



**PONTIAC CITY COUNCIL
FORMAL MEETING**

February 23, 2017

6:00 p.m.

174th 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. February 9, 2017 and February 16, 2017
2. Closed Session Minutes February 16, 2017

Closed Session

3. Resolution to go into closed session.

Deputy Mayor Report or Department Head Reports

Recognition of Elected Officials

Agenda Address

Public Hearings

4. The City of Pontiac Tax Exemption Ordinance-Colonial Meadows Apartments.
5. The City of Pontiac Tax Exemption Ordinance-Newman Court Apartments
6. A Proposal 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.

AGENDA ITEMS FOR CITY COUNCIL CONSIDERATION

7. Request for approval of the Tax Exemption Ordinance-Colonial Meadows Apartments PILOT.
8. Request for approval of the Tax Exemption Ordinance-Newman Court Apartments PILOT.
9. Request for approval of the proposal 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.
10. Request for approval of a resolution concurring with the provisions of a Brownfield Plan Adopted by the Oakland County Brownfield Redevelopment authority for the 366, 400, 500 East South Boulevard Project.

11. Request for Resolution for the Oakland County Brownfield Authority to assist with the 366, 400, 500 East South Blvd. Project.
12. Request for a 1st reading of an ordinance to create an administrative hearings bureau.
13. Request for the addition of three personnel positions for the Department of Public Works.
14. Resolution for Deacon William Kennedy.

Public Comment

Mayor, Clerk, City Attorney, Council Closing Comments

Adjournment

February 9, 2017

**Official Proceedings
Pontiac City Council
172nd Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, February 9, 2017 at 6:00 P.M. by President Patrice Waterman.

Call to Order at 6:00 p.m.

Invocation – Kermit Williams

Pledge of Allegiance

Roll Call

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

Members Absent: Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

17-43 **Excuse Councilperson Don Woodward for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-44 **Council amend the agenda to move items #6 (request for approval of a pilot for Colonial Meadows) & #7 (request for approval of a pilot for Newman Court Apartments) to the beginning of the agenda and approve the agenda.** Moved by Councilperson Taylor-Burks and supported by Councilperson Holland.

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

No: None

Motion Carried.

17-45 **Journal of January 12, 2017, January 19, 2017, January 21, 2017, January 26, 2017, January 30, 2017 and February 2, 2017.** Moved by Pietila and supported by Councilperson Taylor-Burks.

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

No: Williams

Motion Carried.

Deputy Mayor Report or Departmental Head Reports – Mayor Waterman and Deputy Mayor DiSessa

Recognition of Elected Officials – Rosie Richardson (Library Board), Mike McGuiness (School Board) and Carol Turpin (School Board)

17-46 **Request for approval of a PILOT for Colonial Meadows Apartments.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

February 9, 2017

Be It Further Resolved, that the Pontiac city Council will consider the PILOT for Colonial Meadows Apartments on February 23, 2017.

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

No: None

Resolution Passed.

17-47 **Request for approval of a PILOT for Newman Court Apartments.** Moved by Councilperson Taylor-Burks and supported by Councilperson Holland.

Be It Further Resolved, that the Pontiac city Council will consider the PILOT for Newman Court Apartments on February 23, 2017.

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

No: None

Resolution Passed.

17-48 **Request to add name to the City's E. Wilson Street Sign.** Moved by Councilperson Pietila and supported by Councilperson Williams.

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 had 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 has a world renowned musician and writer.

Now, Therefore, Be It Resolved, that 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.

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

No: None

Resolution Passed.

17-49 **Resolution for Black History Month.** Moved by Councilperson Williams and supported by Councilperson Pietila.

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.

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

No: None

Resolution Passed.

17-50 **Council motion to move for Monique A. Sharpe to be added to the resolution for the Legislative Office Coordinator Position.** Moved by Councilperson Taylor-Burks and supported by Councilperson Holland.

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

No: None

Motion Carried.

17-51 **Resolution for the appointment of the Legislative Office Coordinator Position.**
Moved by Councilperson Taylor-Burks and supported by Councilperson Williams.

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, 2016, 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 Monique A. Sharpe, hired as the Legislative Office Coordinator.
Now Therefore, Be It Resolved, that Monique A. Sharpe 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.

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

No: None

Resolution Passed.

17-52 **Resolution for appointment of members to the Board of Review.** Moved by Councilperson Taylor-Burks and supported by Councilperson Williams.

February 9, 2017

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.

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

No: None

Resolution Passed.

17-53 **Request resolution for approval of the 2017 Federal Guidelines for the 2017 City of Pontiac Board of Review Instructions for applicants requesting consideration of Hardship Exemption.** Moved by Councilperson Pietila and supported by Councilperson Williams.

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 2017 Federal Poverty Guidelines for the 2017 City of Pontiac Board of Review Instructions for applicants requesting consideration of Hardship Exemption.

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

No: None

Resolution Passed.

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

Councilman Kermit Williams left meeting at 7:23 p.m.

City Clark Sherikia L. Hawkins, Attorney Travis Mihelick, Councilwoman Doris Taylor-Burks, Councilman Randy Carter, Councilman Mark Holland, Pro-Tem Mary Pietila and President Patrice Waterman made closing comments.

President Patrice Waterman adjourned the meeting at 8:32 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

February 16, 2017

**Official Proceedings
Pontiac City Council
173rd Session of the Ninth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, February 16, 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 and Woodward.

Members Absent: Holland and Williams.

Mayor Waterman was present.

Clerk announced a quorum.

17-54 **Excuse Councilperson Mark Holland and Kermit Williams for personal reasons.**
Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

No: None

Motion Carried.

Councilman Mark Holland arrived at 6:02 p.m.

Councilman Kermit Williams arrived at 6:06 p.m.

There were 10 individuals who address the body during public comments.

17-55 **Resolution for Closed Session.** Moved by Councilperson Woodward and supported by Councilperson 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, the Pontiac City Council believes that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.

Therefore, Be It Resolved that the Pontiac City Council recesses into closed session for the purpose of consulting with its attorney regarding settlement strategy in the cases of CPREA vs. The City of Pontiac, Ottawa Towers vs. The City of Pontiac, MAPE 50th District vs. The City of Pontiac and a legal opinion.

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

No: None

Resolution Passed.

Councilman Kermit Williams was absent during the vote.

February 16, 2017

Special Presentation – Glen Konopaskie-Executive Director; Nevrus Nazarko-Finance Director City of Pontiac, 2017 Pre March Board of Review Assessing.

Agenda Items For City Council Consideration

1. The addition of two personnel positions for the Department of Public Works.

Councilman Kermit Williams left meeting at 7:38 p.m.

Councilman Mark Holland left meeting at 7:54 p.m.

