



**PONTIAC CITY COUNCIL
FORMAL MEETING
December 28, 2017
NOON
221th 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. December 21, 2017

Closed Session

2. Resolution to go into Closed Session.

Deputy Mayor Report or Departmental Head Report

Recognition of Elected Officials

Agenda Address

Agenda Items for Council Consideration

3. Request for the scheduling of meetings of the Pontiac City Council for 2018.
4. Alternative Resolution to grant Early Retirement benefits to the group of 67 deferred retirees.
5. Resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.

Public Comment

Mayor Report

Council Closing Comments

Adjournment

December 21, 2017

**Official Proceedings
Pontiac City Council
220th Session of the Ninth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, December 21, 2017 at Noon by President Patrice Waterman.

Call to Order at 12:05 p.m.

Roll Call

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

Members Absent: Holland.

Clerk announced a quorum.

17-391 **Excuse Councilperson Mark Holland for personal reasons.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

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

No: None

Motion Carried.

17-392 **Approval of the Agenda.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

No: None

Motion Carried.

17-393 **Journal of December 14, 2017.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

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

No: None

Motion Carried.

17-394 **Closed Session Minutes of December 14, 2017.** Moved by Councilperson Pietila and supported by Councilperson Taylor-Burks.

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

No: None

Resolution Passed.

Councilman Mark Holland arrived at 12:18 p.m.

There were 4 individuals who addressed the body during public comment.

17-395 **Resolution to offer Early Retirement of the General Employees Retirement System.** Moved by Councilperson Holland and supported by Councilperson Taylor-Burks.

December 21, 2017

WHEREAS, from March 23, 2009 through August 19, 2013, the City of Pontiac was 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 adopts the Ordinance in the attached Exhibit A.

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

No: Carter

Resolution Passed.

EXHIBIT A

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 Employees' 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 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, said former employee shall not be eligible to commence receipt of this early retirement benefit unless or until they have attained the age of forty-three (43). Former employees who meet the criteria of this section 2 and have attained the age of 43 by December 31, 2017, shall commence receipt of their benefit payable effective January 1, 2018. Former employees who otherwise meet the criteria set forth in this Ordinance, but who have not yet attained the age of 43, will not be eligible to commence receipt of this benefit until the first day of the month following the month in which they attain the age of 43. Said employees shall be required to comply with the application filing process set forth in section 92-16 of the Retirement System Ordinance.
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. All Eligible members (including those who have not yet attained the age of forty-three (43)), will be required to file their intention to retire under this section with the Executive Director of the Retirement System, no later than 30 days following the date of final City approval and not before final approval.
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.*, US 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.

17-396 **Resolution for the City Network Firewall Purchase.** Moved by Councilperson Carter and supported by Councilperson Taylor-Burks.

Whereas, the IT Consultant and the Finance Director have evaluated the current state of our Firewall product; and,

Whereas, the IT Consultant and Finance Director have arrived at the conclusion that an upgrade to the new Firewall Security System is warranted and desirable; and,

Whereas, the Finance Director certifies that the necessary funds are allocated in the current year's budget; and,

Now Therefore, Be It Resolved, that the City Council approves the purchase of Sophos XG 330 for \$13,792.20 and the purchasing manager is authorized to put forward the purchase order to that effect to facilitate the purchase.

Ayes: Carter, Holland, Pietila, Taylor-Burks, Waterman, Williams and Woodward
No: None

Resolution Passed.

President Patrice Waterman adjourned the meeting at 12:45 p.m.

SHEILA GRANDISON
ACTING CITY CLERK

DEPARTMENT OF PUBLIC WORKS SUB-COMMITTEE NOTES

December 19, 2017

In attendance:

Council members: Chairperson Doris Taylor- Burks, Don Woodward and Kermit Williams

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-Disessa

Start time: 4:00 p.m.

AGENDA

1. Medical Marijuana

- Was not an Agenda item, but some discussion as to whether Council would like to place the issue on the Agenda for a vote.

