



**PONTIAC CITY COUNCIL
FORMAL MEETING**

November 2, 2017

6:00 P.M.

213th 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 to excuse councilmembers

Amendments to and Approve the Agenda

Approval of the minutes

1. October 12, 2017
2. Closed Session Minutes October 19, 2017 and October 26, 2017.

Special Presentation

3. Pride and Beautification

Deputy Mayor or Departmental Head Reports

Recognition of Elected Officials

Agenda Address

Agenda Items

1. Resolution for approval of Home Demolition Batch 8 & 10.
2. Resolution for approval of Home Demolition Batch 9 & 11.
3. Resolution for approval of Asbestos Abatement for Batch 8,9,10 and 11.
4. Resolution to offer early retirement of the General Employees Retirement System
5. Introduction of an ordinance to provide an early retirement benefit to certain formal employees of the City who are members of the General Employee's Retirement System to be placed in the newspaper for consideration on Thursday, November 2, 2017.

Public Comment

Mayor, Clerk, City Attorney, and City Council Closing Comments

Adjournment

October 26, 2017

**Official Proceedings
Pontiac City Council
212th Session of the Ninth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, October 26, 2017 at 12:00 Noon by President Patrice Waterman.

Call to Order at 12:00 Noon.

Roll Call

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

Members Absent: Carter, Holland and Williams.

Clerk announced a quorum.

17-324 **Excuse Councilperson Carter, Holland and Williams for personal reasons.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

Ayes: Pietila, Taylor-Burks, Waterman and Woodward

No: None

17-325 **Approval of the Agenda.** Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

17-326 **Journal of October 19, 2017.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

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

No: None

Motion Carried.

Councilman Kermit Williams arrived at 12:02 p.m.

Special Presentation – Gary Burnstein Community Health Clinic

17-327 **Resolution to go into Closed Session.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

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 pending litigation in the case of Ottawa Towers vs. The City of Pontiac.

October 26, 2017

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

No: None

Resolution Passed.

Councilman Mark Holland arrived at 12:17 p.m.

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

17-328 **Council move the consideration of authorizing the Mayor to reinstate the City's planning function for three (3) positions to a study session.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

No: Woodward

Motion Carried.

17-329 **Approval request for the amendment of the Tax Increment Finance Authority (TIFA) district boundaries (legal descriptions) be put in the paper.** Moved by Councilperson Williams and supported by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved, that the Pontiac City Council shall hold a public hearing during regular scheduled City Council meeting at 6:00 p.m. on Thursday, December 7, 2017 in Pontiac City Hall, City Council Chambers, 47450 Woodard Ave., for the purpose of receiving public comment on the proposal to remove from the boundaries of the Tax Increment Finance Authority parcels 14-34-351-006, 14-34-351-007, 14-34-380-041 and 14-34-380-043.

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

No: None

Resolution Passed.

17-330 **Introduction of an ordinance to provide an early retirement benefit to certain formal employees of the City who are members of the General Employee's Retirement System to be placed in the newspaper for consideration.** Moved by Councilperson Holland and supported by Councilperson Taylor-Burks.

Now, Therefore, Be It Resolved, that the Pontiac City Council will consider an Ordinance to offer an early retirement of the General Employees' Retirement System during the City Council meeting on Thursday, November 2, 2017 at 6:00 p.m. in the City Council Chambers.

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

No: None

Resolution Passed.

Councilman Don Woodward left meeting at 1:40 p.m.

Councilman Kermit Williams left the meeting at 1:54 p.m.

17-331 **Resolution for the 2017 Snow Removal, Hauling and Salting Services.** Moved by Councilperson Holland and supported by Councilperson Taylor-Burks.

Whereas, The City of Pontiac has advertised and received responses to a request for proposal for the Local Street Improvement Program on October 19, 2017 and publically opened bids; and,
Whereas, a bid tabulation was prepared and reviewed; and,
Whereas, the city identified the low bidder as Cesar Management, LLC; and,
Whereas, the pricing provided by Cesar Management, LLC has been found acceptable by the Department;
Now, therefore, Be It resolved, that the Pontiac City Council authorized the Mayor to enter into a contract with Cesar Management, LLC for the 2017 Snow Removal, Hauling and Salting Services.