President Patrice Waterman adjourned the meeting at 7:58 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

City of Pontiac

Pontiac City Council

Whereas, the City attorney has presented the city a letter concerning a legal written opinion; 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 with its attorney regarding a legal written opinion.

I.T. SUB COMMITTEE

FEB 13TH 2017

AGENDA GASB 77

Member present:

Pro Tem Mary Pietia, Mr. Ken Martian (pcm), Mr. Craig Weller (pcm), Councilperson Doris Burks

Deputy Mayor Jane Bais-Disessa and Councilman Randy Carter (chairman)

Handout provided:

Meeting start 5:34pm

1. City website is being overhaul, five year contract is up.
2. The Bowen center computers have been assess and about five at the center need to be replaced.
3. The Ruth Peterson center has also be assessed and two computer are in need of replacement.
4. The Court house, has a multiple issue, from too small of a data stream to run the system efficiently, many upgrade are being utilized, the efficiency, has been improved.

The hand out were in response to New Governmental Accounting Standard Board (GASB) 2015 effective in the year of 2016.

Using "tax abatements" as its umbrella term for all kinds of economic development tax breaks (i.e., property, sales and/or income taxes) GASB issued Statement No. 77 applies to all state and local governments which adhere to GASB's General Accepted Accounting Principles (GAAP); it is an amendment to GAAP.

Statement No. 77 mainly applies to economic development projects. This new accounting rule very important so data will appear in Comprehensive Annual Financial Reports (CAFRs) reporting on 2016 published in 2017.

Statement No. 77 requires our government to **report how much revenue it lost to tax abatements** in the budget year covered by the CAFR, and to **Identify whether it was itself the abating government or if another government's abating caused the revenue loss**.

This means that governments such as school districts that often lose revenue passively due to the actions of counties or cities will have to determine and report how much revenue they lose to abatement programs.

At a minimum, the government must report one dollar-cost figure per economic development program per year.

It may voluntarily choose to provide the names of specific taxpayers that received abatements, pursuant to a specified quantitative threshold (such as all abatements above a given percentage tax reduction or all abatements above a given percentage of the program's annual cost).

A government must also provide a general description of each abatement program, including its statutory authority, its public purpose, and the kind of revenue lost, and whether there is a clawback safeguard invoked or how many dollars were recaptured).

A government must also disclose major associated obligations it may have incurred as part of an abatement deal, such as a large infrastructure spending commitment it has made in association with an abated project.

The people voted for the Zoo, DIA and Metro-parks, need to know that other cities and Counties TIFs were capturing their millages, then using your taxes for their sidewalks or other projects.

DPW Subcommittee Report

Attendance, Director, Terry King, Engineer, John Baliat, Councilman Kermit Williams, Councilman Don Woodward and the Council Attorney, councilwoman Doris TaylorBurks

Meeting was called to order at 4pm by chairperson, TaylorBurks.

Discussion

Extending contract for Detroit memorial for Oak Hill Cemetery.

Asked to add three position, to bring work back in house

Hire a Foreman at \$20pr hr,

Entry Level Maintenance Worker, which would relieve Mr. King and would bring daily problem reports to Mr. King would work as a supernatant at \$25 to \$35 pr hour.

Entry Level Maintenance \$13-15 pr hr.

This needs approval at next Regular Council meeting.

We have six salt trucks for DPW and asking for one (1) more truck. They would like to purchase one (1) more truck for the next season.

Street Sweeping will begin the first week of April. Planng to bring back in-house.

There also great discussion on criteria for personal street signs.

Some Suggestions, Have A Hall of Fame for Outstanding Citizens in the Lobby of Pontiac City Hall,

It was also suggested that we think about choosing a couple of parks and have memorial benches, having a walk of remembrance at City Hall.

Meeting was adjourned at 5pm

Doris TaylorBurks, Chair

CITY OF PONTIAC

ORDINANCE NO. _____

TAX EXEMPTION ORDINANCE

ADOPTED: _____

An Ordinance to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with a federally-aided Mortgage Loan pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq*) (the "Act").

THE CITY OF PONTIAC ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "*City of Pontiac Tax Exemption Ordinance-Colonial Meadows Apartments.*"

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor (as defined below) has previously received an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to acquire and rehabilitate, own and operate a housing project identified as Colonial Meadows Apartments on certain property located at 1246 E. Walton Blvd. in the City of Pontiac to serve low income persons and families, and that the Sponsor has been paying to the City on account of this housing project an annual service charge for public services in lieu of all *ad valorem* property taxes is outlined in Ordinance No 1995 and the agreement titled Payment in Lieu of Taxes Agreement between the City of Pontiac Colonial Meadows Limited Dividend Housing Association Limited Partnership (hereinafter "PILOT Agreement") dated March 9, 2005.

SECTION 3. Definitions.

- A. Authority means the Michigan State Housing Development Authority.
- B. Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges, exclusive of Utilities.
- C. LIHTC Program means the Low-Income Housing Tax Credit program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.
- D. Low Income Persons and Families means persons and families eligible to move into a housing project.
- E. Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project, and secured by a mortgage on the housing project.
- F. Sponsor means Colonial Meadows Limited Dividend Housing Association, Limited Partnership and any entity that receives or assumes a Mortgage Loan.
- G. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

SECTION 4. Class of Housing Projects.

It is determined that the class of housing projects to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing projects for Low Income Persons and Families that are financed with a Mortgage Loan. It is further determined that Colonial Meadows Apartments is of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project identified as Colonial Meadows Apartments and the property on which it is located is currently exempt from all *ad valorem* property taxes pursuant to Ordinance 1995 and PILOT Agreement. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's operation of the housing project, the City agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. Effective immediately the annual service charge shall be equal to 10% of the Contract Rents actually collected by the housing project during each operating year. This Ordinance will replace the

PILOT Agreement. If for any reason this Ordinance is found to be invalid then the PILOT Agreement would continue to remain in effect.

SECTION 6. Contractual Effect of Ordinance.

Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 7. Limitation on the Payment of Annual Service Charge.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

SECTION 8. Payment of Service Charge.

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City/Township and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before May 31st of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et seq*).

SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as a Mortgage Loan remains outstanding and unpaid and the housing project remains subject to income and rent restrictions under the LIHTC Program.

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Inconsistent Ordinances.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

Section 12. Effective Date.

This Ordinance shall become effective on _____, as provided in the City Charter.

CITY CLERK

CITY OF PONTIAC

ORDINANCE NO. _____

TAX EXEMPTION ORDINANCE

ADOPTED: _____

An Ordinance to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with a federally-aided Mortgage Loan pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq*) (the "Act").

THE CITY OF PONTIAC ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "*City of Pontiac Tax Exemption Ordinance-Newman Court Apartments.*"

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor (as defined below) has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to acquire and rehabilitate, own and operate a housing project identified as Newman Court Apartments on certain property located at 630 Kettering in the City of Pontiac to serve low income persons and families, and that the Sponsor has offered to pay the City on account of this housing project an annual service charge for public services in lieu of all *ad valorem* property taxes.

