet; thence North 75 degrees 27 minutes 55 seconds East, 35.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 76.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 263.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 187.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 121.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 579.77 feet; thence North 85 degrees 36 minutes 14 seconds West, 107.83 feet; thence North 14 degrees 32 minutes 05 seconds West, 181.79 feet; thence South 75 degrees 27 minutes 55 seconds West, 124.91 feet; thence North 14 degrees 32 minutes 05 seconds West, 2.42 feet; thence South 75 degrees 27 minutes 55 seconds West, 64.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 2.42 feet; thence South 75 degrees 27 minutes 55 seconds West, 128.00 feet; thence South 14 degrees 30 minutes 01 second East, 144.67 feet; thence South 75 degrees 25 minutes 42 seconds West, 96.55 feet; thence North 14 degrees 10 minutes 39 seconds West, 144.72 feet; thence South 75 degrees 27 minutes 55 seconds West, 153.93 feet; thence North 14 degrees 32 minutes 05 seconds West, 197.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 54.58 feet; thence North 14 degrees 32 minutes 05 seconds West, 245.00 feet; thence South 75 degrees 27 minutes 55 seconds West, 64.00 feet; thence North 14 degrees 32 minutes 05 seconds West, 159.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 67.00 feet; thence North 14 degrees 32 minutes 05

January 30, 2017

seconds West, 52.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 97.14 feet; thence North 14 degrees 36 minutes 54 seconds West, 8.35 feet to the Point of Beginning.
Tax Item No. 14-29-484-006

Staircase Parcels:

Tax Parcel No. 14-29-484-003

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO 131 PART OF LOTS 43 & 44, PART OF LOTS 46, 47 & 48, ALSO PART OF VAC PERRY ST ALL DESC AS BEG AT PT DIST 5 14-32-05 E 20.00 FT FROM NW COR OF LOT 47, TH N 75-13-16 E 431.00 FT, TH S 14-32-05 E 113.60 FT, TH S 75-27-55 W 396.00 FT, TH N 14-32-05 W 76.00 FT, TH S 75-27-55 W 35.00 FT, TH N 14-32-05 W 35.76 FT TO BEG.

Tax Parcel No. 14-29-484-010

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO 131 PART OF LOT 7, ALSO ALL OF LOT 14, ALSO PART OF LOT 15, ALSO PART OF LOT 41 TO 45 INCL, ALSO PART OF VAC PERRY ST ADJ TO SAME ALL DESC AS BEG AT PT DIST S 01-54-34 E 20.51 FT & S 75-13-16 W 294.22 FT FROM NE COR OF LOT 26 OF SD PLAT, TH S 14-32-05 E 323.81 FT, TH S 75-27-55 W 64 FT, TH N 14-32-05 W 22.99 FT, TH S 75-27-55 W 121 FT, TH N 14-32-05 W 187 FT, TH N 75-27-55 E 133 FT, TH N 14-32-05 W 113.60 FT, TH N 75-13-16 E 52 FT TO BEG 8-29-14 FR 007.

Tax Parcel No. 14-32-227-003

T3N, R10E, SEC 32 & 33 ASSESSOR'S PLAT NO 130 PART OF LOTS 9 TO 12 INCL, ALSO PART OF VAC AUBURN AVE & PARKE ST ALL DESC AS BEG AT PT DIST N 14-22-45 W 79.00 FT & N 75-25-42 E 100.00 FT & N 84-54-44 E 213.77 FT & S 85-36-14 E 114.31 FT FROM NW COR OF LOT 16, TH N 14-32-05 W 185.06 FT, TH ALG CURVE CONCAVE LEFT, RAD 485.37 FT, CHORD BEARS S 86-31-58 E 94.44 FT, DIST OF 94.59 FT, TH N 87-53-06 E 40.05 FT, TH S 04-23-46 W 181.12 FT, TH N 85-36-14 W 74.18 FT TO BEG.

Subject to any easements and/or rights of way or any other interests of the public which are of record or to be defined by Seller prior to closing to maintain and support the road right of way and appurtenances for Orchard Lake Avenue, Auburn Avenue and South Saginaw Street.

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

No: None.

Resolution Adopted.