Ayes: Holland, Pietila, Taylor-Burks and Waterman

No: None

Resolution Passed.

17-332 **Resolution for approval of the 2018 ATPA Grant Contract with Oakland County.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Whereas, the City of Pontiac has been utilizing the Auto Theft Prevention Authority Grant through Oakland County since 2013; and,
Whereas, the current agreement with Oakland County Sheriff's Office expires on September 30, 2017; and,
Whereas, the County and City may enter into an sub-recipient agreement by which the Oakland County Sheriff's Office would continue to assign a full time Sheriff Deputy to the ATPA activities; and,
Whereas, the Oakland County Sheriff's Office agrees to provide reimbursement to the City under the terms and conditions of the Agreement up to 50 percent of the eligible expenditures;
Now, therefore, Be It resolved, that the City Council, upon recommendation of the Mayor and Finance Director accepts the Oakland County 2017-2018 ATPA Sub-recipient Agreement with the City of Pontiac and authorizes the Mayor to sign document as presented.

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

No: None

Resolution Passed.

President Patrice Waterman adjourned the meeting at 2:10 p.m.

SHERIKIA L. HAWKINS
CITY CLERK

Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Jane Bais-DiSessa, Deputy Mayor

Through: Michelle L. McKenzie, Purchasing Agent

Date: October 24, 2017

Re: Home Demolition Batch 8 & 10

The City advertised for bids for Demolition Batch 8 & 10. Proposals were accepted on October 02, 2017 at 2:00 pm in the office of the City Clerk. The bids were publically opened at that time. Community Development Block Grant (CDBG) monies provide funding for this project.

There were six respondents to the RFP. They were:

- Milford Salvage Iron & Metal Co., Inc.
- Able Demolition
- Salenbien Trucking & Excavating Inc.
- International Construction Inc.
- Blue Star Inc.
- Homrich

A comparison of bid prices was developed. Based on the review, by the Project Construction Manager, Dwight Belyue from DCR Services, the most responsible bidder whose bid was determined to be in the best interest of the City is International Construction Inc.

As such, it is recommended that the City authorize the Mayor or Deputy Mayor to enter into a contract with the above-mentioned bidder, International Construction Inc.:

***WHEREAS,** the City of Pontiac advertised and received responses to a request for proposals for Home Demolition for Batches 8 & 10 on October 02, 2017 and publically opened bids; and,*

***WHEREAS,** a bid tabulation was prepared and reviewed by the purchasing agent of the city, and the Project Construction Manager and,*

***WHEREAS,** the most experienced and responsible bidder is being recommended for the contract; and,*

***WHEREAS,** the contract will be granted to International Construction Inc. The funding for any and all work performed under this contract will be CDBG monies,*

***NOW, THEREFORE, BE IT RESOLVED** that the Pontiac City Council authorize the Mayor or Deputy Mayor to enter into a contract with; International Construction Inc. for Home Demolition for Batches 8 & 10 as budgeted.*



October 23, 2017

Ms. Jane Bais Disessa, Deputy Mayor
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

RE: DEMOLITION CONTRACTOR RECOMMENDATION

Dear Jane:

I have reviewed the bid submission for the Demolition Contract for Group 8A, 9A, 10A and 11A demolition proposals and I am recommending the following contractors based on my investigation and due-diligence of each bid:

Group 8A, 9A, 10A and 11A:

• GROUP 8A	International Construction, Inc.	\$135,000.00
• GROUP 9A	Milford Salvage & Metal Co. Inc.	\$156,635.72
• GROUP 10A	International Construction, Inc.	\$104,900.00
• GROUP 11A	Milford Salvage & Metal Co. Inc	\$157,444.90

TOTAL	\$553,980.62
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Although Milford is not the low bidder on Group 9 & 11, based on discussions with yourself and Oakland County, we have decided to award the Group 9 & 11 to Milford to speed up the schedule of completion to meet Oakland County's spending timelines with HUD.

If you have any questions or require any clarification, please contact me.