SECTION 3. Definitions.

- A. Authority means the Michigan State Housing Development Authority.
- B. Contract Rents means the total Contract Rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of Utilities.
- C. LIHTC Program means the Low-income Housing Tax Credit program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.
- D. Low Income Persons and Families means persons and families eligible to move into a housing project.
- E. Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project including LIHTC's, and secured by a mortgage on the housing project.
- F. Managing Member means an entity owned or controlled by MHT Housing, Inc.
- G. Sponsor means Newman Court Apartments II Limited Dividend Housing Association, LLC and any entity that receives or assumes a Mortgage Loan.
- H. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

SECTION 4. Class of Housing Projects.

It is determined that the class of housing projects to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing projects for Low Income Persons and Families that are financed with a Mortgage Loan. It is further determined that Newman Court Apartments is of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project identified as Newman Court Apartments and the property on which it is located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction or rehabilitation. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to rehabilitate and operate the housing project, the

City agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. Subject to receipt of a Mortgage Loan, the annual service charge shall be equal to 7% of the Contract Rents actually collected by the housing project during each operating year.

SECTION 6. Contractual Effect of Ordinance.

Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 7. Limitation on the Payment of Annual Service Charge.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

SECTION 8. Payment of Service Charge.

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City/Township and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before May 31st of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et seq*).

SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as a Mortgage Loan remains outstanding and unpaid or the housing project remains subject to income and rent restrictions under the LIHTC Program. In addition, the Ordinance shall expire if the following conditions are not met or corrected within 90 days of written notice of default:

- a. Managing Member sells or ceases to control the property.
- b. Payment of yearly City registration fees of \$25.00 per unit
- c. Biennial inspection of the property
- d. Creation of a Resident Council

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable,

and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Inconsistent Ordinances.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

Section 12. Effective Date.

This Ordinance shall become effective on _____, as provided in the City Charter.

CITY CLERK

Resolution for the removal of parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013 from the boundaries of the Tax Increment Finance Authority and the establishment of a Brownfield District for parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013

WHEREAS, the Pontiac City Council held 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 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.

Parcel 19-04-226-001

A parcel of land situated in the Northeast $\frac{1}{4}$ of Section 4, T2N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as:

Land in "Assessor's Plat No. 98", as recorded in Liber 1B of Plats, Page 98, Oakland County Records. All that part of Lots 1 and 2 described as beginning at the Northwest corner of Lot 1; thence easterly along the northerly lot lines 580.1 feet; thence S 02°09'01" E, 85.6 feet to the northerly wall of a building; thence N 87°50'59" E, along said northerly wall, 40.75 feet to the easterly line of a brick wall; thence S 02°09'01" E, along said easterly line of wall, 267 feet more or less to the southerly line of former Baldwin Rubber property; thence S 87°51'14" W, 160 feet more or less to the westerly line of said Lot 2; thence northerly along the westerly line of said Lots 1 and 2 to the point of beginning, except the north 17 feet for street widening, also except a parcel in the southwest corner of the above described as being 48.50 feet on the north and south lines and 42.00 feet on the east and west lines.

Parcel 19-04-226-003

A parcel of land situated in the Northeast $\frac{1}{4}$ of Section 4, T2N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as:

Land in "Assessor's Plat No. 98", as recorded in Liber 1B of Plats, Page 98, Oakland County Records. Part of Lots 1 and 2, beginning on the north line of Lot 2, distant N 87°50'59" E, 180.10 feet from the northwest corner of Lot 2; thence S 02°09'01" E, 85.60 feet to the north wall of a building; thence N 87°50'59" E, 40.75 feet to a brick wall dividing building; thence S 02°09'01" E, 267 feet; thence N 87°51'14" E, 478.07 feet; thence N 02°08'46" W, 15 feet; thence N 87°51'14" E, 244 feet; thence N 02°09'01" W, 337.16 feet; thence S 87°50'59" W, 762.82 feet to the point of beginning. Except the northerly 17 feet for street widening.

Parcel 19-04-226-013

A parcel of land situated in the Northeast ¼ of Section 4, T2N, R10E, within the City of Pontiac, Oakland County, Michigan, more particularly described as:

Land in "Assessor's Plat No. 98" as recorded in Liber 1B of Plats, Page 98, Oakland County Records. Part of Lot 2 beginning at a point distant S 87°50'59" E, 942.92 feet from the northwest lot corner; thence S 87°50'59" E, 300 feet; thence S 02°09'01" W, 290.18 feet; thence S 16°11'11" W, 41.23 feet; thence N 87°51'14" W, 290 feet; thence N 02°09'01" E, 337.16 feet to the point of beginning. Except the northerly 17 feet taken for road.

WHEREAS, the City of Pontiac Community Development Department recommends the removal of parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013 from the boundaries of the Tax Increment Finance Authority.

WHEREAS, the City of Pontiac Community Development Department recommends the approval of the establishment of a brownfield district for parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013.

NOW THEREFORE BE IT RESOLVED THAT, the Pontiac City Council approves the removal from the boundaries of the Tax Increment Finance Authority parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013 and establishes a brownfield district for parcels 19-04-226-001, 19-04-226-003 and 19-04-226-013.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

RECEIVED
2017 FEB 23 AM 10:57
CITY OF PONTIAC

**RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
366, 400, 500 EAST SOUTH BOULEVARD 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 366, 400, 500 East South Boulevard (Property), a 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 366, 400, 500 East South Boulevard; 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:

NAYS:

ABSTENTIONS:

ABSENT:

CERTIFICATION

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the City Council of the City of Pontiac at a meeting duly called and held on the ____ day of January, 2017.

CITY of PONTIAC

By: _____
_____, CLERK

**Resolution Requesting the Oakland County Brownfield Redevelopment Authority
to Review the 366, 400, 500 East South Boulevard Project**

WHEREAS the City of Pontiac has a Brownfield project known as the 366, 400, 500 East South Boulevard 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 366, 400, 500 East South Boulevard 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 366, 400, 500 East South Boulevard 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 366, 400, 500 East South Boulevard Project.

Ordinance No. xxxx

An ordinance to create an administrative hearings bureau

The City of Pontiac ordains:

Section 1. Administrative Hearings Bureau

Chapter 2 of the Code of Ordinances shall be amended to read as follows:

ARTICLE VII. - ADMINISTRATIVE HEARINGS BUREAU

Sec. 2-701 - Purpose.