2. Snow Plowing

- There are special performance indicators to be reviewed in terms of developing a process to deal with the snow.
- Considerations are the equipment needed, the limited number of hours crews can work and salt.
- The Executive is pleased with the work performed thus far.
- Question for consideration, the additional cost of acquiring more vehicles and how many will be needed?
- Rochester Hills has 30 vehicles, but if you use their vehicles, the workers would be included at a cost.
- There has to be a strategic plan as to how to acquire additional trucks.
- Other questions for consideration, obtaining a location to store salt and the cost of purchasing a salt dome which can start at approximately \$120,000/\$150,000.
- It may be cost effective to partner with another entity to purchase salt and to purchase salt during the off peak times when it's cheaper.
- A possible solution to having additional man power is to have contingency contractors. The Executive will have the DPW Director to investigate further.

Adjourned: 5:00 p.m.

City of Pontiac

Pontiac City Council

Whereas, Section 8 (h), MCL 15.268, allows a public body to go into closed session to consider material exempt from discussion or disclosure by State or Federal statute;

Whereas, pursuant to MCL 15.268 (h) to discuss attorney client privileged memorandums exempt from disclosure pursuant to MCL 15.243 (1) (g) regarding a potential early retirement benefit for 67 individuals,

Now, Therefore, Be It Resolved by the Pontiac City Council that It recesses into closed session for the purpose of consulting with its attorney regarding a potential early retirement benefit for 67 individuals.



The Pontiac City Council

Announces

THE SCHEDULE OF MEETINGS OF THE PONTIAC CITY COUNCIL

To comply with the Michigan Open Meeting Act (MCL 15.265)

The Pontiac City Council will hold its regular meeting on Tuesday evenings at 6:00 p.m. in the Council Chambers of City Hall 47450 Woodward Ave Pontiac, Michigan 48342 unless otherwise noted.

Internet website where meetings are posted www.pontiac.mi.us

The dates are as follows:

Tuesday, January 2, 2018 6:00 p.m. Study Session
Tuesday, January 9, 2018 6:00 p.m. Formal Meeting
Tuesday, January 16, 2018 6:00 p.m. Study Session
Tuesday, January 23, 2018 6:00 p.m. Formal Meeting
Tuesday, January 30, 2018 6:00 p.m. Study Session
Tuesday, February 6, 2018 6:00 p.m. Formal Meeting
Tuesday, February 13, 2018 6:00 p.m. Study Session
Tuesday, February 20, 2018 6:00 p.m. Formal Meeting
Tuesday, February 27, 2018 6:00 p.m. Study Session
Tuesday, March 6, 2018 6:00 p.m. Formal Meeting
Tuesday, March 13, 2018 6:00 p.m. Study Session
Tuesday, March 20, 2018 6:00 p.m. Formal Meeting
Tuesday, March 27, 2018 Noon Study Session
Tuesday, April 3, 2018 6:00 p.m. Formal Meeting
Tuesday, April 10, 2018 6:00 p.m. Study Session
Tuesday, April 17, 2018 6:00 p.m. Formal Meeting
Tuesday, April 24, 2018 6:00 p.m. Study Session
Tuesday, May 1, 2018 6:00 p.m. Formal Meeting
Tuesday, May 8, 2018 6:00 p.m. Study Session
Tuesday, May 15, 2018 6:00 p.m. Formal Meeting
Tuesday, May 22, 2018 6:00 p.m. Study Session
Tuesday, May 29, 2018 6:00 p.m. Formal Meeting
Tuesday, June 5, 2018 6:00 p.m. Study Session
Tuesday, June 12, 2018 6:00 p.m. Formal Meeting
Tuesday, June 19, 2018 6:00 p.m. Study Session
Tuesday, June 26, 2018 6:00 p.m. Formal Meeting
Tuesday, July 3, 2018 Noon Study Session
Tuesday, July 10, 2018 6:00 p.m. Formal Meeting
Tuesday, July 17, 2018 6:00 p.m. Study Session
Tuesday, July 24, 2018 6:00 p.m. Formal Meeting
Tuesday, July 31, 2018 6:00 p.m. Study Session
Tuesday, August 7, 2018 6:00 p.m. Formal Meeting
Tuesday, August 14, 2018 6:00 p.m. Study Session
Tuesday, August 21, 2018 6:00 p.m. Formal Meeting
Tuesday, August 28, 2018 6:00 Study Session
Tuesday, September 4, 2018 6:00 p.m. Formal Meeting
Tuesday, September 11, 2018 6:00 p.m. Study Session
Tuesday, September 18, 2018 6:00 p.m. Formal Meeting
Tuesday, September 25, 2018 6:00 p.m. Study Session
Tuesday, October 2, 2018 6:00 p.m. Formal Meeting
Tuesday, October 9, 2018 6:00 p.m. Study Session
Tuesday, October 16, 2018 6:00 p.m. Formal Meeting
Tuesday, October 23, 2018 6:00 p.m. Study Session
Tuesday, November 6, 2018 6:00 p.m. Formal Meeting
Tuesday, November 13, 2018 6:00 p.m. Study Session
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Thursday, December 27, 2018 Noon Formal Meeting