No Public Comment

President Patrice Waterman adjourned the meeting at 12:21 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

February 2, 2017

**Official Proceedings
Pontiac City Council
171st Session of the Ninth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, February 2, 2017 at 6:03 P.M. by President Patrice Waterman.

Call to Order at 6:03 p.m.

Roll Call

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

Members Absent: Holland and Williams.

Mayor Waterman was present.

Clerk announced a quorum.

17-42 **Excuse Councilperson Holland and Williams for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

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

No: None

Motion Carried.

Holland arrived at 6:08 p.m.

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

Williams arrived at 6:24 p.m.

Agenda Items For City Council Consideration

1. Presentation of the Financial Statements year ended June 30, 2016 by Rehmann.
2. Discussion of street name change.

President Patrice Waterman adjourned the meeting at 7:03 p.m.

SHEILA R. GRANDISON
DEPUTY CITY CLERK



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Dr. Deirdre Waterman, Mayor

DATE: February 2, 2017

RE: **Recommendation to Add Name to the City's E. Wilson Street Sign**

This recommendation is to recognize our esteemed native of Pontiac, Ronnie McNeir, by recommending that his name be placed on the E. Wilson Street sign (off Woodward, by the railroad crossing).

Mr. McNeir lived at 177 E. Wilson for over 57 years and had attended Pontiac schools, played basketball and graduated from Pontiac Central High School. Mr. McNeir had been a member of the Motown family at the age of 19. His career as an entertainer has taken him throughout the world as a member of the legendary Four Tops for 17 years.

In addition to performing at the inaugural ceremony of President Bush, as an entertainer he has also performed for President Clinton and President Obama. Mr. McNeir is a very talented artist, in addition to being a great singer; he has composed, produced, and accompanied numerous entertainers (listing attached). Much of his music has been recorded and heard throughout the world. Mr. McNeir's talents have taken him to virtually every state in the U.S. and the world—including Europe, China, Australia, and Africa.

Even with all of his fame and notoriety—he has remained humble and is proud of the City of Pontiac. Whenever he is interviewed by the media, he proudly replies: "my hometown is Pontiac, Michigan".

Pontiac is proud of the distinction of its native son, Ronnie McNeir, his many accomplishments and his world renowned fame as an entertainer. It is with that realization that we recommend this recognition of this celebrated namesake of Pontiac by designating the E. Wilson Street, Ronnie McNeir Street.

Attached you will find his numerous distinguished accomplishments. Therefore, I respectfully request that the City Council consider approving the following resolution:

- WHEREAS, We, Pontiac, should be extremely proud of Ronnie McNeir and his accomplishments; he deserves the honor of having his name placed at the Wilson Street location.
- WHEREAS, Rather than 'honoring him at a sad occasion, why not allow his family, friends and all of Pontiac be able to drive on Woodward and be proud to see and "celebrate" his name here and now; and
- WHEREAS, Mr. Ronnie McNeir has been a resident of the City of Pontiac for over 57 years, and graduated from Pontiac Central High School, and

WHEREAS, Mr. McNeir had been a member of the Motown family at the age of 19 and was a member of the legendary Four Tops for 17 years, and

WHEREAS, Mr. McNeir has performed for U.S. Presidents, Bush, Clinton and Obama; and has written, produced and recorded numerous music albums, and

WHEREAS, Mr. McNeir has achieved numerous musical accomplishments and his a world renowned musician and writer.

NOW, THEREFORE,

BE IT RESOLVED, The Pontiac City Council, at the recommendation of the Mayor Deirdre Waterman; add the name of Ronnie McNeir to the E. Wilson Street in the City of Pontiac.

Attachments

One of the most underrated synth pioneers in soul/pop music is Ronnie McNeir. McNeir conceived a highly individualistic approach to music synthesis over the course of three albums and one EP. Hyperkentic (broken chord) jazzy synth-bass lines, churchy organ, multi-note piano chords, and sinewy high and mid-range ARP solo lines weave in and out of the mix while McNeir supplied all the vocals and acoustic drums. McNeir's tools for this aural wizardry were acoustic piano, melodica, the ARP 2000 and ARP Rhapsody synthesizers, and an organ rhythm box he dubbed "Mister Ed." Besides soul music fans and steppers, many albums in McNeir's catalog are favorites among Northern soul and beach music enthusiasts.