The city finds that the current ordinances have operated in a manner that has been less than efficient and effective in obtaining compliance among our neighborhoods. This chapter is designed to define, prevent, reduce, and eliminate blight, factors, and causes of blight and address other quality of life violations in the City that negatively impact the public health, safety, and welfare of the residents of the City. Consistent with the State Statute, MCL 117.41, 117.4q and 117.4r, authorizing the creation of an administrative hearings bureau, the City finds that changing building or property maintenance, , solid waste, illegal dumping, disease and sanitation, noxious weeds, and vehicle abandonment and inoperative vehicles from criminal misdemeanor or civil infraction offenses to blight violations punishable by a civil fine as determined following a hearing in the city administrative hearings bureau is a more efficient and effective way of gaining compliance.

Sec. 2-702 - Definitions.

The following words and phrases as used in this chapter shall have the meaning set forth in this section unless a different meaning is clearly required by the context:

Blight means a condition that impairs, destroys, or deteriorates the property because of its decay, improper storage, or effect on property or quality of life including but not limited to such things as garbage, junk, noxious weeds, inoperative vehicles, and waste. The proper storage of materials or equipment incidental to and necessary for the carrying out of any business or occupation lawfully being carried out on the property in question is not the cause of blight or a blighting factor if all applicable city ordinances are satisfied. The piling and storage of firewood in a neat orderly manner for consumption by the property residents is not blight.

Blight violation means a violation of any provision of this Code, regarding zoning, building or construction, building or property maintenance or condition in buildings or on the premises; fire prevention; illegal dumping, disposal of solid waste; noxious weeds, abandoned vehicles or inoperative vehicles.

Building materials means any material or equipment used in the restoration, renovation or construction of any structure or surface, including but not limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts and equipment, shingles, mortar, concrete, cement, nails, screws, ladders, scaffolding, or tools.

Garbage includes all animal and vegetable wastes resulting from the handling, preparation, cooking, consumption, or decomposition of food.

Junk includes any abandoned, discarded, stored, unused object or equipment, regardless of viability of use or value, stored in the open, including but not limited to motor vehicle parts, machinery, furniture, appliances, bottles, boxes, cartons, crates, or remnants of cloth, wood, metal, rubber, or other cast-off materials.

Refuse includes garbage, rubbish, trash, debris, junk, ashes, incinerator ash or residue, street cleaning, industrial sludge, solid commercial and industrial waste, animal waste, inoperable household appliances, or broken or damaged stuffed furniture, but does not include human body waste, liquid or other waste regulated by statute, or ferrous or nonferrous scrap possessed by a commercial scrap metal processor or a commercial re-user of ferrous or nonferrous products.

Waste includes any litter, garbage, trash, rubbish, or refuse that is a useless or worthless by-product of any industrial, biological, or other such process and tends to create a danger to public health, safety, and welfare.

Sec. 2-703. - Exclusions.

The administrative hearings bureau shall not have jurisdiction over criminal offenses, traffic civil infractions, municipal civil infractions, or state civil infractions, other than provided for in this ordinance. The bureau and its hearing officers shall not have the authority to impose a penalty of incarceration and may not impose a civil fine in excess of \$10,000.00. This ordinance does not authorize a proceeding against a foreclosing governmental unit as defined under section 78 of the general property tax act, 1893 PA 206, MCL 211.78, or an authority created under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774. The city may waive a fine for a blight violation at an owner-occupied dwelling for a first time offender of a blight ordinance, if the offender has corrected the circumstances for the violation, within the time limit set by the Administrative Hearing Officer. The jurisdiction of the administrative hearings bureau shall not be exclusive and nothing in this ordinance will prevent the City from pursuing blight or other violations in accordance with any other laws or ordinances.

Sec. 2-705 - Administrative hearings bureau—Establishment and composition.

Effective April 1, 2017, the City Council establishes an office of the municipal government to be known as the administrative hearings bureau ("bureau"), for adjudicating alleged blight violations, making determinations of responsibility, and imposing sanctions upon those found responsible for a violation.

The bureau will be administered by an administrative hearings officer, who will be appointed by the Mayor, and staffed by other employees as may be provided for in the annual appropriation ordinance. The administrative hearing officer serves solely at the pleasure of the Mayor.

The administrative hearings officer will be compensated as authorized by charter and as provided for in the City's Budget.

Sec. 2-706 - Director—Powers and duties.

The Mayor and the Community Development Director shall be responsible for insuring that the administrative hearings bureau is appropriately staffed and provided for in the annual appropriation ordinance.

Sec. 2-707 - Administrative hearing officer—Powers and duties.

Each administrative hearing officer appointed by the Mayor must be either an attorney admitted to the practice of law in the State of Michigan for at least five (5) years or a licensed building official or code enforcement officer with at least ten (10) experience in municipal government and serves at the pleasure of the Mayor. Each administrative hearing officer has all power necessary to conduct fair and impartial hearings including, but not limited to, the power to:

The authority and duties of a hearing officer shall include all of the following:

- (a) Hearing testimony and accepting evidence that is relevant to the existence of the blight violation.
- (b) Issuing subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon request of a party or a party's attorney.
- (c) Preserving and authenticating the record of the hearing and all exhibits and evidence introduced at the hearing.
- (d) Issuing a determination, based upon the evidence presented at the hearing, whether a violation of this Chapter exists. The determination shall be in writing and shall include written findings of fact, a decision, and an order. The City shall have the burden of establishing the responsibility of the alleged violator by a preponderance of the evidence. Unless the burden is met, the matter shall be dismissed. A decision and an order shall not be made except upon consideration of the record as a whole or a portion of the record as may be cited by any party to the proceeding and as supported by and in accordance with the competent, material, and substantial evidence. A decision and order finding the alleged violator responsible for the violation shall include the civil fine, if any, or any action with which the violator must comply, or both.
- (e) Imposing reasonable and proportionate sanctions consistent with applicable ordinance provisions and assessing costs upon a finding that the alleged violator is responsible for the alleged violation. The maximum monetary civil fine allowed under this section excludes costs of enforcement or costs imposed to secure compliance with the City's ordinances and is not applicable to enforce the collection of any tax imposed and collected by the City.
- (f) In addition to the fines and costs imposed, the hearing officer shall impose a justice system assessment of \$10.00 for each blight violation determination. Upon payment of the assessment, the City shall transmit the assessment collected to the state treasury to be deposited into the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181.

Sec. 2-708. - Administrative hearing officer—Training requirements.

Before conducting any administrative adjudication proceeding, an administrative hearing officer must have successfully completed a formal training program administered by the City Attorney and the Director of Building and Safety, or their designee, which includes at least the following:

- (1) Instruction on the rules of procedure of the administrative hearings, which he or she will conduct;
- (2) Orientation to each subject area of the code violations, which he or she will adjudicate;
- (3) Observation of administrative hearings; and
- (4) Participation in hypothetical cases, including ruling on evidence and issuing final orders;

- (5) The importance of impartiality in the conduct of the administrative hearing and adjudication of the violation; and
- (6) Instructions on the preparation of a record that is adequate for judicial review.