Best Regards,

Dwight E. Belyue
CEO

DCR Services & Construction, Inc. 828 South Dix Street, Detroit, MI 48217
SBA Certified: 8(A), HUBZone and Small Disadvantaged Business

Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Jane Bais-DiSessa, Deputy Mayor

Through: Michelle L. McKenzie, Purchasing Agent

Date: October 24, 2017

Re: Home Demolition Batch 9 & 11

The City advertised for bids for Demolition Batch 9 & 11. Proposals were accepted on October 02, 2017 at 2:00 pm in the office of the City Clerk. The bids were publically opened at that time. Community Development Block Grant (CDBG) monies provide funding for this project.

There were six respondents to the RFP. They were:

- Milford Salvage Iron & Metal Co., Inc.
- Able Demolition
- Salenbien Trucking & Excavating Inc.
- International Construction Inc.
- Blue Star Inc.
- Homrich

A comparison of bid prices was developed. Based on the review, by the Project Construction Manager, Dwight Belyue from DCR Services, the most responsible bidder whose bid was determined to be in the best interest of the City is Milford Salvage Iron & Metal Co., Inc.

As such, it is recommended that the City authorize the Mayor or Deputy Mayor to enter into a contract with the above-mentioned bidder, Milford Salvage Iron & Metal Co., Inc.:

***WHEREAS**, the City of Pontiac advertised and received responses to a request for proposals for Home Demolition for Batches 9 & 11 on October 02, 2017 and publically opened bids; and,*

***WHEREAS**, a bid tabulation was prepared and reviewed by the purchasing agent of the city, and the Project Construction Manager and,*

***WHEREAS**, the most experienced and responsible bidder is being recommended for the contract; and,*

***WHEREAS**, the contract will be granted to Milford Salvage Iron & Metal Co., Inc. The funding for any and all work performed under this contract will be CDBG monies,*

***NOW, THEREFORE, BE IT RESOLVED** that the Pontiac City Council authorize the Mayor or Deputy Mayor to enter into a contract with; Milford Salvage Iron & Metal Co., Inc. for Home Demolition for Batches 9 & 11 as budgeted.*



October 23, 2017

Ms. Jane Bais Disessa, Deputy Mayor
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

RE: DEMOLITION CONTRACTOR RECOMMENDATION

Dear Jane:

I have reviewed the bid submission for the Demolition Contract for **Group 8A, 9A, 10A and 11A** demolition proposals and I am recommending the following contractors based on my investigation and due-diligence of each bid:

Group 8A, 9A, 10A and 11A:

• GROUP 8A	International Construction, Inc.	\$135,000.00
• GROUP 9A	Milford Salvage & Metal Co. Inc.	\$156,635.72
• GROUP 10A	International Construction, Inc.	\$104,900.00
• GROUP 11A	Milford Salvage & Metal Co. Inc	\$157,444.90

TOTAL	\$553,980.62
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Although Milford is not the low bidder on Group 9 & 11, based on discussions with yourself and Oakland County, we have decided to award the Group 9 & 11 to Milford to speed up the schedule of completion to meet Oakland County's spending timelines with HUD.

If you have any questions or require any clarification, please contact me.

Best Regards,

A handwritten signature in black ink, appearing to read 'Dwight E. Belyue', with a long horizontal flourish extending to the right.

Dwight E. Belyue
CEO

DCR Services & Construction, Inc. 828 South Dix Street, Detroit, MI 48217
SBA Certified: 8(A), HUBZone and Small Disadvantaged Business

Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Jane Bais-DiSessa, Deputy Mayor

Through: Michelle L. McKenzie, Purchasing Agent

Date: October 24, 2017

Re: Asbestos Abatement Batch 8, 9, 10 & 11

The City advertised for bids for Asbestos Abatement Batch 8, 9, 10 & 11. Proposals were accepted on October 02, 2017 at 2:00 pm in the office of the City Clerk. The bids were publically opened at that time. Community Development Block Grant (CDBG) monies provide funding for this project.

There were three respondents to the RFP. They were:

- Minority Women Veteran (MWV) Environmental Services
- Rightway Remediation LLC
- Great Lakes Environmental LLC

A comparison of bid prices is developed. Based on the review, the most responsible bidder whose bid was determined to be in the best interest of the City is MWV Environmental Inc.