The Camden, AL, native moved to Pontiac, MI, at an early age. He grew up on Wilson Street on the eastside of Pontiac until he relocated to Las Vegas. He taught himself piano by listening to the records of the day, including the sounds of Motown and jazz artists. As a teen, he won a talent contest and was rewarded with a single release, "Sitting in My Class," on the Deto label. In 1972, he made a trip out to California, where while playing in church he met Motown alumni Kim Weston and Mickey Stevenson. Using her private recording studio, he recorded his first album, Ronnie McNeir, for RCA that same year that included the singles "Summertime" (not the Porgy and Bess standard) and "Young Girl." "Summertime" was basis for the McNeir favorite "I'm Your Lover." The Ronnie McNeir LP was reissued around 1978 and became a perennial favorite in the U.K.

Returning to Michigan, he began playing in churches and doing studio work, primarily at United Sound Studio in Detroit. To make ends meet, he also took a sales position with Mattel. In 1976, McNeir recorded a nice mid-tempo groover, "Wendy Is Gone," for Barney Ales' Prodigal label. Prodigal was Motown's "minor league" label; meaning that if a Prodigal release did real well, the act was then transferred to Motown. "Wendy Is Gone" took off in Detroit and other key markets and landed on the lower half of Billboard's soul singles chart. The album Ronnie McNeir (the same title as his RCA debut) was released by Prodigal. The Billboard charting singles, "Sagittarian Affair" and "I'm Your Lover," proved popular enough for McNeir to have a guest spot on Soul Train. "Wendy Is Gone," "I'm Your Lover," and "Nothing but a Heartache" became steppers favorites. Motown signed McNeir that same year.

His Motown debut, Love's Comin' Down, was released in August 1976. He was assigned Motown veteran Clarence Paul to co-produce the album with and a pre-Raydio Ray Parker Jr. supplied sporadic guitar. McNeir got to work with Smokey Robinson on the movie soundtrack for Big Time (the title track is a great showcase for McNeir's astounding skills) and the Love Breeze album. Despite favorable reviews in Billboard U.K.'s Black Music and other publications, numerous singles releases ("Selling My Heart to the Junkman," "It Wont Be Long (Before We're All Gone)," "Have You Ever Seen Them Shake," and "Love's Comin' Down"), the album didn't chart. There were tracks recorded for a second Motown album, but they were never released. Around this time, McNeir recorded two tracks with the Four Tops for their

1977 ABC album, *The Show Must Go On*. He later became the group's musical director and he appears on their 1995 Motown album, *Christmas Here With You*. Also during the late '70s, McNeir began working for Detroit-based producer Don Davis' (Johnnie Taylor, the Dramatics) Groovesville Productions, appearing on sides by David Ruffin and Dramatics vocalist L.J. Reynolds' solo Capitol LP, among others. McNeir also recorded as a solo artist with Groovesville, releasing a duet single with Rena Scott, "A Different Kind of Love," on Davis' RCA-distributed label, Tortoise International. In 1984, a four-song EP produced by Horizon Productions was released by Capitol. The Ronnie McNeir Experience featured a Rene Moore and Angela Winbush-penned song, "Come on Be With Me," as its sole charting single.

In 1985, McNeir made it to the upper half of Billboard's R&B charts as the producer/composer of "I Couldn't Believe It" (remixed by Nick Martinelli), a hit for former Temptations members David Ruffin and Eddie Kendricks, who recorded as Ruffin & Kendricks for RCA. The prolific songwriter, session musician, vocalist, and producer appeared on albums by Little Milton (*Age Aint Nothing but a Number*), Rance Allen (*Stax/Fantasy*), Carrie Lucas' cover of Barbara Lewis' "Hello Stranger" from *Horsing Around* (Solar/RCA), and Bobby Womack's "Caught Up in the Middle" from his *Pieces* album, among others.

The popularity of his albums, particularly his RCA debut, the *Prodigal* release, led to concert and recording dates in the U.K. for McNeir during the '80s and '90s.

Ronnie McNeir is married to his childhood sweetheart Mona Lisa McNeir. Together they have six children.



home start here the artists listen out for chart been missed respect real audio opinion network jazz - fusion links motown

ronnie mcneir



b. Lewis Ronald McNeir, 14th December 1951, Camden, Alabama, U.S.A.

