



**PONTIAC CITY COUNCIL
FORMAL MEETING
September 18, 2018
6:00 P.M.
47th Session of the 10th 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 Approval of the Agenda

Approval of the Minutes

1. Journal of September 11, 2018.

Subcommittee Reports (as Needed)

Special Presentation – OLHSA

Verbal Report - Status Update Regarding Recount Procedure for Proposal 1- Election Specialist Annette Wesley

Verbal Report - Status Update Regarding Implementation of Proposal 1- City Attorney

Recognition of Elected Officials

Agenda Address

Review Agenda Items for City Council Consideration

2. Resolution to create MIDC Grant Fund and approve budget amendment for the fiscal year 2018-2019.
3. Resolution to authorize Mayor to purchase five vehicles (Chevrolet Cruze) to administer the Code Enforcement Division, from Berger Chevrolet. (defer from 8/14/18)
4. Request to schedule a Public Hearing on September 25, 2018, to consider the formal IFT application for Peninsula Plastics 1200 Auburn Rd, Pontiac, Michigan.
5. Consider the 2nd Reading of an Ordinance to establish PILOT for the Hamilton, 5 Carter Street.
6. Resolution to approve the Municipal Services Agreement and Development Agreement between the Hamilton Limited Divided Housing Association Limited Partnership and the City of Pontiac and authorize the Mayor to execute agreements on behalf of the City.

7. Introduction of an Ordinance to establish a PILOT for Winston Common, 69 Douglas, Pontiac, MI.
8. Resolution recommended by the Planning Commission for a Zoning Map Amendment (ZMA 18-06) request for Pin 64-14-19-351-024 to amend the current zoning from Mixed Use District (MUD) zoning to M-1 Light Manufacturing District.

Public Comment

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

Adjournment

September 11, 2018

**Official Proceedings
Pontiac City Council
46th Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday September 11, 2018 at 6:00 P.M. by Councilwoman Patrice Waterman.

Call to Order at 6:02 p.m.

Roll Call

Council President Kermit Williams arrived at 6:02 during roll call.

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

Members Absent: Randy Carter.

Mayor Waterman was present.

Clerk announced a quorum.

Point of Privilege for Fed-Ex Update

18-336 **Excuse Councilperson Randy Carter for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Woodward.

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

No: None

Motion Carried.

18-337 **Approval of the Agenda.** Moved by Councilperson Taylor-Burks and second by Councilperson Woodward.

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

No: None

Motion Carried.

18-338 **Journal of September 4, 2018.** Moved by Councilperson Woodward and second by Councilperson Waterman.

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

No: None

Abstain: Pietila

Motion Carried.

18-339 **Resolution to go into Closed Session to discuss cases for Ottawa Towers vs. the City of Pontiac and CPREA vs. the City of Pontiac.** Moved by Councilperson Woodward and second by Councilperson Waterman.

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

September 11, 2018

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 litigation cases for:

1. Ottawa Towers, et. al. vs. City of Pontiac, et. al., Oakland County Circuit Court, Case No. 14-139761-CC and
2. CPREA vs. City of Pontiac, et. al. U.S. District Court Eastern District of Michigan, Case No. 12-CV-12830.

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

No: None

Resolution Passed.

Council convened out of closed Session at 6: 30 p.m.

Council President Kermit Williams left meeting at 6:30 p.m.

Councilwoman Patrice Waterman preceded over the meeting.

Deputy Mayor Report or Departmental Head Report – Mayor Waterman and DPW Director John Balint.

Point of Privilege for State Representative Tim Greimel

Eleven (11) individuals addressed the body during public comment.

Moment of Silence for “911”

Councilman Don Woodward left meeting at 7:30 p.m.

18-340 **Defer for one week the authorization for Mayor to purchase 5 vehicles to administer the Code Enforcement Division from Berger Chevrolet.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

Ayes: Miller, Taylor-Burks and Waterman

No: Pietila

Motion Carried.

18-341 **Suspend the Rules.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Miller, Pietila, Taylor-Burks and Waterman

No: None

Motion Carried.

September 11, 2018

18-342 **Approval of the Emergency Ordinance to provide for a limited increase in pension payments for certain members of the City of Pontiac Police and Fire Retirement System.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ordinance No. 2357

An ordinance to provide for a limited increase in pension payments for certain members of the City of Pontiac Police and Fire Retirement System.

Whereas, the temporary increase to certain members (pre 1996 retirees) of the PFRS pension system as mandated by Ordinance 2347 will expire on August 31, 2018; and,

Whereas, the City Council desires that this temporary increase continues for at most one more year; and,

Whereas, in order for this temporary increase to continue, the City Council must pass the emergency ordinance to authorize such a temporary increase via amendment of the section 92-122.2 of the PFRS Ordinance, and

Whereas, such ordinance, if approved, will take effect from September 1, 2018 and expire on August 31, 2019, or with the commencement of the health insurance benefit, whichever comes first, and,

Whereas, the Pontiac City Council considers this an emergency.

The City of Pontiac ordains:

Section 1. Amendments.

The Code of Ordinances shall be amended to read as follows:

- a. Section 92-122.2 shall be amended to add the following language:

Temporary Pension Increase

"All persons who retired before August 22, 1996, and who are receiving retirement benefits as of September 1, 2018 and who enter pay status through August 1, 2019, shall be entitled to receive an increase in their monthly allowance of four hundred dollars (\$400.00) per month beginning September 1, 2018 through August 31, 2019. Should the City of Pontiac, as the result of litigation or settlement thereto, will provide retiree health insurance to the group or a compensation that is understood as an alternative healthcare benefit, the monthly allowance of \$400 per month ends.

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.

September 11, 2018

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. Emergency Declaration and Effective Date.

This Ordinance is declared an emergency to allow the pension recipients to collect the increase authorized in this Ordinance on the date identified in this Ordinance and shall be effective immediately upon adoption by the City Council.

Ayes: Miller, Pietila, Taylor-Burks and Waterman

No: None

Ordinance Passed.

18-343 **Suspend the Rules.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Miller, Pietila, Taylor-Burks and Waterman

No: None

Motion Carried.

18-344 **Resolution to authorize Mayor to enter into a contract in the amount of \$90,260.00 with Nichols Heating and Cooling for Boiler Replacements for Ottawa Park Cemetery, fires Station #6 and Fire Station #9.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

WHEREAS, the City of Pontiac advertised and received responses to a request for proposals for Boiler Replacements on August 20, 2018 and publically opened bids; and,
WHEREAS, a bid tabulation was prepared and reviewed, and,
WHEREAS, the most responsible and qualified bidder is being recommended for the contract; and,
WHEREAS, the contract will be granted to Nichols Heating and Cooling. The amount of \$ 90,260.00 is the total bid for any and all work performed, by the contractor, under this agreement;
NOW, THEREFORE, BE IT RESOLVED that the Pontiac City Council authorize the Mayor or Deputy Mayor to enter into a contract with; Nichols Heating and Cooling for Boiler Replacements in the amount of \$90,260.00 as budgeted.

Ayes: Pietila, Taylor-Burks, Waterman and Miller

No: None

Resolution Passed.

18-345 **Defer for one week the introduction of an Ordinance to establish a PILOT for Winston Common, 69 Douglas, Pontiac, MI.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

Ayes: Taylor-Burks, Waterman, Miller and Pietila

No: None

Motion Carried.

September 11, 2018

Councilwoman Patrice Waterman adjourned the meeting at 7:55 p.m.

SHEILA R. GRANDISON
ACTING CITY CLERK

DRAFT

FINANCE SUBCOMMITTEE NOTES

September 11, 2018

In attendance:

Council members: Chair Patrice Waterman, President Kermit Williams and Gloria Miller

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-DiSessa

Economic Development Director: Rachel Loughrin

Butzel Long: Attorney Jim Townsend

General Counsel Joshua Markham

Keith Fryman

Plante Moran: Danielle Kelley

Start time: 4:00 pm

AGENDA

I. New Business

A. 1000 Vanguard Drive

Members of the Fed-Ex project appeared and explained that they listened to the concerns of the residents of Stonegate and as a consequence, Fed- Ex is putting forth a new proposal which includes benefits to the community. Setzer Properties is proposing the following:

1. **Road Improvements** – Setzer will provide \$750,000 to an escrow account for upgrades to the neighborhood's road system.
2. **New Neighborhood Park** –Pontiac Community Investment, LLC will provide \$150,000 to an escrow account for the neighborhood park planned for the north end of the Stonegate Boulevard.
3. **Stormwater Improvements and a Cleaner Pond**- Setzer will pay for cleanup and repair of the pond and correct inadequate pipe sizes to ensure that the pond functions correctly.
4. **Safer More Secure Community** – Having a 24-hour secured and monitored facility north of Stonegate will deter illegal dumping and other crime and contribute to a safer neighborhood.

- A sound study has been conducted by a third-party which recommended raising berm height as the preferred means of reducing neighborhood noise and the updated plans have incorporated berms matching the recommendations.

- The sound experienced by the residents at the bottom of the berm will be at or below ordinance requirements.

- Berms will deaden the railyard noise and will reduce sight lines into the facility.

Emissions:

- Current truck fleet meets all EPA emissions requirements.

- Trucks are equipped with auto-shutoffs to turn engines off after two minutes of idling.

- Fleet is being replaced with compressed natural gas (CNG) for city routes.

- Trees and plants will be provided on and around the property on top of the new and existing berms which will provide airborne pollutant removal and additional sight line barrier.

Planned Underground Storage Tanks are Safe:

- The Underground Storage Tanks (USTs) meet all Federal and State spill prevention and construction standards.
- The UST's are fiberglass double wall tanks with saline solution filling the space between the walls.
- On Friday, September 14, 2018 there will be a meeting with the Stonegate condominium association at 6:30 pm to discuss the new proposal with the residents.

B. 140 Saginaw

- A developer has expressed an interest in the location and proposed a concept that they would like to further discuss.
- The developer will be contacted to determine the status of the project.

C. Treasury Department

- There was discussion regarding renovations to the department.
- Approximately, \$40,000 was allocated in the budget for improvements.

D. Review of July 2018 Financial Activities:

- The total investment in all funds for the City as of 7-31-2018 was \$ 54,463,411.15. The general fund portion is \$16,155,711.47. The net decrease in the balance compared to the previous month is a result of the collection of the payment to Waterford Township for Fire Services of approximately \$1.7 million. This was offset by the collection of property taxes of \$436,226.06 and repayment of borrowed funds from the district court fund of \$400,000.