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Thursday, November 15, 2018 6:00 p.m. Formal Meeting
Monday, November 19, 2018 Noon Study Session
Thursday, November 29, 2018 6:00 p.m. Formal Meeting
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Thursday, December 20, 2018 Noon Study Session
Thursday, December 27, 2018 Noon Formal Meeting

Memorandum

Date: December 22, 2017

To: Mayor Waterman

From: Jane Bais DiSessa, Deputy Mayor
Nevrus P. Nazarko, Finance Director

Re: Resolution for Early Retirement Benefit to 67 Deferred Retirees.

Mayor Waterman,

The City Council on December 21, 2017 approved an amendment to the GERS Ordinance that grants early retirement benefit to the group of 67 deferred retirees as shown on the attached list.

This is the same group that, in April 2015, the RTAB voted down the council resolution to grant the unreduced early retirement. The amendment to offer the unreduced benefit as approved on December 21, 2017, adds 7 million dollars additional liability to the GERS pension fund and will decrease the funding by approximately 5% (from 176% to 171%)

As you know, the Mayor's office has been working with an outside consultant to offer a solution that is cost neutral to the GERS funding. The actuarial analysis report that supports this cost neutral approach factors in reduced early pension amount from the group based on the "reduction factors" respective of their ages.

If the City Council approves a resolution to offer this early retirement with reduction factors it will not cost the system and consequently the City of Pontiac (the employer) and will not increase the accrued pension liability.

If the council agrees, the attached resolution is recommended for adoption.

Please let me know if you have any questions.

2017-12-22 14:26

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 Emergency Managers reduced the City of Pontiac workforce through the subcontracting of work and the layoff of City employees; and,

WHEREAS, those former employees who were separated from employment with the City of Pontiac and did not meet the qualifying factors that the EM put in place (age plus years of service) at that time, and,

WHEREAS, THE Mayor has been working with a representative group of this deferred retirees to find an amicable solution to the situation that is cost neutral to the City of Pontiac and the GERS pension system.,

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 employee as referenced in the exhibit attached and the early reduction factors applied to their monthly retirement; and further rescinds and voids inconsistent provisions of the resolution regarding Early Retirees passed at the City Council meeting held December 21, 2017.