Born in Camden, Alabama, Ronnie McNeir was raised in Pontiac, Michigan, where he first took a keen interest in the Motown Sound.

As a child, Ronnie was a gifted basketball player, however, this interest was soon brought to an abrupt end following a car accident.

Ronnie took up the piano, which he became proficient with by the age of fourteen.

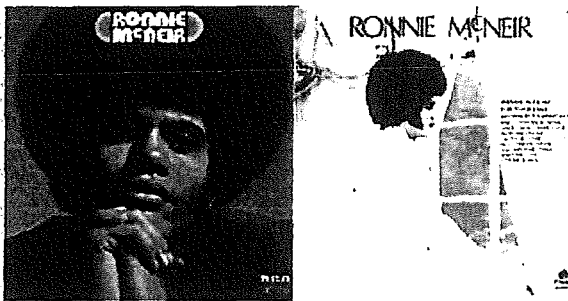
He won a talent contest in 1966 which led to a deal and his first 45, a tune called 'Sitting In My Class'.

The song was later to become a huge Northern Soul hit.

He relocated to Los Angeles in 1971, where he struck up a relationship with Rene Moore and joined the local choir.

Here he met Kim Weston, who employed Ronnie as her Musical Director.

It was Kim Weston who helped Ronnie land his first record deal at RCA Records.



ronnie mcneir - 1972 / ronnie mcneir - 1975

He, initially, released one album on RCA in 1972 entitled 'Ronnie McNeir', followed by an album on Prodigal 1975, also entitled 'Ronnie McNeir', containing the much sought after 'I'm Your Lover'.

There were tracks recorded, after an initial release on Motown, for a second album for the label, but they were never released.

Around this time, McNeir recorded two tracks with The Four Tops for their 1977 ABC album, 'The Show Must Go On'.

He later became The Four Tops' musical director.

He later became The Four Tops' musical director.

Ronnie appears on the Tops' 1995 Motown album, 'Christmas Here With You'.

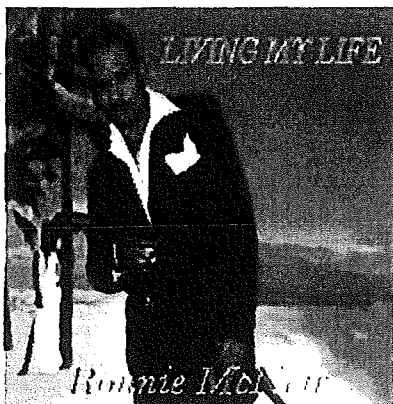
Ronnie appears on the Tops' 1995 Motown album, 'Christmas Here With You'.



ronnie at the royal albert hall in 2007

He toured the U.K. with the Four Tops that year, performing at London's Royal Albert Hall, amongst other venues.

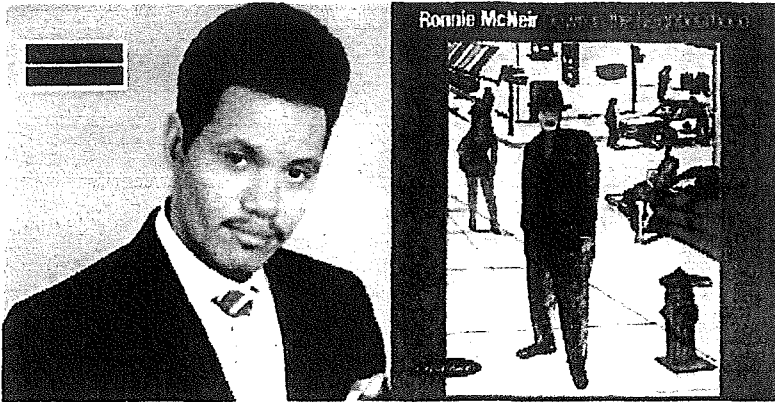
The current Four Tops line up includes, Ronnie, Theo Peoples (formerly of the Temptations), Roquel Payton (son of original member Lawrence Payton) who stepped in after the recent passing of Renaldo 'Obie' Benson, and original Four Top, Abdul 'Duke' Fakir.



In 2011, Ronnie released a new album entitled 'Living My Life' for his own label.