- Based on the latest report on the general fund balance as of 6-30-2017, the accumulated amount is \$17.073 million dollars. The current balance sheet as of 6/30/2018 is reporting a decrease of fund balance \$424,000, resulting in a fund balance of \$16.6 million. Of this fund balance, \$3.2 million is committed, leaving a reported unassigned fund balance of \$13.4 million. This balance may change if rollover amendments from the previous fiscal year are adopted, as they will need to be classified as assigned. Additionally, this balance will continue to fluctuate slightly as final audit adjustments are made for the year-end audit, which begins 9/24/18.

- The Income Tax Collections current fiscal year vs prior will continue to change due to year- end accounting entries for income tax related to June 2018 which was received from July 1, 2018 to August 31, 2018 and which was approximately \$21, 000 in the prior year.

- Property tax collections for the month of July 2018 shows a total amount of City millages collected as \$3,879,128.06 vs \$12,682,049.11 billed, which is approximately 30%.

-Expenditures for the first month are tracking within the budget. A quarterly detail review of actual expenditures vs the budget will be performed in October 2018.

-Final budget document for 6-30-18 was posted to the City website. The City also applied for the distinguished budget award with GFOA.

-The annual full audit by Rehmann will begin September 24, 2018 as the Auditors started the preliminary work in July.

Adjourned: 5:00 p.m.



MEMORANDUM

City of Pontiac
Controller's Office
47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3118
Fax: (248) 758-3197

RECEIVED
2018 SEP 14 PM 12:05
PONTIAC CITY CLERK

DATE : 9/13/2018
TO: Honorable Mayor and City Council
FROM: Danielle Kelley, Plante & Moran - Controller's Office
THROUGH: Jane Bais DiSessa – Deputy Mayor
SUBJECT: MIDC Grant Fund creation and budget amendment

As discussed at the 8/14/2018 Finance Subcommittee meeting, the City has been awarded \$795,041 with a local share of \$17,635 from the Michigan Indigent Defense Council (MIDC) to bring the system's delivery of indigent criminal defense services into compliance with minimum standards established by the MIDC. A requirement for this grant is to establish a separate fund for recording grant related revenues and expenditures. The budget that was adopted by City Council on 6/8/2018 established the revenue and appropriations for the MIDC grant in the District Court Fund (276). Therefore, a budget amendment is required to be approved by City Council in order to transfer the MIDC fund grant revenues and related expenditures from the District Court fund and establish a budget for a newly created MIDC Grant fund. The fund is required by the grant to be created and have an established budget by October 1, 2018.

Attached to this memo and resolution is exhibit A, which details the amendment by function.

At this time we are seeking formal approval from the City Council for this budget amendment. If Council agrees, please pass the following resolution:

Whereas, the City of Pontiac timely approved the 2018-2019 budget on June 8, 2018 and;

Whereas, the District Court budget contained a corresponding revenue and appropriation for the Michigan Indigent Defense Council (MIDC) Grant of \$876,540 and \$894,175, respectively and;

Whereas, the District Court was awarded an MIDC grant of \$795,041 with a local share of \$17,635 and;

Whereas, the MIDC grant requires that a separate MIDC grant fund be established. Therefore, there is a need to reduce the District Court's budgeted other revenue by \$795,041, reduce the District Court's general government appropriations by \$812,676, and increase the District Court's transfers out and

other uses appropriations by \$17,635 and reallocate these revenues and appropriations to a new MIDC grant fund and establish a budget of \$795,041 of state grant revenue, \$17,635 of transfers in and other uses revenue, and \$812,676 in general government appropriations.

Whereas, the Mayor is proposing to the City Council to decrease the revenues and appropriations for the current fiscal year 2018-2019 for the District Court Fund and increase the revenues and appropriations for a new MIDC grant fund in amounts described above as necessary to comply with the requirements of this grant and;

Whereas the decreased revenue will not cause the fund balance in the District Court Fund to go below the policy mandated thresholds; and,

Now therefore, be it resolved, that the City Council of the City of Pontiac approves the budget amendment for the fiscal year 2018-2019 as requested by the Mayor and detailed in the attachment labeled exhibit A.

EXHIBIT A**District Court - 276**

	2018-2019		2018-2019
	Original Budget	Proposed Amendment	Amended Budget
ESTIMATED REVENUES			
Charges for Services	673,795		673,795
State Grants	187,639		187,639
Other Revenue	876,540	(795,041)	81,499
Fines and Forfeits	1,083,635		1,083,635
Interest and Rents	1,500		1,500
Transfers In and Other Uses	1,374,555		1,374,555
TOTAL ESTIMATED REVENUES	4,197,664	(795,041)	3,402,623

APPROPRIATIONS

General Government	4,168,343	(812,676)	3,355,667
Transfers Out and Other Uses	15,000	17,635	32,635
TOTAL APPROPRIATIONS	4,183,343	(795,041)	3,388,302

District Court

NET REVENUES/APPROPRIATIONS	14,321	-	14,321
Estimated Beginning Fund Balance	13,325	13,325	13,325
Estimated Ending Fund Balance	27,646	13,325	27,646

	2018-2019		2018-2019
	Original Budget	Proposed Amendment	Amended Budget
MIDC Grant - 260			
ESTIMATED REVENUES			
State Grants	-	795,041	795,041
Transfers In and Other Uses	-	17,635	17,635
TOTAL ESTIMATED REVENUES	-	812,676	812,676

APPROPRIATIONS

General Government	-	812,676	812,676
TOTAL APPROPRIATIONS	-	812,676	812,676

MIDC Grant

NET REVENUES/APPROPRIATIONS	-	-	-
Estimated Beginning Fund Balance	-	-	-
Estimated Ending Fund Balance	-	-	-



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council Members
FROM: Jane Bais-DiSessa, Deputy Mayor
CC: Mayor Deirdre Waterman, John Balint, Acting DPW Director
DATE: August 31, 2018
RE: Code Enforcement Officer Vehicle Purchase – Options

As a follow-up to Council's code enforcement vehicle discussion at last week's Study Session, the following options are presented for your consideration

Option 1 (Original Proposal):

<u>Quantity & Type Of Vehicle</u>	<u>Individual Price w/Options</u>	<u>Total Cost</u>
[5] Cruze:	\$15,986	\$79,930
Grand Total:		\$79,930 [\$10,070 under Budget]

Option 2:

<u>Quantity & Type Of Vehicle</u>	<u>Individual Price w/Options</u>	<u>Total Cost</u>
[1] Silverado:	\$30,235	\$30,235
[4] Cruze:	\$15,986	\$63,944
Grand Total:		\$94,179 [\$4,179 over Budget]

Option 3:

<u>Quantity & Type Of Vehicle</u>	<u>Individual Price w/Options</u>	<u>Total Cost</u>
[2] Silverado:	\$30,235	\$60,470
[3] Cruze:	\$15,986	\$47,958
Grand Total:		\$108,428 [\$18,428 over Budget]

RECEIVED
 2018 SEP -7 PM 1:48
 PONTIAC CITY CLERK

The following resolution is proposed (Note: Type of vehicles and cost to be selected at the City Council meeting):

WHEREAS, the City of Pontiac has reviewed pricing provided by Oakland County MiDeal and determined the vehicles required to perform upcoming work; and

WHEREAS, City staff has reviewed the vehicles and equipment and determined the listed items to be adequate for the upcoming work, and;

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council authorizes the Mayor to purchase five vehicles (____ Chevrolet Cruze and ____ Silverado) for a total cost of \$_____; in order to administer the Code Enforcement Division, from Berger Chevrolet.

MODEL:	2018 CHEVROLET CRUZE	DEALER INFORMATION	
Body Style:	1SB LS AUTO	Name:	Berger Chevrolet
NOTE: Model Should Include STANDARD PACKAGING, unless otherwise indicated below.		Address 1:	2525 28th Street SE
		Address 2:	Grand Rapids MI 49512
		Contact:	Bob Evans
		Telephone:	616-949-5200
Standard Equipment Plus			COST
<i>PLUS TITLE FEE</i>			
<i>MINUS TOTAL</i>		\$	
STANDARD COST SUBTOTAL			\$ 15,567.00
POSSIBLE OPTIONS:			
ZLQ	LS Fleet Convenience Package		\$ 419.00
R9Y	Fleet Maintenance Credit	\$	(57.00)
TOTAL OPTIONS			
		TOTAL COST	\$ -
AUTHORIZED NAME: (Print)	Robert Evans		
AUTHORIZED SIGNATURE:		DATE:	10/10/2017

CODE ENFORCEMENT VEHICLE(S)

VEHICLE OPTIONS				
Item	Description	Quantity	Cost with Options	Grand Total
1	2018 Chevrolet Silverado Special Service CK 15743, 4WD Standard Box Crew Cab (Standard Equipment Plus)	5	\$30,235.00	\$151,175.00
2	2018 Chevrolet Colorado 4WD 12 M43 Extended Bed (Standard Equipment Plus)	5	\$26,013.00	\$130,065.00
3	2018 Chevrolet Cruze (LS Fleet Convenience Package)	5	\$15,986.00	\$79,930.00

MODEL:		2018 CHEVROLET SILVERADO SPECIAL SERVICE CK 15743		DEALER INFORMATION	
Body Style:		4WD STANDARD BOX CREW CAB		Name:	Berger Chevrolet
NOTE: Model Should include STANDARD PACKAGING, unless otherwise indicated below.		Address 1:	2525 28th Street SE		
		Address 2:	Grand Rapids MI 49512		
		Contact:	Bob Evans		
		Telephone:	616-949-5200		
Standard Equipment Plus					COST
5T5	Front Cloth Vinyl Rear Seats				
		<i>PLUS TITLE FEE</i>			
		<i>MINUS TOTAL</i>		\$	
		STANDARD COST SUBTOTAL		\$	27,324.00
POSSIBLE OPTIONS:					
PCR	WT Fleet Convenience Package		✓	\$	327.00
C49	Rear Window Defogger		✓	\$	201.00
B30	Carpet Floor			\$	88.00
6E2	Common Key Code			\$	25.00
5H1	Two Additional Keys		✓	\$	45.00
9S1	Driver and Passenger Individual Vinyl Seats				N/C
AZ3	40/20/40 Split Bench Seat			\$	393.00
9L7	Upfitter Switches			\$	115.00
CGN	Spray on Bed Liner		✓	\$	436.00
CTD	Cargo Tie Downs		✓	\$	53.00
AKO	Glass Deep Tinted		✓	\$	181.00
UF2	LED Lighting Cargo Box		✓	\$	110.00
DPN	Heated Power Adjustable Vertical Camper Mirrors (req. PCR)			\$	313.00
9G3	Suspension Package (req. G80 & RC3)			\$	359.00
R9Y	Fleet Maintenance Credit			\$	(74.00)
G80	Locking Rear Axle			\$	354.00
FHS	E85 Flex Fuel Capable			\$	88.00
Z82	Trailer Package			\$	354.00
JL1	Trailer brake controller			\$	249.00
NQH	Active Transfer case			\$	186.00
NZZ	Underbody Shield		✓	\$	93.00
6J3	Wiring, grille lamps and siren speakers			\$	166.00
6J4	Wiring, horn and siren circuit			\$	69.00
9G8	Headlamps, daytime running lamps & automatic headlamp control delete		✓	\$	44.00
7X6	Spotlamp, left-handed		✓	\$	480.00
7X7	Spotlamps, left and right-hand		✓	\$	946.00
RC3	Tires, P265/70R17 all-terrain, blackwall		✓	\$	176.00
RI8	Tires, P265/65R8 M/T blackwall				N/A
PZX	Wheels, 18" x 8.5" aluminum with high-polished finish			\$	402.00
TOTAL OPTIONS					
				TOTAL COST	\$ -
AUTHORIZED NAME: (Print)		Robert Evans			
AUTHORIZED SIGNATURE:			DATE:	10/10/2017	