Sec. 2-709 - Instituting administrative adjudication proceedings.

To initiate a proceeding for a violation of this Chapter, the City shall issue and serve upon an alleged violator a written violation notice on which an authorized local official records the occurrence or existence of 1 or more blight violations by the person cited and which directs the named person to pay a civil fine for the violation or appear at the administrative hearings bureau as provided in this section. A violation notice to appear at an administrative hearings bureau shall be treated as made under oath if the violation alleged in the notice occurred in the presence of the authorized local official signing the violation notice and if the notice contains the following statement immediately above the date and signature of the official: "I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.". An authorized local official may issue a violation notice to appear if, based upon investigation, the official has reasonable cause to believe that the person is responsible for a violation

If a landlord of premises rented in the city for residential purposes is registered with the city's rental inspection program, the city shall not issue a violation notice during an inspection of the premises unless either of the following occurs:

- (a) The landlord is given a written correction notice of the violation and a reasonable opportunity to correct the circumstances before a re-inspection of the premises or a date specified in the notice.
- (b) The violation is a direct result of the landlord's action or inaction and creates an emergency that presents an immediate risk of harm to people or damage to property including, but not limited to, a flooded basement or premises without heat.

Sec. 2-710 – Response to Violation.

The person named in the violation notice shall appear on or before the time specified in the violation notice and may respond to the allegations in the notice, as follows:

- (a) If the alleged violator wishes to admit responsibility for the violation, the person may do so by appearing in person, by representation, or by mail. If appearance is made by representation or mail, the administrative hearings bureau may accept the admission as though the person personally appeared. Upon acceptance of the admission, a hearing officer may order any of the sanctions permitted under this section.
- (b) If the alleged violator wishes to deny responsibility for the violation, or admit responsibility with an explanation, the person may do so by appearing in person on the date scheduled for the administrative hearing for the purpose of adjudicating the alleged violation.
- (c) If the alleged violator fails to appear, a decision and order of default may be entered, at which time the administrative hearings bureau may issue any order consistent with this Chapter to address the violation or the violator.

Sec. 2-711 - Administrative hearings.

(a) A party shall be provided with the opportunity for a hearing during which they may be represented by counsel, present witnesses, and cross-examine witnesses. The hearing shall be recorded by the hearing officer. The City Attorney may, but is not required to be, present and participate in any hearing. A party may request the hearing officer to issue subpoenas to direct the attendance and testimony of relevant witnesses and the production of relevant documents. Hearings shall be scheduled with reasonable promptness, except that for hearings scheduled in all nonemergency situations the alleged violator if he or she requests shall have at least 14 days after service of process to prepare for the hearing. For purposes of this subsection, "nonemergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety, or welfare. If service is provided by first-class mail, the 14-day period begins to run on the day that the notice is deposited in the mail.

In an administrative hearing under this section, the rules of evidence as applied in a nonjury civil case in circuit court shall be followed as far as practicable, but the hearing officer may admit and give probative effect to evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. Irrelevant, immaterial, or unduly repetitious evidence may be excluded. Effect shall be given to the rules of privilege recognized by law. Objections to offers of evidence may be made and shall be noted in the record. Subject to these requirements, the hearing officer, for the purpose of expediting hearings and when the interests of the parties will not be substantially prejudiced thereby, may provide in an administrative hearing or by rule for submission of all or part of the evidence in written form.

Any final decision by a hearing officer that a blight violation does or does not exist constitutes a final decision and order for purposes of judicial review and may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

Sec. 2-712 - Default.

If an admission of responsibility is not made and the civil fine and costs, if any, prescribed by charter or ordinance for the violation are not paid at the administrative hearings bureau, and the alleged violator fails to appear at a hearing scheduled in accordance with this section, a final decision and order of responsibility in the amount of the prescribed civil fine and costs may be issued by the administrative hearings bureau.

Sec. 2-713 - Judicial review under the administrative review law.

A party may file an appeal within 28 days after entry of the decision and order by the hearing officer. An appeal of a final decision and order of an administrative hearing officer is to the circuit court.

An alleged violator who appeals a final decision and order to circuit court shall post with the administrative hearings bureau, at the time the appeal is taken, a bond equal to the fine and costs imposed. A party who has paid the fine and costs is not required to post a bond. If a party who has posted a bond fails to comply with the requirements of the court rules for an appeal to the circuit court, the appeal may be considered abandoned, and the bureau may dismiss the appeal on 7 days' notice to the parties. If the appeal is dismissed or the decision and order are affirmed, the administrative hearings bureau may apply the bond to the fine and costs. An appeal by the city must be asserted by the City's Attorney and a bond is not required.

An appeal to circuit court shall be a review by the court of the certified record provided by the administrative hearings bureau. Pending appeal, and subject to the bond requirement identified in this section, the hearing officer may stay the order and any sanctions or costs imposed. Once an appeal is filed, and subject to the bond requirement this section, the court may stay the order and any sanctions or costs

imposed. The court, as appropriate, may affirm, reverse, or modify the decision or order, or remand the matter for further proceedings. The court shall hold unlawful and set aside a decision or order of the hearing officer if substantial rights of an alleged violator have been prejudiced because the decision or order is any of the following:

- (a) In violation of the constitution or a statute, charter, or ordinance.
- (b) In excess of the authority or jurisdiction of the agency as conferred by statute, charter, or ordinance.
- (c) Made upon unlawful procedure resulting in material prejudice to a party.
- (d) Not supported by competent, material, and substantial evidence on the whole record.
- (e) Arbitrary, capricious, or clearly an abuse or unwarranted exercise of discretion.
- (f) Affected by other substantial and material error of law.

Sec. 2-714. - Enforcement of administrative hearing officer's order.

(a) Any fine, sanction, or cost imposed by an administrative hearing officer's order that remains unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures is a debt due and owing the city and, as such, may be collected in accordance with applicable law.

(b) After the expiration of the period in which judicial review may be sought, unless stayed by a court of competent jurisdiction, the findings, decision, and order of an administrative hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(c) In any case in which a respondent fails to comply with an administrative hearing officer's order to correct a code violation or imposing a fine or other sanction as a result of a code violation, any expenses incurred by the City to enforce the administrative hearing officer's order, including but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or an administrative hearing officer is a debt due and owing the City.

Before an administrative hearing officer fixes any expense, the respondent must be provided notice that states that the respondent must appear at a hearing before an administrative hearing officer to determine whether the respondent has failed to comply with the administrative hearing officer's order. The notice must set the time for the hearing, which may not be less than seven (7) days from the date that notice is served. Notice is sufficient if served by first class mail and the seven-day period begins to run on the date that the notice is deposited in the mail.