Ronnie also recorded 'Good Side Of Your Love' on Tortoise International which is popular on the Northern Soul Scene.

The popularity of his albums, particularly his RCA debut and the Prodigal release has led to concerts dates in the U.K. for Ronnie.



life and love - 1989 / down in the neighbourhood - 1997

'Life and Love' followed in 1989, which featured the Soul stepper 'Hold On' and 'Simply Ridiculous'.

In 1996, a compilation, 'The Very Best of Ronnie McNeir' was released.

In 2002, Ronnie toured the U.K., as part of the line-up of the Four Tops, covering for Levi Stubbs who was unwell at the time.



the best of ronnie mcneir - 2002 / ronnie mac and company - 2007

2007 saw a return to solo recording with the release of 'Ronnie Mac and Company'.

Ronnie appears on the Tops' 1995 Motown album, 'Christmas Here With You'.



love's comin down - 1976 / the ronnie mcneir experience - 1984

In 1984, a 4-song EP produced by Horizon Productions was released by Capitol.

'The Ronnie McNeir Experience' featured a Rene Moore & Angela Winbush penned song, 'Come On Be With Me', as its first single.

The popular single and album entered the Billboard's charts.

In 1985, Ronnie reached the upper half of Billboard's R & B charts as the producer, composer of 'I Couldn't Believe It' (remixed by Nick Martinelli), a hit for former Temptations David Ruffin and Eddie Kendricks, who recorded as Ruffin & Kendricks for RCA.



love suspect - 1986 / rare mcneir - 1986

1986 saw the release of the album 'Love Suspect', which contained the popular jazz swinger 'Lately'.

He is a prolific songwriter, session musician, vocalist and producer appearing on albums by Rance Allen (Fantasy), Dramatics vocalist L.J. Reynolds (Capitol), Carrie Lucas' version of 'Hello Stranger' from 'Horsing Around' (Solar / RCA), David Ruffin's 'Gentleman Ruffin' (Warner Bros), Bobby Womack's 'Caught Up In The Middle' from his 'Pieces' album among others.

Pontiac City Council

RESOLUTION FOR BLACK HISTORY MONTH

WHEREAS, the City Council of the City of Pontiac, County of Oakland recognizes the extensive civil, social and religious contributions made by African-Americans, including many residents of the City of Pontiac; and,

WHEREAS, in 1926, Carter G. Woodson, noted historian and “The Father of Black History Month,” announced “Negro History Week” in America; and,

WHEREAS, in 1976, “Negro History Week” was expanded to a month when President Gerald Ford designated February as “Black History Month;” and,

WHEREAS, Black History Month is a time of remembering and celebrating African American history, culture and the experiences of our nation’s African American community; and,

WHEREAS, significant events of black history have shaped our nation including the passage of the Emancipation Proclamation in 1863, the Civil Rights Movement, the passage of the Voting Rights Act of 1965 and the Civil Rights Act of 1968- all of which helped move our country toward a more equal and just society; and,

WHEREAS, on November 4, 2008, and again on November 6, 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces; and,

WHEREAS, this City Council further recognizes the vital importance of affording all residents of this city, especially the youth, the opportunity to study and understand Black History, both nationally and with respect to this City.

NOW THEREFORE, BE IT RESOLVED, that the Pontiac City Council celebrates the Month of February as “Black History Month” and joins in observing and celebrating this month of national significance.

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

CITY OF PONTIAC CITY COUNCIL

RESOLUTION

WHEREAS, the City Council believes it is in its best interest to fill the position of a Legislative Office Coordinator to help ensure the efficient operation of City Council business; and

WHEREAS, the City's budget specifically provides for such a position and currently has the funds available for such a position; and

WHEREAS, on October 10, 2015, the City posted the open position of Legislative Office Coordinator, along with a copy of the job description, by way of the City's website; and

WHEREAS, after careful review of the resumes submitted and interviews with the candidates, the Council desires to have _____ hired as the Legislative Office Coordinator.

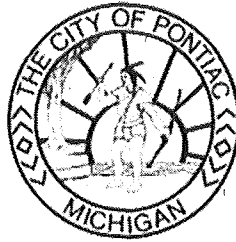
NOW THEREFORE, BE IT RESOLVED, that _____ is hereby hired as the Legislative Office Coordinator at an annual salary of \$60,000.00, and with benefits available at the same level as other City employees, provided that the said individual passes the City's background checks and is otherwise available to be hired by the City.