MODEL:	2018 CHEVROLET COLORADO 4WD 12M53		DEALER INFORMATION	
Body Style:	WORK TRUCK/ EXT CAB		Name:	Berger Chevrolet
NOTE: Model Should include STANDARD PACKAGING, unless otherwise indicated below.			Address 1:	2525 28th Street SE
			Address 2:	Grand Rapids MI 49512
			Contact:	Bob Evans
			Telephone:	616-949-5200
Standard Equipment Plus				COST
2WT				
B38	Vinyl Floor			
MYB	Automatic transmission			
	2.5L 4 cylinder			
	<i>PLUS TITLE FEE</i>			
	<i>MINUS TOTAL</i>			\$ -
	STANDARD COST SUBTOTAL			\$25,148.00
POSSIBLE OPTIONS:				
PCN	WT Convenience package	✓	\$	447.00
B30	Carpet Floor			Inc
AT2	Delete rear seat		\$	(200.00)
PCX	Work truck appearance package		\$	393.00
CGN	Spray on bedliner	✓	\$	418.00
2W9	Pickup box delete (req. LGZ, Z82 & G80)		\$	(560.00)
G80	Locking rear axle		\$	292.00
LGZ	3.6L V6		\$	1,244.00
R9Y	Fleet maintenance credit		\$	(55.00)
BJA	Fuel filler kit (req. ZW9)			n/c
Z82	Trailer package (req. G80 & LGZ)		\$	229.00
JL1	Trailer brake controller (req. Z82)		\$	209.00
	TOTAL OPTIONS			
			TOTAL COST	
			\$ -	
AUTHORIZED NAME: (Print)		Robert Evans		
AUTHORIZED SIGNATURE:				DATE: 10/10/2017



City of Pontiac

City Council Memo

Economic Development

To: Honorable Mayor Waterman, Council President and City Council

From: Rachel Loughrin, Director of Economic Development

Through the Office of the Deputy Mayor, Jane Bais-DiSessa

Date: 9-14-18

**RE: Application for Industrial Facilities Tax Exemption
1200 Auburn Road**

RECEIVED
2018 SEP 14 PM 12:05
PONTIAC CITY CLERK

Dear Mayor, Council President and City Council Members,

Peninsula Plastics, an Auburn Hills based manufacturer of custom packaging for both the automotive and textile industries, has located an approximately 95,000 square foot vacant building within the City of Pontiac that they would like to purchase for the expansion of their operations.

The anticipated investment for the expansion and cost of new equipment is estimated at over \$16,000,000 over the next five years.

Peninsula Plastics is requesting an Industrial Facilities Exemption to help facilitate the expansion of their company within the City of Pontiac. The company requests that during the Council Meeting on September 18, 2018 that Council schedule a Public Hearing for September 25, 2018 for the approval of the Application for the Industrial Facilities Tax Exemption, Plant Rehabilitation District.

Plant Rehabilitation Districts, known as the Industrial Facilities Exemption provides a tax incentive to manufacturers to enable the renovation and expansion of aging facilities. An exemption will be provided to the facility from ad valorem real and/or personal property taxes.

Projected hiring for this project stands at 40 full time jobs over the next five years with an average salary of \$45,000. The company has also provided the City with a hiring commitment that will be built into their development agreement for the project. The company commits to use good faith efforts to hire at least 25 Pontiac residents over the next three years and commits to continue employing Pontiac residents. If the company is unable to meet their hiring commitment to the City the company will then abide by its penalty provision found within the development agreement.

In accordance with the IFT regulations, before this application may be considered, a public hearing is required. As such, the following resolution is recommended;

WHEREAS, Peninsula Plastics has submitted an application for an Industrial Facilities Tax (IFT) Exemption Certificate to rehabilitate 1200 Auburn Avenue;and

WHEREAS, application has been sent to the Office of the City Clerk for certification and;

WHEREAS, the Plant Rehabilitation and Industrial Development Act (Industrial Facilities Exemption) (PA 198 of 1974, as amended) Version 4/8/2014 4 MCL 207.555(2), requires that before acting upon an application, the governing legislative body conduct a public hearing,

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council direct the City Clerk to schedule a public hearing on September 25, 2018 in accordance with the Plant Rehabilitation and Industrial Development Act (Industrial Facilities Exemption) (PA 198 of 1974, as amended).



Peninsula Plastics IFT and Brownfield Proposed Timeline

1. August 28, 2018- Present request to set a public hearing to establish an IFT Plant Rehabilitation District for Peninsula Plastics to City Council. City Council approves the request to set a public hearing for September 4, 2018 for the district
2. September 4, 2018- City Council holds public hearing to establish the district. City Council approves the district after the hearing.
3. September 11, 2018- Present the request to set a public hearing on the application.
4. September 18, 2018- City Council approves the request to set a public hearing for September 25, 2018 on the application
5. September 25, 2018- City Council holds the public hearing to approve the application. Present the approval of the letter of agreement and affidavit of fees to City Council for approval. Present request to approve a brownfield plan. Present request to set a public hearing to remove parcels from TIFA in order to qualify for a brownfield. Note the public hearing notice requirement is 20-40 days.
6. October 2, 2018- City Council approves application, letter of agreement and affidavit of fees. City Council votes to approve the scheduling of the public hearing for November 6, 2018.

7. October 23, 2018- TIFA and Brownfield Meetings on Peninsula Plastics

8. November 6, 2018- City Council holds public hearings to remove the TIFA parcels and approve the brownfield plan. City Council approves the removal and brownfield plan after the hearing. City approves the two required Oakland County resolutions to establish the brownfield

Reset Form

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date Received by Local Unit
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) Peninsula Plastics, Inc.	▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3252 and 3089	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1200 Auburn Rd, Pontiac, MI 48342	▶ 1d. City/Township/Village (Indicate which) Pontiac	▶ 1e. County Oakland
▶ 2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Research and Development (Sec. 2(10))	<input type="checkbox"/> Transfer <input checked="" type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Increase/Amendment	▶ 3a. School District where facility is located Pontiac City School District ▶ 3b. School Code 63030
▶ 4. Amount of years requested for exemption (1-12 Years) Twelve Years		

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

See Attached Page

6a. Cost of land and building improvements (excluding cost of land)	▶ <u>1,500,000</u>
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures	▶ <u>8,450,000</u> Comprised of
* Attach itemized listing with month, day and year of beginning of installation, plus total	
6c. Total Project Costs	▶ <u>9,950,000</u> 6,400,000 New and 2,050,000 Relocated
* Round Costs to Nearest Dollar	
Total of Real & Personal Costs	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

Anticipated Dates

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	▶ <u>October 1, 2018</u>	▶ <u>October 1, 2020</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	▶ <u>October 1, 2018</u>	▶ <u>October 1, 2020</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. All will be new to the facility	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 20 Jobs within 2 years, up to 40 within five years.
---	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	<u>1,054,765</u>
b. TV of Personal Property (excluding inventory)	
c. Total TV	<u>1,054,765</u>

▶ 12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit) September 4, 2018	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Grant Williams	13b. Telephone Number 248.267.3340	13c. Fax Number 248.879.2001	13d. E-mail Address williamsg@millercanfield.com
14a. Name of Contact Person Ryan Victory	14b. Telephone Number 248.761.3454	14c. Fax Number 248.852.5482	14d. E-mail Address RVictory@PeninsulaPlastics.com
▶ 15a. Name of Company Officer (No Authorized Agents) Ryan Victory, President			
15b. Signature of Company Officer (No Authorized Agents)		15c. Fax Number 248.852.5482	15d. Date
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 2800 Auburn Court, Auburn Hills, Michigan 48326-3203		15f. Telephone Number 248.852.3731	15g. E-mail Address RVictory@PeninsulaPlastics.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, Industrial Facilities Tax Exemption (IFT) Application

The completed original application form 1012 and all required attachments, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government **within six months of commencement of project.**)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village). (Providing an accurate school district where the facility is located is vital.)

1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, **beginning date of installation** or expected installation by **month/day/year**, and costs or expected costs (see sample). Detail listing of machinery and equipment **must match amount shown** on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.

4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad valorem real and/or personal property tax liability. The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government. Tax liability for leased property should be determined before sending to the STC.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original is required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. Certified copy of the resolution establishing the **Industrial Development District (IDD) or Plant Rehabilitation District (PRD)**, which includes a legal description of the district (see sample). **If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.**
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement **“the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).**

- 5. Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample).**
- 6. Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be incorporated into the Letter of Agreement (see sample).**
- 7. Treasury Form 3222 (if applicable - Fiscal Statement for Tax Abatement Request.**

The following information is required for rehabilitation applications in addition to the above requirements:

1. A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs.
2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

1. A certified copy of the resolution to establish a speculative building.
2. A statement of non-occupancy from the owner and the assessor. Please refer to the following Web site for P.A. 198 of 1974:

Please refer to the following Web site for P.A. 198 of 1974: www.legislature.mi.gov/. For more information and Frequently Asked Questions, visit our Web site at www.michigan.gov/propertytaxexemptions.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

Schedule 6

6(B) – Personal Property

<u>Anticipated Personal Property</u>	<u>Estimated Cost</u>	<u>Anticipated Installation Date</u>
CNC	\$200,000	10/1/2018- 12/31/2018
Dust Collection	\$250,000	
Injection Molder #1	\$400,000	
Injection Molder #2	\$100,000	
Sheet Extruder #1	\$1,650,000	
Sheet Extruder #2	\$200,000	
Grander	\$250,000	
Grander	\$450,000	
Racking	\$100,000	
Electrical upgrade	\$650,000	
Fire Suppression	\$250,000	
Former #1	\$950,000	10/1/2019
Former #2	\$950,000	10/1/2020
Subtotal	6,400,000	
<u>Relocated Personal Property</u>	<u>Estimated Acquisition Cost</u>	
Sheet Extruder #1	\$1,000,000	10/1/2018- 12/31/2018
CNC	\$400,000	
Mold Shop	\$350,000	
Injection Molder #1	\$75,000	
Injection Molder #2	\$75,000	
other	\$150,000	
Subtotal	\$2,050,000	
Total	\$8,450,000	

Installation dates do not account for delays for long lead time items or construction delays

Pontiac, Michigan

ORDINANCE NO.
TAX EXEMPTION ORDINANCE

ADOPTED: _____, 2018

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 "Tax Exemption Ordinance-The Hamilton."