(d) Upon being recorded in the manner required by the Uniform Commercial Code, a lien is imposed on the real estate or personal estate, or both, of the respondent in the amount of a debt due and owing the city. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) Nothing in this section prevents the city from enforcing or seeking to enforce any order of an administrative hearing officer in any manner, which is in accordance with applicable law.

Sec. 2-715. - Interest.

Except as otherwise provided by law, interest on any debt due and owing accrues at the rate set for interest upon judgments.

Sec. 2-716. - Fines payable to the City Treasurer.

All fines and other monies paid to the City under this chapter must be remitted to the city treasurer.

Sec. 2-717. - Petition to set aside default order.

(a) An administrative hearing officer may set aside any order entered by default and set a new hearing date, upon a petition filed within twenty-one (21) days after the issuance of the order of default, if the administrative hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or, at any time, if the petitioner establishes that the petitioner was not provided with proper service of process. If the petition is granted, the administrative hearing officer must proceed with a new hearing on the underlying matter as soon as practical.

(b) If any order is set aside under this section, the administrative hearing officer must enter an order extinguishing any lien which has been recorded for any debt due and owing as a result of the vacated default order and directing the city to refund any fines or penalties paid pursuant to the vacated order.

Sec. 2-718. - Petition by city department for relief from a final order of liability entered in error.

(a) After an order of liability becomes final, the city department or agency, which initiated or prosecuted an administrative adjudication before the bureau may file a written petition for relief from a final order of liability entered in error with the bureau.

(b) The written petition must be filed and signed by the department or agency head of the initiating or prosecuting department or agency and must set forth facts alleging that the order of liability: (1) was entered in error; (2) is unsupported by the record; (3) is inconsistent with applicable provisions of this Code; and (4) should be vacated to avoid a miscarriage of justice. The authority to file and sign a petition under this section is expressly reserved to the department or agency head and may not be delegated to other department or agency officials or personnel.

(c) Upon the filing of a written petition by a department or agency head, the bureau must schedule a hearing on the petition. The scope of the hearing is limited to the merits of the petition and may not be expanded to constitute a re-litigation of the underlying notice of violation.

(d) If a petition is granted, the final order of liability must be vacated. If an order is vacated under this section, the administrative hearing officer must enter an order extinguishing any lien that has been recorded for any debt due and owing as a result of the vacated order and direct the city to refund any fines or penalties paid pursuant to the vacated order.

Sec. 2-719. - Election of remedies.

The bureau may not conduct an administrative adjudication proceeding for an alleged violation of this Code where the requested remedy is a punishment of imprisonment; provided, however, where a violation of the code is punishable by fines and other penalties in addition to imprisonment, the city may elect to institute

an action with the bureau and thereby waive any imprisonment for the code violation. Nothing in this chapter, however, precludes the City from seeking the remedy of imprisonment in a court of law, including imprisonment for failure to comply with the order of an administrative hearing officer.

Sec. 2-720. - Administrative adjudication procedures not exclusive.

Notwithstanding any other provision of this chapter, neither the bureau's authority to conduct administrative adjudication procedures nor the institution of such procedures under this chapter precludes the city from seeking any remedies for code violations through the use of any other administrative procedure or court proceeding where authorized by law. Further, the City is not required to use the bureau for the adjudication of any violation of this Chapter and may elect to pursue any remedies otherwise available under the law.

Sec. 2-721. - General violations.

A violation of the following types of ordinances may be deemed blight violations:

Building or property maintenance

Solid waste and illegal dumping

Disease and sanitation

Noxious weeds

Vehicle abandonment, inoperative vehicles, vehicle impoundment, and municipal vehicle licensing

The placement of right-of-way signage in a right-of-way without a proper permit from the City.

A violation of the ordinance that is substantially the same as sections 138 to 142 of the housing law of Michigan, 1917 PA 167, MCL 125.538 to 125.542.

Sec. 2-722. - Penalties.

All blight violations under this Code are subject to enforcement by the procedures and penalties outlined in this chapter. The City Council will establish a schedule by resolution for the potential fines for violations by resolution, and as amended from time to time.

The administrative hearings officer may waive a fine for a violation at an owner-occupied dwelling for the first time offender of a blight ordinance, if the offender has corrected the circumstances for the violation.

Except as otherwise provided, if the civil fine and costs imposed against a person under this section are \$1,000.00 or more and the person does not pay the civil fine and costs imposed within 30 days after a final decision and order of the hearing officer or of the circuit court under this section, the person is subject to the following:

(a) For a first violation, the person is responsible for a Municipal civil infraction and may be ordered to pay a civil fine of not more than \$250.00.

(b) For a second violation, the person is responsible for a Municipal civil infraction and may be ordered to pay a civil fine of not less than \$250 and not more than \$500.

(c) For a third or subsequent violation, the person is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

Section 2-723 does not apply to any of the following that becomes the owner of a property after foreclosure or after taking a deed in lieu of foreclosure:

(a) A government-sponsored enterprise. As used in this subdivision, "government-sponsored enterprise" means that term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(b) A financial institution. As used in this subdivision, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.

(c) A mortgage servicer, as that term is defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(d) A credit union service organization that is organized under the laws of this state or the United States.

Section 2-723 does not apply to the owner of a property if, at the time the civil fine and costs are imposed against the owner, the owner had filed a principal residence exemption affidavit as provided under section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc, certifying that the property is owned and occupied as a principal residence by that owner.

An entity described in this Chapter that becomes the owner of a property after foreclosure or after taking a deed in lieu of foreclosure shall adhere to all ordinances relating to vacant property or blight violations adopted by the city that established an administrative hearings bureau under this section.

As used in this Chapter, "person" means an individual, partnership, corporation, limited liability company, association, or other legal entity. Person includes the partners or members of a firm, a partnership, or an association and the officers of a corporation.

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 of an ordinance repealed by this 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, which shall be at least ten days after date of adoption by the City Council.



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais-DiSessa, Deputy Mayor, at the request of
Terrence King, DPW Director

DATE: February 21, 2017

RE: DPW Staffing Additions

The Department of Public Works is looking to add three (3) new positions, one Grounds Maintenance Foreman, one Maintenance Superintendent and one Maintenance Worker. The Grounds Maintenance Foreman position will have a total compensation including fringes for the said position at \$70,281.22 (\$20/Hr.), the Maintenance Superintendent position has a total compensation including fringes for the said position at \$96,335.30 (\$30/Hr.) and the Maintenance Worker has a total compensation including fringes for the said position at \$62,465.00. The financial breakdown information is attached.

The **Grounds Maintenance Foreman** position will help the department track current contractors, assess contractor performance and assign work tasks to the contractor. The DPW currently has (1) staff person in that position and is requesting (1) additional to fill the need.

The **Maintenance Superintendent** position will oversee all field operations, staff and contractors performing maintenance within the City. The position will oversee snow plowing operation and process all payments to contractors this position will report to the Director of Public Works.