PASSED AND APPROVED BY THE CITY COUNCIL, Pontiac, Michigan, this _____ day of _____, 2017.

AYES: _____

NAYS: _____

Pontiac City Council Resolution



Whereas, Sections 5.402 of the City Charter requires the City Council to appoint three electors to the Board of review before the first meeting; and

Whereas, all of the members of the 2016 Board of review have agreed to be reappointed and to attend the required training sessions; and

Whereas, the nominees are qualified to serve on the Board of Review;

Whereas, if The Board of Review is in need of an alternate, Mr. Harold Harris has agreed to fulfill the alternate position, and;

Now, Therefore, Be It Resolved, that the Pontiac City Council appoints Linda Watson, Otis Cannon, and Bobbie Yates to the Board of Review and Harold Harris as an alternate for a term expiring December 31, 2017.

Memorandum

To: Pontiac City Council
From: Jane Bais-DiSessa, Deputy Mayor
Nevrus Nazarko, Finance Director
Date: 2/6/2017
Re: 2017 Hardship Exemption Guidelines

The General Property Tax Act requires the governing body to annually adopt guidelines for the Board of Review to follow when considering applications for hardship exemptions. Homeowners granted hardship exemptions by the Board of Review are not required to pay 100% of the property taxes assessed against their homestead property in 2017. Special assessments and the sanitation fee cannot be waived or reduced. Applicants must meet the standards established by an income level test and an asset level test. The proposed guidelines identify the federal poverty guidelines for the income level test and establish a threshold of \$35,000 in assets excluding the homestead property and one vehicle. The asset level test limit was \$35,000 in 2016.

At this time, the City Council is request to adopt the following resolution:

WHEREAS, In accordance with State of Michigan Act No. 390, Public Acts of 1994, approved December 29, 1994, General Property "Section 211. 7u (4). The governing assessing unit shall determine and make public the policy and guidelines the uses for the granting of exemptions the guidelines shall include but not specific income and asset levels of the household income and assets;" and,

WHEREAS, The Pontiac City Council approved said Hardship Exemption Guidelines for 2016; and,

WHEREAS, Said Hardship Guidelines should be amended annually to reflect the new Federal Poverty Guidelines.

NOW, THEREFORE,

BE IT RESOLVED That the Pontiac City Council hereby approves the attached revised 2017Federal Poverty guidelines for the 2017 City of Pontiac Board of Review Instructions for Applicants requesting consideration of Hardship Exemption.



City of Pontiac, Michigan

Department of Finance

JANUARY 2017

TO: PROPERTY OWNERS APPLYING FOR HARDSHIP EXEMPTION (FINANCIAL)
FROM THE CITY OF PONTIAC BOARD OF REVIEW

The Board of Review for the City of Pontiac has adopted uniform guidelines for determining poverty exemptions. Taxpayers whose income falls below a determined level may apply for a reduced assessment, based on income, assets and family size. The goal of this procedure is to adopt consistent standards for granting tax relief based on hardship. Please note: This application may reduce the taxable value of your property; however, it does not affect the homestead exemption affidavits, which reduces the tax rate. (Property taxes – taxable value x tax rate / 1,000).

Attached is a schedule, which outlines the eligibility guidelines as established by the Pontiac City Council under the General Property Tax Act (PA206 of 1893). Please note that the State of Michigan Homestead Property Tax Credit and all pertinent income and expense data shall be used in the determination of eligibility. Attached is the Economic Hardship Exemption application form.

When the application is returned to the Treasurer's Office at City Hall or the **Oakland County Equalization Office, 250 Elizabeth Lake Road, Pontiac, MI 48341**, you shall also submit completed copies of your Federal and State Income Tax Returns, the General Homestead Property Tax Claim Form, MI-1040 CR-4, and the Senior Citizen Homestead Property Tax Form, MI-1040 CR-1, and all other documents identified in the 2017 Exemption Guidelines. **Incomplete applications will be rejected.**

It is not necessary for you to appear in person before the Board of Review. The Oakland County Equalization Office will submit your application to the Board for their consideration; however, the Board may request your presence at a meeting.