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 project that is constructed with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor: *The Hamilton Limited Dividend Housing Association Limited Partnership, a Michigan limited partnership*, has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to construct, own and operate a forty-two (42) unit housing project identified as *The Hamilton* on certain property located at 5 Carter Street in the City 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. "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 (as hereafter defined).

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 *The Hamilton Limited Dividend Housing Association Limited Partnership, a Michigan 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 *The Hamilton* is of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project identified as *The Hamilton* and the property on which will be 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 construct 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 6 % of the Annual Shelter Rent 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 and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the current calendar year. The annual payment for each operating year shall be paid on or before July 1st of the operating 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: (i) the Hamilton housing project has commenced construction on the forty-two (42) units on the property within two (2) years of the effective date of this Ordinance; and (ii) a) a Mortgage Loan remains outstanding and unpaid; and b) the housing project remains subject to income and rent restrictions under the LIHTC Program but in no case longer than sixteen (16) years from the date of the certificate of occupancy issued by the City for the housing project.

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 _____, 2018, as provided in the City Charter.

By: _____

CITY CLERK



City of Pontiac

City Council Memo

Economic Development

To: Honorable Mayor Waterman, Council President and City Council

From: Rachel Loughrin, Director of Economic Development

Through the Office of the Deputy Mayor, Jane Bais-DiSessa

Date: 9-07-18

RE: Request for approval of PILOT Ordinance – Second Reading
The Hamilton, 5 Carter Street

2018 SEP -7 PM 12: 29
PONTIAC CITY CLERK

RECEIVED

Dear Mayor, Council President and City Council Members,

On September 04, 2018, the proposed Ordinance for a payment in lieu of taxes (PILOT) was introduced for The Hamilton, 5 Carter Street.

MSHDA has awarded LIHTC housing credits for this project and the Executive Office recommends adoption of the ordinance.

In addition, we are requesting approval of the Municipal Services Agreement and Development Agreement that are a part of this project. The agreements are attached for your review and consideration.

Since the agreements are crucial to the success of the PILOT ordinance, we are recommending that the Council adopt the following resolution.

Resolution for the Approval of the Municipal Services Agreement and Development Agreement between The Hamilton Limited Dividend Housing Association Limited Partnership and the City of Pontiac.

WHEREAS, the Pontiac City Council adopted a Low Income Housing Tax Exemption Ordinance, effective September 28, 2018, that exempts The

Hamilton Limited Dividend Housing Association Limited Partnership (The Hamilton) from property taxes in lieu of a service charge, commonly referred to as "Payment in Lieu of Taxes" ("PILOT"); and

WHEREAS, the City and The Hamilton have entered into a Municipal Services Agreement; and

WHEREAS, the City and The Hamilton also have entered into a Development Agreement regarding the PILOT;

NOW THEREFORE BE IT RESOLVED THAT, the Pontiac City Council approves the Municipal Services Agreement and Development Agreement between The Hamilton Limited Divided Housing Association Limited Partnership and the City of Pontiac.

Be it further resolved that the Pontiac City Council authorize the Mayor to execute the agreements on behalf of the City.

MUNICIPAL SERVICES AGREEMENT

THIS MUNICIPAL SERVICES AGREEMENT entered into this ____ day of _____, 2018 between THE HAMILTON LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, a Michigan limited partnership of 500 South Front Street, 10th Floor, Columbus, Ohio 43215, (hereinafter referred to as the "OWNER") and City of Pontiac, a Michigan municipal corporation, of 47450 Woodward Avenue, Pontiac Michigan 48342 (hereinafter referred to as the "CITY").

RECITALS

- A. The OWNER intends to purchase and develop a housing project for low to moderate income families, to be known as The Hamilton Apartments, financed in part by Low Income Housing Tax Credits (LIHTC), administered by the Michigan State Housing Development Authority (MSHDA) on land legally described on Exhibit "A", (hereinafter referred to as the "PROJECT").
- B. The OWNER desires to guarantee that certain municipal services will be provided to the PROJECT during the term that the Payment in Lieu of Taxes (hereinafter referred to as the "PILOT") Ordinance for this PROJECT is in place, such municipal services to exclude normal water, sewer, and other utility charges as well as special assessment charges (which must be paid separately and at duly established rates) and similar charges and to include only:
 - 1. Emergency services, including police and ambulance (at normal published rates) and fire service specifically administered through the CITY;
 - 2. Other miscellaneous services as may, from time to time, be mutually agreed to for the benefit of the PROJECT;
 - 3. Said municipal services shall be provided in the customary way, in a competent and workmanlike manner, and in accordance with all laws, rules and regulations of the United States of America, State of Michigan, County of Oakland, and City of Pontiac or other applicable jurisdictions or bodies.

(All of the above collectively referred to as "Municipal Services")

AGREEMENT

The parties agree as follows:

1. The payment for Municipal Services shall be computed as follows: Ten Thousand Dollars (\$10,000) will be paid concurrent with the annual PILOT payment for The Hamilton Apartments. Each year the annual MSA payment shall be increased per the published Consumer Price Index for all products Midwest region. The maximum yearly adjustment shall be 3%.
2. Payment for Municipal Services shall commence at the time the first PILOT payment is made and will remain in effect for as long as a payment-in-lieu-of-taxes ordinance is in place for the project.

IN WITNESS WHEREOF, this Municipal Services Agreement is executed as of the day and year first written above.

WITNESSES:

THE HAMILTON LIMITED DIVIDEND
HOUSING ASSOCIATION LIMITED
PARTNERSHIP, A Michigan Limited
Partnership

By: THE HAMILTON GP, LLC,
An Ohio limited liability company
Its General Partner

By: Woda Cooper General Partner, LLC
An Ohio limited liability company
Its Sole Member

By: Woda Cooper Communities, LLC
An Ohio limited liability company
Its Sole Member

By: _____
David Cooper Jr., Vice President &
Associate General Counsel

CITY OF PONTIAC

By: _____

Its: Mayor

EXHIBIT A

ASSESSORS SUBD NO 1 To Be Completed

Development Agreement
(5 Carter Street – The Hamilton)

This Development Agreement (the "Agreement") is executed and effective this ____ Day of August 2018, between the CITY OF PONTIAC (the "City"), a Michigan municipal corporation, and The Hamilton Limited Dividend Housing Association Limited Partnership (the "Owner"), a Michigan limited partnership.

WHEREAS, the Owner is constructing a 42 unit, 4 story multi-family affordable housing development at 5 Carter Street, in the City of Pontiac; and

WHEREAS, the Owner wishes to utilize Payment in Lieu of Taxes as well as the MSHDA LIHTC program;

NOW THEREFORE, the Owner has requested a Payment In Lieu of Taxes (PILOT) from the City and other considerations, which the City is willing to provide so long as the following terms and conditions as noted below are agreed upon and adhered to for the length of the PILOT.

Terms & Conditions

In consideration for the foregoing, Owner hereby agrees as follows:

1. **No Preemption.** Unless otherwise provided for specifically herein, this Agreement shall not be deemed to waive, preempt or make unnecessary any applicable municipal or governmental processes. This includes, but is not limited to zoning, variances, brownfield and economic incentives, assessments or fees and that Owners and/or Users are required to submit and participate for any appropriate process as provided in the City's ordinances, City Charter, including any applicable City Commission(s) and City Council matters and processes.
2. **Jobs.** Owner shall make all reasonable efforts to use Pontiac contractors and subcontractors, as well as hire Pontiac residents. Owner shall also establish an internship or apprenticeship program focused on the education of Pontiac residents. Owner has entered a memorandum of understanding (MOU) with HerCo.Org, LLC to provide 15 "ready to work" Section 3 (to be known as apprentices) at The Hamilton construction site.
3. **Notification of Transfer.** Within a 48-hour period of its occurrence, Owner must notify City in the event of a transfer of general partnership or of ownership of the building.
4. **Management Notification.** The Owner shall provide the City and the Building Official with the name and address of the Management Company and the name and direct contact information (phone and email) of the Management Company's primary Manager. Should Management company fall into poor standing with the City, Operator will be required to provide a monthly report to the Mayor's

City of Pontiac
Development Agreement

office outlining each violation and the timeline and process for amending said violations. Poor standing is defined, but not limited as three or more code enforcement citations written for the same violation, with no action taken to rectify matter.

5. **Annual Review.** Rental Inspection Certification shall be conducted on an annual basis. The City's Building Safety division shall hold an Annual Review of all ordinance violations with the Management Company.
6. **Vacancy.** Vacancy rate shall be reported to City, for the preceding year and on a monthly basis, at time of Annual Review.
7. **Security.** Management Company must develop and maintain a municipally approved security plan. At the time of Annual Review, Owner must also provide the City with the latest Incident report from the Sheriff's office. The City shall decide whether the security plan shall be amended.
8. **Maintenance Reserve.** Owner will maintain a reasonable maintenance reserve, and will provide a pro forma of that account at Annual Review.
9. **Resident Council.** The management company is to assist renters with the establishment of a Resident Council.
10. **Compliance with Applicable Regulations.** Owner hereby agrees to cause its respective Property to comply with all local, State and Federal regulations applicable to such Property, as may be amended.
11. **Term.** This Agreement shall correspond to the term of the PILOT agreement as approved by the Pontiac City Council.
12. **Notices.** All notices or communications required by this Agreement may be delivered either in-person, or by registered mail to parties listed below:

To the City:

City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Deputy Mayor

City of Pontiac
Development Agreement

With Copy To:

City of Pontiac
Attention: Building Official
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Building Official

To the Owner:

Woda Cooper Development, Inc.
500 S. Front Street, 10th Floor
Columbus, Ohio 43215
Attention: Maia Boitano

13. Binding Effect. This Agreement shall be binding upon the parties hereto and upon their respective permitted successors and assigns.
14. Conditions of Breach and Costs. Upon finding of breach pursuant to legal action, the Owner shall be responsible for all costs and fees associated with such action, including all actual attorney's fees.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first written above.