As such, it is recommended that the City authorize the Mayor or Deputy Mayor to enter into a contract with the above mentioned bidder, MWV Environmental Inc.:

***WHEREAS**, the City of Pontiac advertised and received responses to a request for proposals for Asbestos Abatement for Batches 8, 9, 10 & 11 on October 02, 2017 and publically opened bids; and,*

***WHEREAS**, a bid tabulation was prepared and reviewed by the purchasing agent of the city, and the Project Construction Manager and,*

***WHEREAS**, the most experienced and responsible bidder is being recommended for the contract; and,*

***WHEREAS**, the contract will be granted to MWV Environmental Inc. The funding for any and all work performed under this contract will be CDBG monies,*

***NOW, THEREFORE, BE IT RESOLVED** that the Pontiac City Council authorize the Mayor or Deputy Mayor to enter into a contract with; MWV Environmental Inc. for Asbestos Abatement for Batches 8, 9, 10 & 11 as budgeted.*



October 8, 2017

Ms. Jane Bais Disessa, Deputy Mayor
City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342

RE: ASBESTOS ABATEMENT CONTRACTOR RECOMMENDATION

Dear Jane:

I have reviewed the bid submission for the Asbestos Abatement for Group 8A, 9A, 10A and 11A asbestos abatement proposals and I am recommending the following contractors based on my investigation and due-diligence of each bid:

Group 8A, 9A, 10A and 11A:

- **GROUP 8A**
- **GROUP 9A**
- **GROUP 10A**
- **GROUP 11A**
- TOTAL**

MWV Environmental Services, Inc.

\$38,665.00
\$32,470.00
\$41,150.00
\$34,630.00
\$146,915.00

Based on my recommendation, the total contract award is **\$3767/per property**. I have spoken to Katrenia Williams about scheduling and as of today, MWV Environmental has committed to a seventy-five (75) day schedule, which is two (2) days per house. They are reviewing their manpower to see if they can improve on the schedule.

If you have any questions or require any clarification, please contact me.

Best Regards,

A handwritten signature in dark ink, consisting of a large, stylized 'D' followed by a horizontal line that loops back under the 'D'.

Dwight E. Belyue
CEO

DCR Services & Construction, Inc. 828 South Dix Street, Detroit, MI 48217
SBA Certified: 8(A), HUBZone and Small Disadvantaged Business



City of Pontiac Resolution

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council does hereby approve the request for early retirement for those former employees as referenced above and further hereby will consider **An ordinance to offer an early retirement of the General Employees' Retirement System** during the City Council Meeting on Thursday, November 2, 2017 at 6:00 p.m. in the City Council Chambers.

City of Pontiac
Ordinance No: 2349

AN ORDINANCE TO PROVIDE AN EARLY RETIREMENT BENEFIT TO CERTAIN FORMER EMPLOYEES OF THE CITY OF PONTIAC WHO ARE MEMBERS OF THE GENERAL EMPLOYEE'S RETIREMENT SYSTEM.

The City of Pontiac ordains:

Section 1. Amendments.

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

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

Retirement Window

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

1. The former employee was involuntarily separated from employment with the City of Pontiac between March 23, 2009 and August 19, 2013, for reasons not connected with disciplinary action.
2. The former employee had at least ten (10) years of service credit in the General Employees' Retirement System at the time of separation from employment. Former employees who meet this requirement based on the Reciprocal Retirement Act shall also be eligible for this benefit. However, an employee shall not become eligible for this early retirement benefit until an employee reaches age forty-three (43).
3. A qualifying individual retiring under this provision will have their annuity calculated based on years of service credit at the time of separation in conjunction with the applicable multiplier and formula contained in the individual's Collective Bargaining Agreement or the individual's non-union pay plan in effect at the time of the person's separation.
4. Annuity will be payable from the date of final City approval, provided, eligible members file their intention to retire no later than 30 days following final approval and not before final approval. There shall be no entitlement to retroactive pension payments under any circumstance.
5. Employees who are eligible for this early retirement benefit shall not be offered any form of retiree health care until they obtain the age of sixty (60). Such retiree health care benefit shall be strictly guided by any settlement agreement reached in the litigation entitled City of Pontiac Retired Employee Association, et al. v. City of Pontiac, et. Al., U.S District Court Case No. 2:12-cv-12830.

Section 2. Severability.

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

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

Section 3. Repealer.

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

Section 4. Publication.

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

Section 5. Effective Date.

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

Sherikia L. Hawkins, City Clerk.