In order to provide time to review this application, it must be returned to the Oakland County Equalization Office **ON OR BEFORE MARCH 1ST, JULY 1ST, OR DECEMBER 1ST, 2017; earlier submission is strongly recommended.** Please also note: You may only submit (on one of the days listed above) one application per year.

If you have any questions or need assistance, please contact the Oakland County Equalization Office at (248) 858-0776.

CITY OF PONTIAC
HARDSHIP EXEMPTION GUIDELINES

For Applicants requesting consideration for Property Tax Hardship Exemptions.

- 1) Applicant(s) shall obtain the hardship application form from the City of Pontiac Treasurer's Office or the Oakland County Equalization Department. Handicapped or disabled applicants may call the Assessor's Office to make necessary arrangements for assistance.
- 2) Applicant(s) must own and occupy the property as a homestead
 - a. Must produce a driver's license or other acceptable method of identification and determination of address.
 - b. Must produce a deed, land contract or other evidence of ownership.
- 3) Applicant(s) must complete the application form in its entirety and return to this office. Any application form submitted to the Board of Review which has not been filled out in its entirety shall be denied by the Board of Review. Appeals of said denial shall be made to the Michigan Tax Tribunal.
- 4) Applicant(s) and other persons residing in the homestead must submit copies, attached to the application, for the current year of the following, in order to be considered for eligibility:
 - a. Federal Income Tax Return – 1040, 1040A or 1040EZ
 - b. Michigan Income Tax Return MI-1040, MI-1040A or MI-1040EZ
 - c. Copies of all bank account statements from the prior three (3) months
 - d. Senior Citizens Homestead Property Tax Form MI-1040CR-1
 - e. General Homestead Property Tax Claim MI-1040CR-4
 - f. Social Security Card (any persons 18 years of age or under)
 - g. Treasury Form 4988 (affidavit) for all person residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediate preceding year.
 - h. Warranty deed or land contract or quit claim deed.
 - i. Homeowner's insurance policy
 - j. Employer's name and address
 - k. State of Michigan operator's license
 - l. Evidence of income of all persons living in the home; ADC budget letter; pension benefits; Social Security statement; alimony; child support; FIP; DHS; disability; workers' compensation; other income; W-2 (wages under \$5,000)

- 5) A hardship exemption shall not be granted to any applicant who has not owned and occupied the homestead for a minimum of three (3) years prior to the date of application.
- 6) A hardship exemption shall not be granted to any applicant who owns salable property other than their own homestead no matter where located.
- 7) A hardship exemption shall not be granted to any applicant whose total value of cash and non-cash assets exceed \$35,000. An applicant's homestead property and one vehicle used for personal transportation and titled to a member of the household shall be excluded from consideration as an asset.
- 8) Applicant(s) shall not be eligible for consideration if they do not meet the Income Limitation Guidelines adopted by the City of Pontiac:

Size of Family Unit	Poverty Guidelines
1	\$12,060
2	\$16,240
3	\$20,420
4	\$24,600
5	\$28,780
6	\$32,960
7	\$37,140
8	\$41,320
For each additional person, add	\$4,180

NOTE: IF YOU EXPECT UNUSUAL PERSONAL OR FAMILY EXPENSES WHICH WILL AFFECT YOUR INCOME, THE BOARD OF REVIEW MAY CONSIDER ADJUSTMENTS TO YOUR INCOME LEVEL.

- 9) The MAXIMUM allowed reduction for hardship exemption shall be 50% of the net property taxes due after the State Homestead Credit applied based on Taxable Value of the homestead for the tax year.
- 10) All hardship exemptions shall be granted for the current tax year only.
- 11) Applications may be reviewed and acted upon by the Board of Review without applicant(s) being present. However, the Board may request that any or all applicants be physically present to respond to any questions the Board of Review or Assessor may have. This means that an applicant may be called to appear on short notice.
- 12) Applicant(s) should be prepared to answer questions regarding their financial affairs, health, the status of people living in their home, etc.
- 13) Pursuant to state law, applicant(s) may apply for Hardship Exemption to only one (1) session of the Board of Review (March, July **OR** December) and any appeal of the Board's decision shall be made to the Michigan Tax Tribunal.