OWNER:

The Hamilton Limited Dividend Housing
Association Limited Partnership, a Michigan
limited partnership

By: MBait

Name: Maia P. Boitano
Title: Vice President and Associate
General Counsel

CITY:

CITY OF PONTIAC
A Michigan municipal corporation

Hon. Deirdre Waterman
Mayor



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

MEMORANDUM

TO: Honorable Mayor, Council President, and City Council

FROM: Vern Gustafsson – Planning Manager
Through the Office of Deputy Mayor – Jane Bais-DiSessa

SUBJECT: PF 18-05 The Hamilton - Off-Street Parking
5 Carter Street | PIN 64-14-29-408-005

DATE: September 13, 2018

RECEIVED
2018 SEP 14 PM 12:30
PONTIAC CITY CLERK

At the City Council September 11th meeting, a citizen commented that the number of off-street parking spaces for the proposed Hamilton project does not seem to be adequate.

Following review of our files and Planning Commission minutes. The Planning Division prepared a Technical Site Plan Review report of The Hamilton including proposed off-street parking dated March 2, 2018, as attached. At the Planning Commission meeting on March 3, 2018, the Commission reviewed the Site Development Plans; the applicant provided 45 parking spaces [1 parking space/unit]. Per the Zoning Ordinance, 82 parking spaces are required [1.1 parking space/bedroom]; a waiver of 32 parking spaces. Per the Zoning Ordinance, Section 4.304, A., the Planning Commission may modify the numerical requirements for off-street parking.

Following the application review and decision at the Planning Commission meeting, the Commission voted to approve the Site Development Plan and waive parking requirements to allow 45 off-street parking spaces based on the determination that a stacked affordable housing development does not support the number of required off-street parking spaces. Also, the project location in Downtown Pontiac has good access to public transit and available visitor parking at near-by public off-street and on-street parking.



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

March 2, 2018

ATTENTION: Planning Commission

SUBJECT: Site Plan Review
Hamilton Limited Dividend Housing Associates
PIN # 14-29-408-005
Five Carter Street
City of Pontiac Case No. PF-18-05

Dear Commissioners:

The City of Pontiac is in receipt of an application for Site Plan Review received on January 15, 2018. The site plan proposes the development of the land area associated with the parcel ID 14-29-408-005 through - 009. The applicant intends to develop this property to be Multi-Family Apartments, reaching a height of four stories, and supporting 42 units, ranging from 1-bedroom to 3-bedroom units. The parcel is currently located within the Downtown Loop and zoned Downtown Commercial (C-2).

The subject site addressed Five Carter Street, covers 1.2 acres and consists of several existing parcels, 14-29-408-005 through -009. The applicant plans to combine and split the parcels to match the final proposed site layout. To the east and south are C-2 Downtown Commercial properties, and additional C-2 Residential Use buildings to the north. The site is located in the Pontiac Downtown Historic District.

Site Plan Review Required information (Sec. 6.208)

a. Site Plan Details

- i. Provide an exterior lighting plan all proposed an existing lighting for parking lots, building, and common areas that includes lighting locations, heights of light from grade, light specifications, lamp types, and methods of shielding. On the lighting plan, additional information about the lighting sources is required to ensure that all lighting has full cutoff housings and is fully shielded. Also, add a note on the lighting plan that describes the hours of operation for the lighting (Sec 4.502) and (Sec 2.526).
- ii. Provide a photometric plan indicating light intensity throughout the site in foot-candles.
- iii. Provide specifications and details for each light fixture including total lumen output, type of lamp, and method of shielding.

- iv. Proposed Ground-Mounted Sign will require approval from the Planning Commission
- b. Building and Architectural Details
 - i. Exterior architectural details must comply with the design requirements found within Sec 2.408.B.
 - c. Access and Circulation
 - i. Curbing for all paved surfaces and sidewalks, with width and depth dimensions
 - ii. Designation of Fire Lane and No Parking Lanes
 - iii. Parking space calculations, including Barrier Free Parking (Building Codes) and parking requirements of the Zoning Ordinance – Sec. 4.303. and 4.305. F
 - iv. Details along accessible routes, parking's signs, ramps and clearances that provide sufficient grade information to comply with City building codes – Sec. 4.305
 - v. In accordance with the residential use of the site, and in accordance with Section 4.303 of the Zoning Ordinance. The residential use of the proposed site will host 74 bedrooms, the parking requirement of 1.1 Space per bedroom leaves the minimum required amount of parking spaces to be 82 spaces.
 - vi. Modification of Minimum Parking Requirement. (Section 4.304)
 - 1. The Planning Commission may modify the numerical requirements for off-street parking based on evidence submitted by the applicant that another standard would be more reasonable because of the level of current or future employment or customer traffic. The Planning Commission may condition the approval of a modification of the parking requirements that binds such approval to the specific use in question.
 - d. Landscaping and Screening
 - i. Provide landscaping plan that meets the requirements of Sec 4.404,
 - ii. Illustrate parking lot buffer along Carter street – Sec. 4.406.A
 - iii. Planting list for proposed landscape materials – Sec 4.411
 - iv. Illustrate interior parking lot landscaping and provide calculations on landscaping plan– Sec 4.405.C
 - v. The zoning ordinance requires the screening wall for the dumpster to be a masonry wall. The planning commission may waive the required screening when they determine that no significant negative effects will result from the waiver of such screening
 - vi. Add street canopy shade trees along Carter Street on 35' centers to comply with this requirement – Sec. 4.407

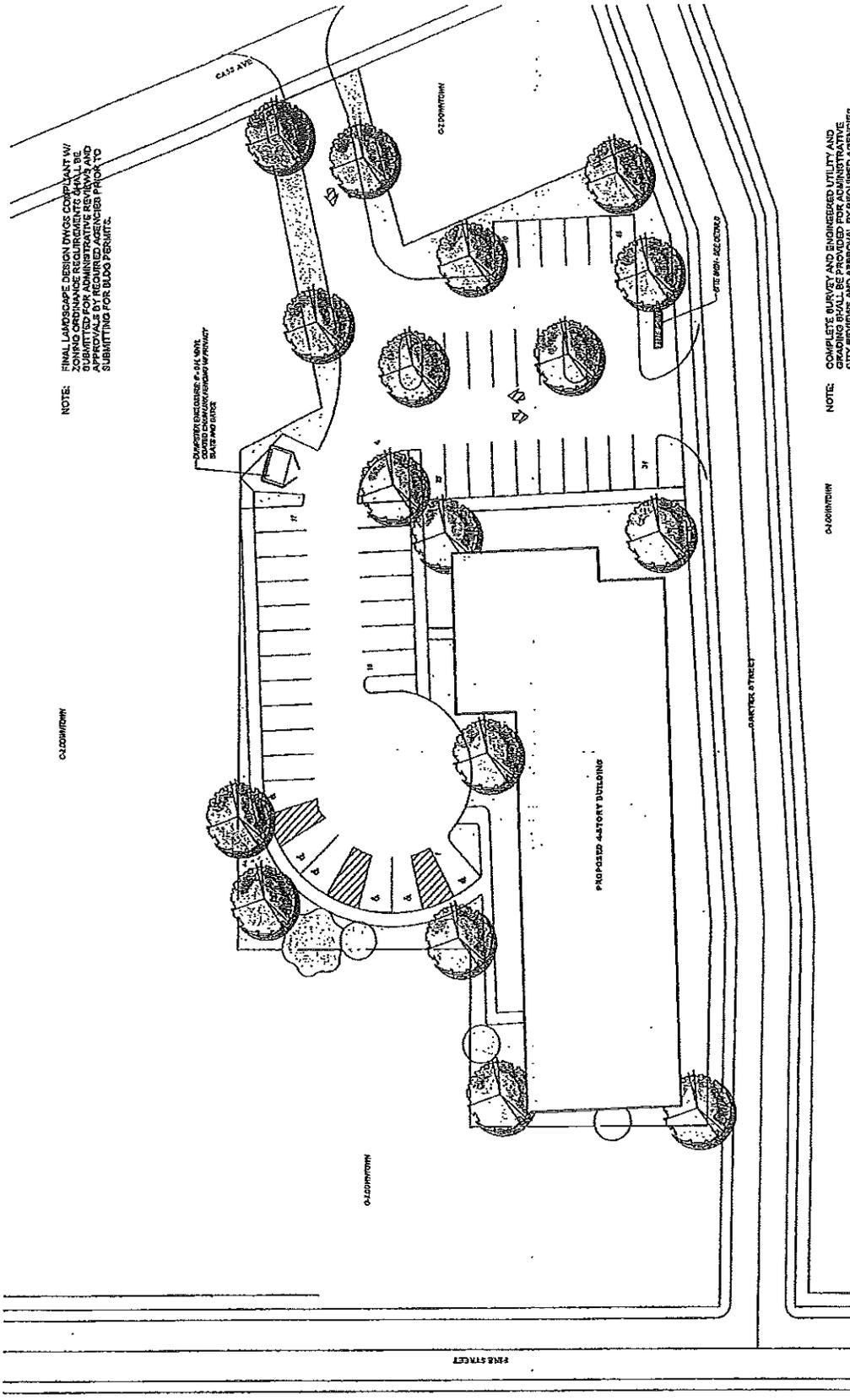
Based upon the materials submitted by the applicant, we are recommending Site Plan Approval be granted by the Planning Commission for the proposed Five Carter Street development with the following five conditions:

- 1) Revise exterior architectural details that comply with the requirements found within Section 2.408; and
- 2) Landscape Plan that complies with all of the Zoning Ordinance requirements must be submitted to the Planning Division for administrative review and approval prior to issuance of a building permit including a tree survey; and
- 3) Lighting Plan with Photometrics that complies with all of the Zoning Ordinance requirements must be submitted to the Planning Division for administrative review and approval prior to issuance of a building permit; and
- 4) Obtain approval from the Pontiac Historic District Commission; and
- 5) Final City Engineering administrative approval must be received prior issuance of a building permit.

Sincerely yours,

Arthur F. Mullen, AICP
Interim City Planner

cc: Mr. Michael Wilson, Building Official
Mr. Adam Hofmann, JGH Consulting



NOTE: FINAL LANDSCAPE DESIGN MUST BE COMPLIANT WITH ZONING ORDINANCES AND SUBMITTED FOR ADMINISTRATIVE REVIEW AND APPROVALS BY REQUIRED AGENCIES PRIOR TO SUBMITTING FOR BLDG PERMITS.

NOTE: COMPLETE SURVEY AND ENGINEERED UTILITY AND GRADING SHALL BE PROVIDED FOR ADMINISTRATIVE CITY REVIEW AND APPROVAL BY REQUIRED AGENCIES PRIOR TO SUBMITTING FOR BLDG PERMITS.