The **Maintenance Worker** position will allow for a person to be trained in all areas of DPW operations with the ability to be promoted up. This will help start an attrition plan for the eventual replacement of our senior staff. The Maintenance Worker position will allow us the ability the handle after hour situations that arise here on a regular basis. Currently many incidences our not handled until the next business day.

Please see the attached job descriptions for additional duties of all three positions. The DPW is requesting the acceptance of Council for these positions.

It should be noted that these three job titles were previously held within the DPW.

These positions will be primarily funded through ACT 51 dollars and through the General fund budget at various cost centers throughout the budget depending on the type of work being performed on a daily basis.

RECEIVED
2017 FEB 23 AM 10:31
PONTIAC CITY CLERK

It is the recommendation of the Department of Public Works, that the City Council accepts the three new job descriptions, and authorizes the City to post and hire the three above positions.

WHEREAS,

The City of Pontiac is looking to hire three new positions in the Department of Public Works, Maintenance Superintendent at a final compensation of \$96,335.30 and Grounds Maintenance Foreman at a final compensation of \$70,281.22 and Maintenance Worker at a final compensation of \$62,465 and;

WHEREAS,

The Department of Public Works is requesting that these three job descriptions be approved and added into the DPW in an effort to ensure higher quality work in performing City maintenance operations. It is our belief that these positions will result in higher work productivity at a lower contractor cost and;

NOW, THEREFORE,
BE IT RESOLVED,

The Pontiac City Council accepts the three job descriptions and authorizes the Mayor or Deputy Mayor to advertise and fill the Maintenance Superintendent position, the Grounds Maintenance Foreman position and the Maintenance Worker position.

TDK

Attachments

<u>Position</u>	<u>Hourly Rate</u>	<u>Salary</u>	<u>FICA</u>	<u>Workers Compensation</u>	<u>Health Insurance</u>	<u>Dental</u>	<u>Pension</u>	<u>Life</u>	<u>AD&D</u>	<u>STD</u>	<u>LTD</u>	<u>Total Per Position</u>
Position 1	\$ 20.00	\$ 41,600.00	\$ 3,182.40	\$ 3,174.08	17304.02	869.04	\$ 3,744.00	\$ 82.78	\$ 11.23	\$ 165.98	\$ 147.68	\$ 70,281.22
Position 2	\$ 30.00	\$ 62,400.00	\$ 4,773.60	\$ 4,761.12	17304.02	869.04	\$ 5,616.00	\$ 124.18	\$ 16.85	\$ 248.98	\$ 221.52	\$ 96,335.30
Position 3	\$ 17.00	\$ 35,360.00	\$ 2,705.04	\$ 2,697.97	17304.02	869.04	\$ 3,182.40	\$ 70.37	\$ 9.55	\$ 141.09	\$ 125.53	\$ 62,465.00
Totals		<u>\$ 139,360.00</u>	<u>\$ 10,661.04</u>	<u>\$ 10,633.17</u>	<u>\$ 51,912.06</u>	<u>\$ 2,607.12</u>	<u>\$ 12,542.40</u>	<u>\$ 277.33</u>	<u>\$ 37.63</u>	<u>\$ 556.05</u>	<u>\$ 494.73</u>	<u>\$ 229,081.52</u>

WC is 7.63%

9%

FOREMAN
GROUND MAINTENANCE

GENERAL STATEMENT OF DUTIES: The activities of this position consist of supervising and assisting in planning the activities of a group of workers engaged in construction, repair, maintenance, and installation of the activities of the Grounds Maintenance Division.

SUPERVISION: This position performs under the general supervision of a supervisor, superintendent, or other designated employee. The Foreman II exercises supervision over Park Maintenance Men, laborers, equipment operators, and other employees assigned to assist.

TYPICAL EXAMPLES OF WORK: (Examples provided describe characteristic duties of comparable levels and are not intended to describe in detail all specific duties performed by each position.)

- Outline work assignments, assign equipment, and give instructions on operating procedures and work to be done.
- Supervise and coordinate the activities of a group of employees engaged in construction, installation, maintenance, and repair activities involving grounds maintenance functions.
- Train new employees in equipment and work operations and evaluate employee work performance.
- Prepare records and reports as required, and review time sheets and other records for completeness and accuracy.
- Make inspections of work in progress and upon completion to determine conformance with directions, plans, and specifications.
- Maintain records of employee performance and carry out disciplinary procedure if necessary.
- Answer citizen inquiries pertaining to repair, maintenance, and installation of projects, grounds, and plans.
- Conduct safety training and investigate accidents.
- Make inspections of municipal facilities to determine necessary maintenance and repair.

MINIMUM KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:

- Considerable knowledge of the methods, materials, and equipment used in grounds maintenance activities.
- Considerable knowledge of the operational capabilities and requirements of a variety of automotive and power-driven equipment and tools.
- Working skill in organizing and supervising the work activities of other employees.
- Working skill in reading and interpreting maps, sketches, drawings, and specifications.
- Working skill in preparing and maintaining accurate records and reports.
- Ability to establish and maintain effective working relationships with the public and other employees.

MINIMUM TRAINING AND EXPERIENCE REQUIRED:

The above knowledge, skills, and abilities are normally obtained through completion of high school or the equivalent; and five years of progressively responsible experience in the area of grounds maintenance; and six months supervisory experience; or any combination of training and experience which provides the required knowledge, skills, and abilities.

OTHER REQUIREMENTS:

An employee in this classification must possess upon hire and must maintain possession of a valid Michigan Operator's license. A Foreman II in this division must obtain, within six months of hire/promotion, certification as a Licensed Pesticide Applicator issued by the State of Michigan's Department of Agriculture. An employee in this classification must also possess the physical agility necessary to perform all of the duties of the position.

1311FO

City of Pontiac--RMC

November 22, 1985

MAINTENANCE SUPERINTENDENT

GENERAL STATEMENT OF DUTIES: The activities of this position consist of performing difficult and responsible administrative and technical work in the organizing and supervising of public works activities and personnel including the maintenance and repair of streets, sewers, sidewalks, and curbs and gutters; the maintenance and repair of electrical systems and equipment; and the maintenance, repair, and construction of traffic signs.

SUPERVISION: This position performs under the general direction of the Director of Public Works and Services. The Highway Maintenance Superintendent exercises supervision over a large group of employees and subordinate supervisors.

TYPICAL EXAMPLES OF WORK: (Examples provided describe characteristic duties of comparable levels and are not intended to describe in detail all specific duties performed by each position.)