- 14) The Board of Review shall have the authority to grant an exemption to applicant(s) who do not meet the residency requirement of the exemption guidelines of the City of Pontiac if they are paraplegic, quadriplegic, hemiplegics, or totally and permanently disabled AND have owned and occupied the property in the City of Pontiac prior to becoming handicapped or permanently disabled.

NOTE: THE BOARD OF REVIEW MAY DEVIATE FROM THIS POLICY ONLY WHEN THERE ARE SUBSTANTIAL AND COMPELLING REASONS WHY THERE SHOULD BE A DEVIATION FROM THE POLICY AND GUIDELINES. IF SUCH DEVIATION IS MADE, THE BOARD OF REVIEW SHALL COMMUNICATE THE SUBSTANTIAL AND COMPELLING REASONS FOR THE DEVIATION FROM THE GUIDELINES IN WRITING TO THE CLAIMANT (MCL211.7(U)5.) See STC Bulletin 7 of 2010

**CITY OF PONTIAC
47450 WOODWARD
PONTIAC, MI 48342**

REQUIRED DOCUMENTS

Hardship Exemption applicants shall submit **COPIES** of the documents listed below in order to be considered for eligibility. Please attach these **COPIES** to your application.

1. FEDERAL INCOME TAX RETURN – 1040, 1040a, OR 1040 EZ
2. MICHIGAN INCOME TAX RETURN – MI-1040, MI-1040A, MI-1040 EZ
3. SENIOR CITIZENS HOMESTEAD PROPERTY TAX FORM MI1040CR-1
4. GENERAL HOMESTEAD PROPERTY TAX CLAIM MI-1040CR-4
5. BANK STATEMENTS FOR ALL ACCOUNTS FOR THE PRIOR THREE (3) MONTHS
6. SOCIAL SECURITY CARD (ALL PERSONS 18 OR UNDER IN THE HOUSE)
7. TREASURY FORM 4988 (AFFIDAVIT) FOR ALL PERSONS RESIDING IN THE HOUSE WHO WERE NOT REQUIRED TO FILE FEDERAL OR STATE INCOME TAX RETURNS IN THE CURRENT OR IMMEDIATE PRECEDING YEAR
8. WARRANTY DEED **OR** LAND CONTRACT **OR** QUIT CLAIM DEED
9. HOMEOWNER'S INSURANCE POLICY
10. EMPLOYER'S NAME AND ADDRESS
11. STATE OF MICHIGAN DRIVERS LICENSE
12. **EVIDENCE OF INCOME OF ALL PERSONS LIVING IN THE HOME:**
 - ADC BUDGET LETTER
 - PENSION BENEFITS
 - SOCIAL SECURITY STATEMENT
 - ALIMONY
 - CHILD SUPPORT
 - FIP
 - DHS
 - DISABILITY
 - WORKERS' COMPENSATION
 - OTHER INCOME
 - W-2 (WAGES UNDER \$5,000)



CITY OF PONTIAC
DEPARTMENT OF FINANCE
47450 Woodward Avenue
Pontiac, Michigan 48342

2017 – 2018 Budget Calendar*

By ordinance, the following timeline has been established for the 2017-2018 Budget:

Date	Event / Activity
July 1, 2016	New fiscal year 2016-2017 begins.
February 9, 2017	Council receives the Budget Calendar and sets the date for a goal setting session.
March 15, 2017	Finance director distributes the budget request packet to each of the department heads.
March 31, 2017	Department heads return completed budget requests packets to the finance director.
April 14, 2017	Finance director to transmit the departmental requests to the Mayor.
May 1 2017	Mayor returns a copy of the balanced budget to finance director
May 15, 2017	Mayor submits to the City Council the balanced budget and appropriations ordinance.
June 1, 2017	Council authorizes public hearing on the budget
June 8, 2017	Council adopts the appropriations ordinance and tax rate for the new year. (Because of RTAB deadlines as below this date needs to change to 06/04/2015)
June 9, 2017	RTAB deadline to receive the budget document
June 21, 2017	RTAB approves the balanced budget as approved by the City Council
July 1, 2017	New fiscal year 2017-2018 begins.

*Note that the deadlines above are mandated by the Budget Ordinance. Internal deadlines can be set by the Mayor for earlier dates of various steps in the process.