SITE LAYOUT | PRO. 1

THE HAMILTON
BOARD OF ZONING
COMMISSIONERS
140238



EDWARD HOOKER-DEJONG
ARCHITECTS & ENGINEERS





City of Pontiac

City Council Memo

Economic Development

To: Honorable Mayor Waterman, Council President and City Council.
From: Rachel Loughrin, Director of Economic Development
Through: Office of the Deputy Mayor, Jane Bais-DiSessa
Date: 9-07-18
RE: Introduction of a PILOT Ordinance
Winston Commons, 69 Douglas Street

RECEIVED
2018 SEP -7 PM 12:34
PONTIAC CITY CLERK

Dear Mayor, Council President and City Council Members,

The Woda Group has requested a payment in lieu of taxes (PILOT) ordinance from the City for the proposed 69 Douglas Street development, "Winston Commons". This PILOT request is at 6% of shelter rents and is in combination with a Municipal Services Agreement for \$13,000 per year with an annual increase in line with the consumer price index, which is around approximately 3% per year. The duration of the PILOT will be for the duration of the mortgage but in no case for longer than 16 years.

The proposed 54-unit, townhome development will provide affordable housing to Pontiac residents. The development is slated for general occupancy, marketed toward working singles, families and seniors. The 54 units will add approximately 100 new residents to our downtown area. The proposed breakdown of units is as follows;

- 9 one bedroom units
- 38 two bedroom units
- 7 three bedroom units

Should the Council vote to approve this PILOT request, the approval should be contingent upon the MSHDA award of the LIHTC housing credit.

In addition, the City Attorney will need to draft an ordinance for your consideration. The ordinance will require both a first and second reading prior to its adoption.

Please find attached a copy of the following materials;

1. Draft Ordinance
2. Municipal Services Agreement
3. Development Agreement
4. HerCO Letter of Intent
5. Site drawings including Site Plan & Elevations
6. Aerial showing existing conditions
7. Rent and income limits information

Pontiac, Michigan

ORDINANCE NO.
TAX EXEMPTION ORDINANCE

ADOPTED: _____, 2018

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 "Tax Exemption Ordinance-Winston Commons."

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 project that is constructed with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor: *Winston Commons Limited Dividend Housing Association Limited Partnership, a Michigan limited partnership*, has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to construct, own and operate a fifty-four (54) unit housing project identified as *Winston Commons* on certain property located at 69 Douglas Street in the City 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. "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 (as hereafter defined).

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 *Winston Commons Limited Dividend Housing Association Limited Partnership, a Michigan 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 *Winston Commons* is of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project identified as *Winston Commons* and the property on which will be 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 construct 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 6 % of the Annual Shelter Rent 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 and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the current calendar year. The annual payment for each operating year shall be paid on or before July 1st of the operating 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: (i) the Winston Commons housing project has commenced construction on the fifty-four (54) residential units on the property within two (2) years of the effective date of this Ordinance; and (ii) a) the Mortgage Loan remains outstanding and unpaid; and b) the housing project remains subject to income and rent restrictions under the LIHTC Program but in no case longer than sixteen (16) years from the date of the certificate of occupancy issued by the City for the housing project.

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 _____, 2018, as provided in the City Charter.

By: _____

CITY CLERK

MUNICIPAL SERVICES AGREEMENT

THIS MUNICIPAL SERVICES AGREEMENT entered into this ____ day of _____, 2018 between WINSTON COMMONS LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, a Michigan limited partnership of 500 South Front Street, 10th Floor, Columbus, Ohio 43215, (hereinafter referred to as the "OWNER") and City of Pontiac, a Michigan municipal corporation, of 47450 Woodward Avenue, Pontiac Michigan 48342 (hereinafter referred to as the "CITY").

RECITALS

- A. The OWNER intends to purchase and develop a housing project for low to moderate income families, to be known as Winston Commons, financed in part by Low Income Housing Tax Credits (LIHTC), administered by the Michigan State Housing Development Authority (MSHDA) on land legally described on Exhibit "A", (hereinafter referred to as the "PROJECT").
- B. The OWNER desires to guarantee that certain municipal services will be provided to the PROJECT during the term that the Payment in Lieu of Taxes (hereinafter referred to as the "PILOT") Ordinance for this PROJECT is in place, such municipal services to exclude normal water, sewer, and other utility charges as well as special assessment charges (which must be paid separately and at duly established rates) and similar charges and to include only:
 - 1. Emergency services, including police and ambulance (at normal published rates) and fire service specifically administered through the CITY;
 - 2. Other miscellaneous services as may, from time to time, be mutually agreed to for the benefit of the PROJECT;
 - 3. Said municipal services shall be provided in the customary way, in a competent and workmanlike manner, and in accordance with all laws, rules and regulations of the United States of America, State of Michigan, County of Oakland, and City of Pontiac or other applicable jurisdictions or bodies.

(All of the above collectively referred to as "Municipal Services")

AGREEMENT

The parties agree as follows:

1. The payment for Municipal Services shall be computed as follows: Thirteen Thousand Dollars (\$13,000) will be paid concurrent with the annual PILOT payment for Winston Commons. Each year the annual MSA payment shall be increased per the published Consumer Price Index for all products Midwest region. The maximum yearly adjustment shall be 3%.
2. Payment for Municipal Services shall commence at the time the first PILOT payment is made and will remain in effect for as long as a payment-in-lieu-of-taxes ordinance is in place for the project.

IN WITNESS WHEREOF, this Municipal Services Agreement is executed as of the day and year first written above.

WITNESSES:

WINSTON COMMONS LIMITED
DIVIDEND HOUSING ASSOCIATION
LIMITED PARTNERSHIP, A Michigan
Limited Partnership

By: WINSTON COMMONS GP, LLC,
An Ohio limited liability company
Its General Partner

By: Woda Cooper General Partner, LLC
An Ohio limited liability company
Its Sole Member

By: Woda Cooper Communities, LLC
An Ohio limited liability company
Its Sole Member

By: _____
David Cooper Jr., Vice President &
Associate General Counsel

CITY OF PONTIAC

By: _____

Its: City Manager

EXHIBIT A

ASSESSORS SUBD NO 1 To Be Completed

Development Agreement
(69 Douglas Street – Winston Commons)

This Development Agreement (the "Agreement") is executed and effective this ____ Day of August 2018, between the CITY OF PONTIAC (the "City"), a Michigan municipal corporation, and Winston Commons Limited Dividend Housing Association Limited Partnership (the "Owner"), a Michigan limited partnership.

WHEREAS, the Owner is constructing a 54 unit, townhouse affordable housing development at 69 Douglas Street, in the City of Pontiac; and

WHEREAS, the Owner wishes to utilize Payment in Lieu of Taxes as well as the MSHDA LIHTC program;

NOW THEREFORE, the Owner has requested a Payment In Lieu of Taxes (PILOT) from the City and other considerations, which the City is willing to provide so long as the following terms and conditions as noted below are agreed upon and adhered to for the length of the PILOT.

Terms & Conditions

In consideration for the foregoing, Owner hereby agrees as follows:

1. **No Preemption.** Unless otherwise provided for specifically herein, this Agreement shall not be deemed to waive, preempt or make unnecessary any applicable municipal or governmental processes. This includes, but is not limited to zoning, variances, brownfield and economic incentives, assessments or fees and that Owners and/or Users are required to submit and participate for any appropriate process as provided in the City's ordinances, City Charter, including any applicable City Commission(s) and City Council matters and processes.
2. **Jobs.** Owner shall make all reasonable efforts to use Pontiac contractors and subcontractors, as well as hire Pontiac residents. Owner shall also establish an internship or apprenticeship program focused on the education of Pontiac residents. Owner has entered a memorandum of understanding (MOU) [Exhibit A] with HerCo.Org, LLC to provide 15 "ready to work" Section 3 (to be known as apprentices) at the Winston Commons construction site.
3. **Notification of Transfer.** Within a 48-hour period of its occurrence, Owner must notify City in the event of a transfer of general partnership or of ownership of the building.
4. **Management Notification.** The Owner shall provide the City and the Building Official with the name and address of the Management Company and the name and direct contact information (phone and email) of the Management Company's primary Manager. Should Management company fall into poor standing with the City, Operator will be required to provide a monthly report to the Mayor's

City of Pontiac
Development Agreement

office outlining each violation and the timeline and process for amending said violations. Poor standing is defined, but not limited as three or more code enforcement citations written for the same violation, with no action taken to rectify matter.

5. **Annual Review.** Rental Inspection Certification shall be conducted on an annual basis. The City's Building Safety division shall hold an Annual Review of all ordinance violations with the Management Company.
6. **Vacancy.** Vacancy rate shall be reported to City, for the preceding year and on a monthly basis, at time of Annual Review.
7. **Security.** Management Company must develop and maintain a municipally approved security plan. At the time of Annual Review, Owner must also provide the City with the latest incident report from the Sheriff's office. The City shall decide whether the security plan shall be amended.
8. **Maintenance Reserve.** Owner will maintain a reasonable maintenance reserve, and will provide a pro forma of that account at Annual Review.
9. **Resident Council.** The management company is to assist renters with the establishment of a Resident Council.
10. **Compliance with Applicable Regulations.** Owner hereby agrees to cause its respective Property to comply with all local, State and Federal regulations applicable to such Property, as may be amended.
11. **Term.** This Agreement shall correspond to the term of the PILOT agreement as approved by the Pontiac City Council. The PILOT approval for this project shall be contingent upon the MSHDA award of the LIHTC program for this development.
12. **Notices.** All notices or communications required by this Agreement may be delivered either in-person, or by registered mail to parties listed below:

To the City:

City of Pontiac
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Deputy Mayor

City of Pontiac
Development Agreement

With Copy To:

City of Pontiac
Attention: Building Official
47450 Woodward Avenue
Pontiac, MI 48342
Attention: Building Official

To the Owner:

Woda Cooper Development, Inc.
500 S. Front Street, 10th Floor
Columbus, Ohio 43215
Attention: Maia Boitano

13. **Binding Effect.** This Agreement shall be binding upon the parties hereto and upon their respective permitted successors and assigns.
14. **Conditions of Breach and Costs.** Upon finding of breach pursuant to legal action, the Owner shall be responsible for all costs and fees associated with such action, including all actual attorney's fees.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first written above.

OWNER:

Winston Commons Limited Dividend
Housing Association Limited Partnership, a
Michigan limited partnership

By: _____

Name: Maia P. Boitano

Title: Vice President and Associate
General Counsel

City of Pontiac
Development Agreement

CITY:

CITY OF PONTIAC
A Michigan municipal corporation

Hon. Deirdre Waterman
Mayor

City of Pontiac
Development Agreement

EXHIBIT A

HERCO
Memorandum of Understanding



WODA COOPER COMPANIES

August 20, 2018

Phyllis Watson-Loudermill
HerCO.ORG, LLC
2964 Lakeshore Drive, W 604
Muskegon, Michigan 49441

Re: Intent to Purchase:

Dear Ms. Loudermill,

This Letter of Intent is issued this 20th day of August, 2018 by and between HerCO.ORG, LLC (hereinafter referred to as "HerCO"), and the Woda Cooper Development, Inc., whose address is 500 S. Front Street, 10th Floor, Columbus, Ohio 43215 (hereinafter referred to as the "Company")

The Company is pleased to extend the following Letter of Intent to enter into a Referral Agreement for Section 3 worker for Winston Commons, located at 69 Douglas Street, Pontiac, Michigan 48342.