	Monthly Pension	Early Retirement Reduction	Revised Monthly Benefit at
Retire 1	\$ 959.89	0.16258	\$ 156.06
Retire 2	674.71	0.31237	210.76
Retire 3	2,003.37	0.8708	1,744.53
Retire 4	1,462.27	0.43262	632.61
Retire 5	968.58	0.37291	361.19
Retire 6	563.81	0.28406	160.16
Retire 7	649.06	0.17881	116.06
Retire 8	1,042.75	0.58706	612.16
Retire 9	1,053.75	0.53321	561.87
Retire 10	1,963.31	0.62858	1,234.10
Retire 11	801.50	0.62516	501.07
Retire 12	1,825.37	0.63304	1,155.53
Retire 13	1,176.61	0.65181	766.93
Retire 14	1,481.61	0.28095	416.26
Retire 15	2,080.61	0.50762	1,056.16
Retire 16	2,278.83	0.86309	1,966.84
Retire 17	830.45	0.21932	182.13
Retire 18	1,194.85	0.73758	881.30
Retire 19	1,226.83	0.65128	799.01
Retire 20	2,306.79	0.55244	1,274.36
Retire 21	1,419.93	0.81882	1,162.67
Retire 22	803.74	0.19724	158.53
Retire 23	1,020.70	0.40146	409.77
Retire 24	1,696.25	0.65582	1,112.43
Retire 25	3,126.62	0.74487	2,328.93
Retire 26	1,502.95	0.73700	1,107.67
Retire 27	1,343.94	0.33847	454.88
Retire 28	2,401.26	0.75419	1,811.01
Retire 29	613.00	0.3832	234.90
Retire 30	795.16	0.48071	382.24
Retire 31	2,825.99	0.71618	2,023.92
Retire 32	803.76	0.63043	506.71
Retire 33	847.04	0.21602	182.98
Retire 34	2,323.28	0.96599	2,244.27
Retire 35	2,069.58	0.26856	555.81
Retire 36	3,281.39	0.94999	3,117.29
Retire 37	1,064.06	0.23675	251.92
Retire 38	1,303.75	0.76924	1,002.90
Retire 39	416.04	0.68389	284.53
Retire 40	2,489.32	0.72831	1,813.00
Retire 41	1,284.42	0.41601	534.33
Retire 42	824.82	0.34755	286.67
Retire 43	1,311.81	0.44774	587.35
Retire 44	790.70	0.98155	776.11
Retire 45	947.71	0.54302	514.63
Retire 46	826.80	0.83015	686.37
Retire 47	1,973.06	0.57067	1,125.97
Retire 48	740.01	0.3388	250.72
Retire 49	1,012.12	0.23878	241.67
Retire 50	1,692.15	0.82022	1,387.94
Retire 51	947.34	0.59669	565.27
Retire 52	1,729.07	0.41169	711.84
Retire 53	1,020.58	0.88016	898.27
Retire 54	2,730.22	0.46333	1,264.99
Retire 55	938.95	0.25489	239.33
Retire 56	1,257.18	0.34072	428.35
Retire 57	1,444.51	0.76637	1,107.03
Retire 58	1,883.26	0.30068	566.26
Retire 59	779.40	0.2756	214.80
Retire 60	999.53	0.28052	280.39
Retire 61	927.92	0.31743	294.55
Retire 62	2,390.11	0.7918	1,892.49
Retire 63	1,583.13	0.20455	323.83
Retire 64	2,374.73	0.36701	871.55
Retire 65	1,524.71	0.89849	1,369.94
Retire 66	2,797.59	0.38247	1,069.99
Retire 67	3,208.28	0.84132	2,699.19
Totals	\$ 98,632.82		\$ 57,125.22

#N/A



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Jane Bais-DiSessa, Deputy Mayor

DATE: December 22, 2017

Cc: LOCC Members

RE: **Recommendation to Increase Salaries for Mayor and City Council.**

Pursuant to the provisions of Act No. 8 of the Public Acts of Michigan 1972 (MCL 117.5 et seq), the Local Officers Compensation Commission met to determine the salaries of the Mayor and City Council.

At their final meeting held on December 19, 2017, the LOCC met and determined the final salary recommendations for the positions of Mayor and City Council. Members of the LOCC will attend the upcoming City Council meeting to address any questions regarding their recommendation.

The following resolution is recommended for City Council consideration:

Whereas, the Local Officers Compensation Commission would like to express their appreciation to the Mayor and City Council for their public service to the City of Pontiac; and

Whereas; the Local Officers Compensation Commission gathered comparable salaries from cities across the county and state, received a financial overview from the city's finance director and received feedback from a council person; and

Whereas, the Local Officers Compensation Commission considered Pontiac's unique position as a strong mayoral form of government, as such their attention to cities in Michigan with similar structure, population size and land size, and

Whereas, each members of the Local Officers Compensation Commission had various points of view, all of which were considered and discussed.

NOW, THEREFORE, after consideration of the factors mentioned above, it is the recommendation of the LOCC that the salaries for the Mayor and City Council be set as follows: Mayor \$113, 000 (13%) and City Council \$16,500 (10%).

JBD