- Plan, organize, and direct the maintenance and repair of streets, sidewalks, and sewer systems.
- Plan, organize, and direct street cleaning, snow and ice removal, and other divisional activities.
- Prepare plans and specifications for the construction, installation, and repair of electrical systems and equipment, including the street lighting system and traffic signals.
- Supervise the construction and repair of electrical systems in municipal buildings.
- Supervise the sign shop, including the installation and maintenance of traffic signs and pavement markings.
- Hold staff meetings and consult with supervisors regarding divisional projects and operations.
- Plan short and long range work programs for the division.
- Participate in the selection of materials and equipment used by the division.
- Establish and execute divisional policies.
- Hire, discipline, and counsel divisional employees.
- Make work assignments and inspect and evaluate work performance.
- Supervise the preparation and maintenance of departmental records and reports.
- Supervise and participate in the handling of citizen complaints pertaining to divisional activities.
- Prepare and maintain divisional budget.
- Prepare correspondence, records, and reports.

MINIMUM KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:

- Thorough knowledge of municipal public works design, planning, construction, maintenance, and related principles and practices involving street and sewer systems.
- Considerable knowledge of the materials, methods, equipment, and

supplies used in the construction, maintenance, and repair of streets, sewers, and water systems.
Considerable knowledge of the organization and layout of the City and of laws and ordinances relating to public works activities.
Considerable knowledge of public lighting systems, traffic signal systems, and other electrical systems and equipment.
Working knowledge of the principles and practices of civil engineering.
Considerable skill in planning, organizing, directing, and coordinating the activities of a large number of employees engaged in a variety of public works activities.
Considerable skill in developing and effectively presenting long and short term plans and programs and in making decisions on complex operational administrative and professional engineering problems.
Ability to establish and maintain effective working relationships with subordinate employees, other City officials, and the general public.

MINIMUM TRAINING AND EXPERIENCE REQUIRED:

The above knowledge, skills, and abilities are normally obtained through completion of the core coursework required for completion of a Bachelor's degree in Civil Engineering, Electrical Engineering, or a related field; five years experience in the construction and maintenance of highways and roadways including street lighting and traffic signals; and at least five years of supervisory experience; or any combination of training and experience which provides the required knowledge, skills, and abilities.

0361

City of Pontiac

October 2, 1984

Maintenance Worker

GENERAL STATEMENT OF DUTIES: The activities of this position consist of performing a variety of semi-skilled and unskilled tasks involving general construction, maintenance, and repair activities in connection with parks, cemeteries, grounds maintenance, buildings, and equipment.

SUPERVISION: This position performs under the supervision of a foreman or other designated supervisor. The Park Maintenance Man I exercises no supervision over other employees.

TYPICAL EXAMPLES OF WORK: (Examples provided describe characteristic duties of comparable levels and are not intended to describe in detail all specific duties performed by each position.)

- Perform a variety of semi-skilled and labor activities involving cemeteries, parks, equipment, buildings, and ground maintenance and construction work.
- May operate trucks, tractors, power mowers, snow plows, brush chippers, chain saws, and other power-driven equipment and tools.
- Install and maintain trees, shrubs, flowers, and turf.
- Paint, repair, and service equipment and facilities.
- Rake leaves and haul trash.
- Assist in performing landscaping work.
- Perform building maintenance work.
- Construct and maintain a variety of athletic areas.
- May maintain recreation facilities and equipment.
- Perform heavy manual labor at times under adverse conditions.
- Prepare records as required.

MINIMUM KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:

- Working knowledge of and skill in using hand tools and automotive and power-driven equipment in grounds maintenance activities.
- Working knowledge of and skill in using the methods, materials, and equipment used in grounds maintenance work.
- Working skill in performing a variety of construction, maintenance, and repair activities.
- Ability to understand and follow oral and written instructions.
- Ability to work effectively with other employees.

MINIMUM TRAINING AND EXPERIENCE REQUIRED:

The above knowledge, skills, and abilities are normally obtained through completion of the tenth grade; and one year of experience in performing general maintenance, construction, repair, or related activities; or any combination of training and experience which provides the required knowledge, skills, and abilities.

OTHER REQUIREMENTS:

An employee in this classification must have the physical agility necessary to perform all of the functions of the position.

An employee in this classification must also possess upon hire and must maintain possession of a valid Michigan operator's license.

0735

City of Pontiac—RMC

Revised—December 2, 1985

*Requires Commercial
Driver's License.*

RMC

City of Pontiac Resolution for Deacon William Kennedy

- WHEREAS, The Pontiac City Council and the Mayor are deeply saddened by the loss of our brother, Deacon William Kennedy; and,
- WHEREAS, Deacon William Kennedy of Pontiac, Michigan departed this life on February 18, 2017; and,
- WHEREAS, Deacon William Kennedy was born to Deacon JW and Mother Marry Lee Eason Kennedy on March 15, 1944 in Livingston , Alabama; and,
- WHEREAS, Deacon William Kennedy was the third of ten children; and,
- WHEREAS, Deacon William Kennedy upon graduating from Sumter County Training School, moved to Michigan; and,
- WHEREAS, Deacon William Kennedy attended barber school and later embarked on a 43 year career at General Motors; and,
- WHEREAS, Deacon William Kennedy in 1966 married Donna Moss and together they shared three children and five grandchildren; and,
- WHEREAS, Deacon William Kennedy in 1974, opened Kennedy's Beauty and Barbershop, his greatest love outside of God, his family and Macedonia Missionary Baptist Church where he proudly served as a deacon; and,
- WHEREAS, Deacon William Kennedy was a pillar in the community who was always kind, encouraging and always had a word to share about the Lord; and,
- WHEREAS, Deacon William Kennedy leaves his daughter Kimberly "Kym" Kennedy, of Dallas Texas and son William G (Kia) Kennedy of New Mexico, two granddaughters, Atira and Sidni, three grandsons, Taylor, Emanuel and Isaiah Kennedy and siblings May Crawford of Pontiac, MI, Ann (Richard) Moore of Brockton MA, Dorthy Jean Neeley (Herbert) of Auburn Hills, MI, L. Pearl (Daryl) Thomas of Farmington Hills, MI, Gloria Ann Kennedy, Samuel (Sheila) of Lawrenceville, GA and Frank L. Kennedy of Pontiac MI; and
- WHEREAS, Deacon William Kennedy was preceded in death by his parents, Annie K. Robinson and brother, James.

THEREFORE BE IT RESOLVED, that the members of the Pontiac City Council and the Mayor will greatly miss Deacon William Kennedy and all of his countless contributions to the City of Pontiac.

NOW, THEREFORE BE IT RESOLVED, that the Members of Pontiac City Council, The Mayor, and members of this great community honor the life of an accomplished man and give our sincerest condolences to the family and friends of Deacon William Kennedy.

Dr. Deirdre Waterman, Mayor

Patrice Waterman, President

Mary Pietila, Pro-Tem

Don Woodward, Councilman

Randolph Carter, Councilman

Mark E. Holland, Sr., Councilman

Doris Taylor-Burks, Councilwoman

Kermit Williams, Councilman