Terms: The Company desires to pay One Thousand Dollars (\$1,000.00) (the "Referral Fee") for each Section 3 worker (to be known as apprentices) supplied and managed by HerCO throughout construction of Winston Commons. HerCO's responsibility will be to source and oversee work of each apprentice throughout the tenure of construction on behalf of Woda Cooper Development, Inc.

Contingencies:

- 1) The apprentices will be supplied from either the Trading Places apprentice program or from the City of Pontiac neighborhoods.
- 2) The total amount of workers supplied will not exceed fifteen (15) workers.
- 3) Two (2) apprentices will be supplied to General Contractor and the remainder will be supplied to subcontractors who will utilize the apprentice workers.

Referral Agreement: The Company and HerCO will enter into a Referral Agreement no later than December 31, 2018.

Agreed and Accepted:

HerCO:
HerCO.ORG, LLC

By: [Signature]

Date: 8/20/18

Title: owner

The Company:
Woda Cooper Development, Inc.

By: [Signature]

Date: 8/20/18

Jennifer Ricci
Vice President



WODA COOPER COMPANIES

OFFICES LOCATED IN GEORGIA, INDIANA, KENTUCKY, MARYLAND, MICHIGAN, OHIO AND VIRGINIA.

WINSTON COMMONS

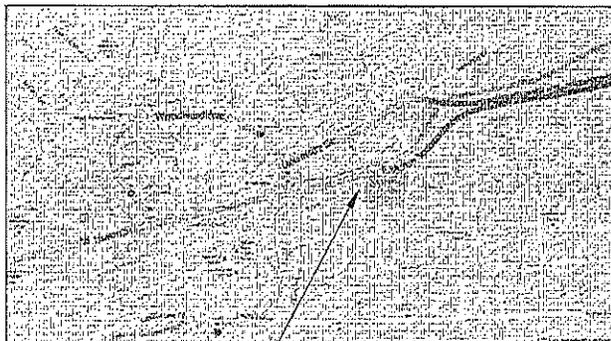
OAKLAND COUNTY
PONTIAC, MI

DEVELOPER
**WODA COOPER
DEVELOPMENT, INC.**

OWNER
**WINSTON COMMONS
LIMITED DIVIDEND
HOUSING ASSOCIATION
LIMITED PARTNERSHIP**

ARCHITECT
PCI DESIGN GROUP, INC.

SITE LOCATION MAP

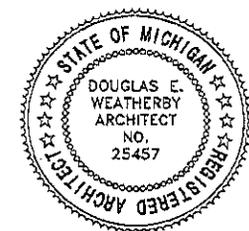


69 DOUGLAS STREET
PONTIAC, MI 48342



DRAWING INDEX

C1.0	COVER SHEET
C1.1	PROJECT DATA SHEET
S1.0	SITE PLAN
S1.1	SITE LANDSCAPE PLAN
S1.2	SITE LIGHTING PLAN
S1.3	SITE LIGHTING CUT SHEET
S1.4	SITE DETAILS
A1.0	BUILDING A PLANS
A1.1	BUILDING A STREET ELEVATION
A1.2	BUILDING B PLANS
A1.3	BUILDING B STREET ELEVATION
A1.4	BUILDING C PLANS & STREET ELEVATION
A1.5	BUILDING D PLANS
A1.6	BUILDING D STREET ELEVATION
A1.7	BUILDING E PLANS
A1.8	BUILDING E STREET ELEVATION
A1.9	BUILDING F PLANS
A1.10	BUILDING F STREET ELEVATION
A1.11	BUILDING G PLAN & STREET ELEVATION
A1.12	BUILDING H PLANS
A1.13	BUILDING H FRONT ELEVATION
A1.14	COMMUNITY BUILDING PLAN & ELEVATION
A2.0	ONE BEDROOM UNIT PLAN & ACCESSIBLE PLAN
A2.1	TWO BEDROOM TOWNHOUSE UNIT PLANS
A2.2	THREE BEDROOM TOWNHOUSE UNIT PLANS
A2.3	TWO BEDROOM ACCESSIBLE UNIT PLAN
A2.4	THREE BEDROOM ACCESSIBLE UNIT PLAN



ARCHITECT OF RECORD
PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

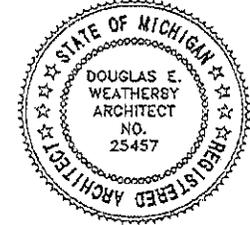
PROJECT TYPE
FAMILY
HOUSING

SHEET NAME
COVER SHEET

DATE
09-08-2018

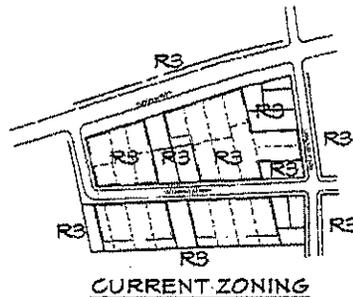
PROJECT NAME
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

SHEET
C1.0



SITE DEVELOPMENT DATA	
ADDRESS:	64 DOUGLAS STREET PONTIAC MI
PARCEL ID:	
SITE AREA:	158,032.97 S.F. = 3.63 ACRES
ZONING:	
CURRENT	R-3 MULTIPLE FAMILY DWELLING NO CHANGE
PROPOSED USE:	54 DWELLING UNITS
DENSITY:	14.88 UNITS/ACRE +/-
PARKING:	REQUIRED @ 1.1/BR = 117 SP TOTAL PROVIDED = 120 SP
SETBACKS:	5' FRONT, 5' SIDE & 30' REAR
AREA OF PARCELS:	BUILDING PARCEL: 158,032.97 S.F.
HEIGHT OF BUILDING:	1 & 2 - STORY TOWNHOUSES- 17' FT +/- TO EAVE

STATE BUILDING CODE	
USE GROUP:	R-3 RESIDENTIAL (FAMILY OCCUPANCY)
CONSTRUCT. TYPE:	5B SLAB ON GRADE, WOOD FRAME



RESIDENTIAL UNIT DATA												
BUILDING 1 - APARTMENT												
UNIT TYPE	UNIT	GROSS AREA (SF)	NET AREA (SF)	F1	H2	E3	A4	C5	G6	D7	B8	TOTAL UNIT
1	1 BEDROOM	674	634						3	4		7
2	2 BEDROOM	1020	950	4	7	6	4	4		4	8	37
3	3 BEDROOM	1176	1100			2	2				2	6
4	1 BEDROOM ACCESSIBLE	674	634						2			2
5	2 BEDROOM ACCESSIBLE	1002	950	1								1
6	3 BEDROOM ACCESSIBLE	1155	1100	1								1
TOTAL				6	7	8	6	4	5	8	10	54

BUILDING AREA CALCULATIONS				
	BUILDING AREAS			
	NO	1ST FLR	2ND FLR	TOTAL
BUILDING F-1	1	4335	2040	6375
BUILDING H-2	1	3731	9570	7301
BUILDING E-3	1	4476	4080	8556
BUILDING A-4	1	3410	3060	6470
BUILDING C-5	1	2132	2040	4172
BUILDING G-6	1	3450	0	3450
BUILDING D-7	1	4892	2040	6932
BUILDING B-8	1	5542	5100	10642
COMMUNITY BUILDING	1	1418	0	1418
GROSS SQ FT OF BUILDING	9	33386	21430	55316

*NOTE: LOT COVERAGE = BLDG. GROUND FLOOR AREA = 33,386 S.F.



PROJECT OF RECORD
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

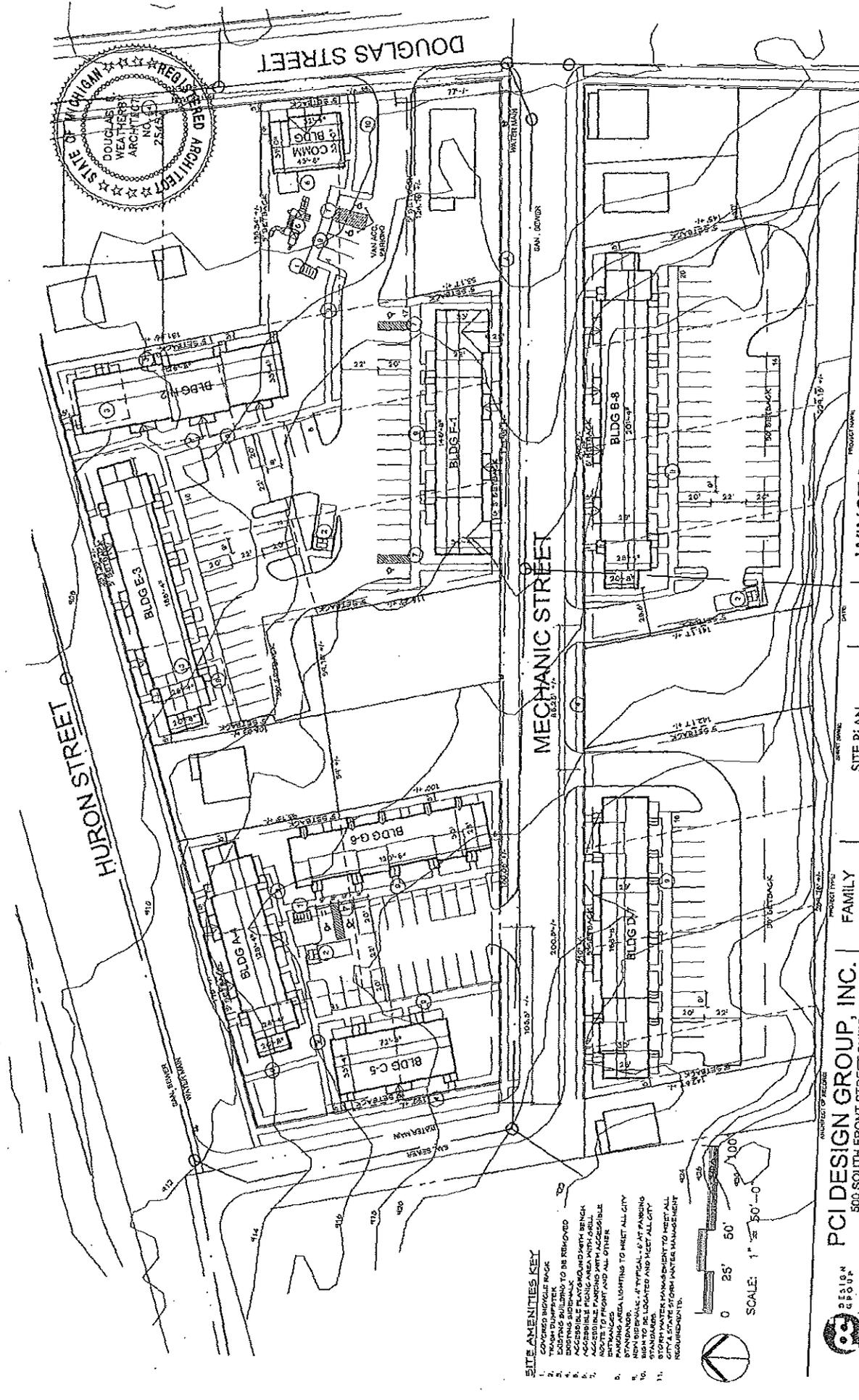
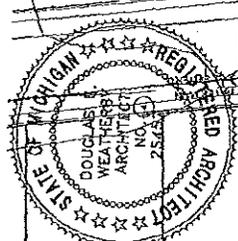
PROJECT TYPE
FAMILY HOUSING

PROJECT NAME
PROJECT DATA & AREA CALCULATIONS

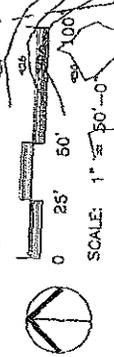
DATE
 09-06-2018

PROJECT NAME
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

DATE
C1.1



- SITE AMENITIES KEY**
1. CONCRETE SIDEWALK
 2. EXISTING SIDEWALK TO BE REMOVED
 3. EXISTING SIDEWALK
 4. POSSIBLE PLAYGROUND WITH BENCH
 5. ACCESSIBLE PARKING AREA WITH GRASS
 6. ACCESSIBLE PARKING AND ALL OTHER
 7. PARKING AREA LIGHTING TO MEET ALL CITY STANDARDS
 8. PARKING AREA LIGHTING TO MEET ALL CITY STANDARDS
 9. NON-SKIDWALK, A TYPICAL 6 FT PARKING STANDARDS LOCATED AND MEET ALL CITY STANDARDS
 10. STORM WATER HANDLING TO MEET ALL CITY STANDARDS
 11. STORM WATER HANDLING TO MEET ALL CITY STANDARDS



PCIDesign GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE
FAMILY HOUSING

SITE PLAN

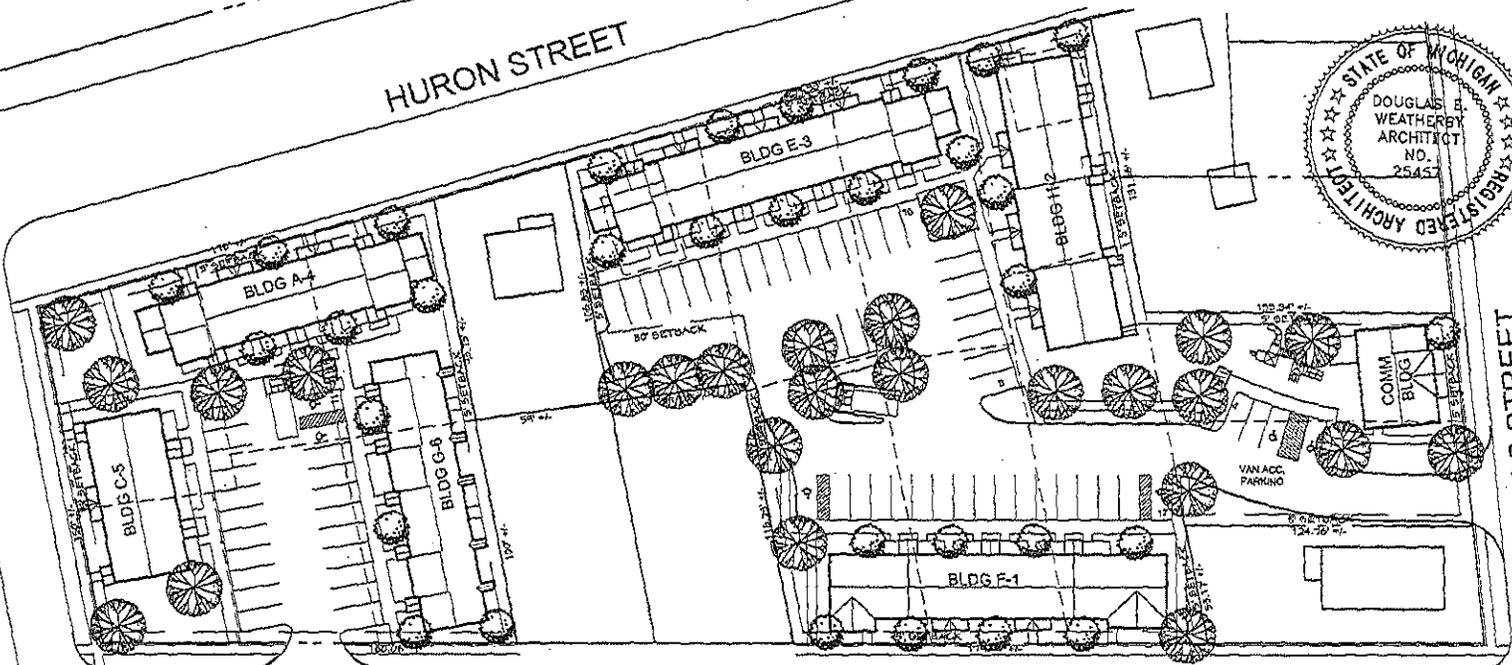
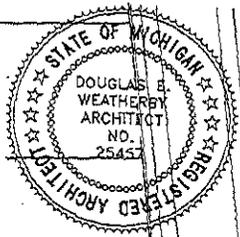
DATE
 09-06-2018

PROJECT NAME
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SHEET
 S1.0

HURON STREET

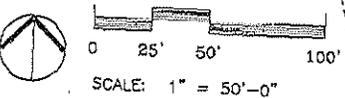
DOUGLAS STREET



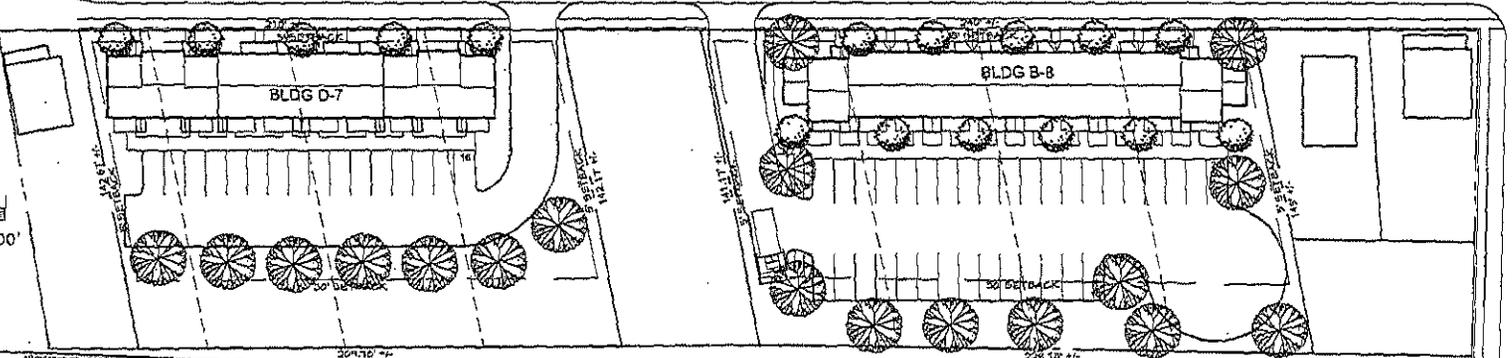
LANDSCAPE LEGEND

ALL LANDSCAPING WILL MEET CITY ZONING AND LANDSCAPE REQUIREMENTS. SHRUBS ARE NOT SHOWN, TREE TYPES SHOWN ARE MATURE SIZE, SPECIES AND FINAL PLACEMENT WILL BE DETERMINED BY CODE. FINAL LANDSCAPE PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT

-  DECIDUOUS - LARGE TREE - PARKING & SHADE TREE.
-  DECIDUOUS - SMALL TREE - ORNAMENTAL TREE.
-  EVERGREEN - BUFFER TYPE TREE OR SHRUB, TO BE ALONG ALL 0' SIDE YARD SETBACK PROPERTY LINES.



MECHANIC STREET



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

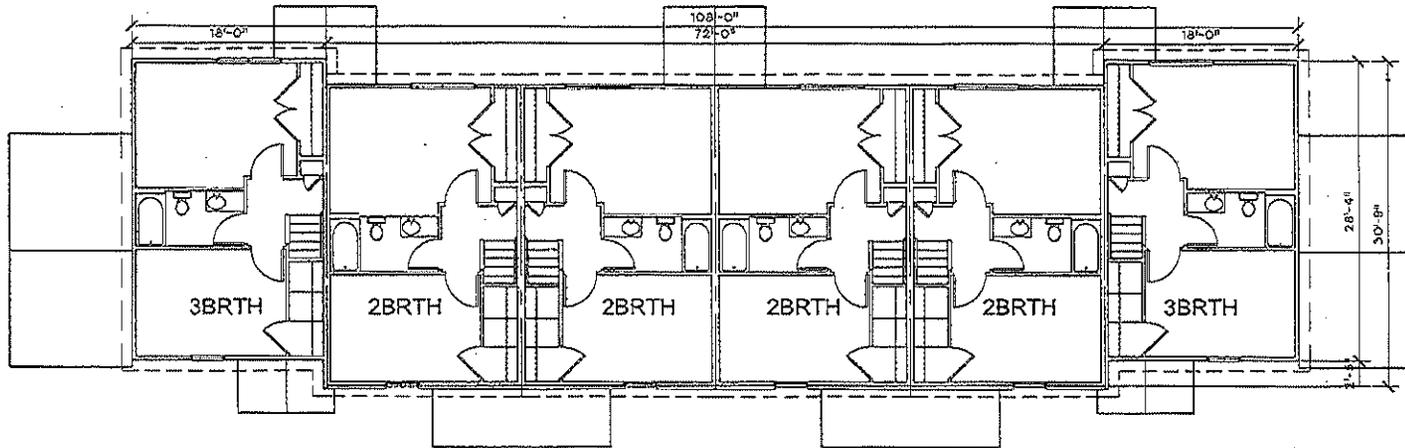
PROJECT TYPE:
FAMILY HOUSING

PROJECT NAME:
SCHEMATIC SITE LANDSCAPE PLAN

DATE:
09-06-2018

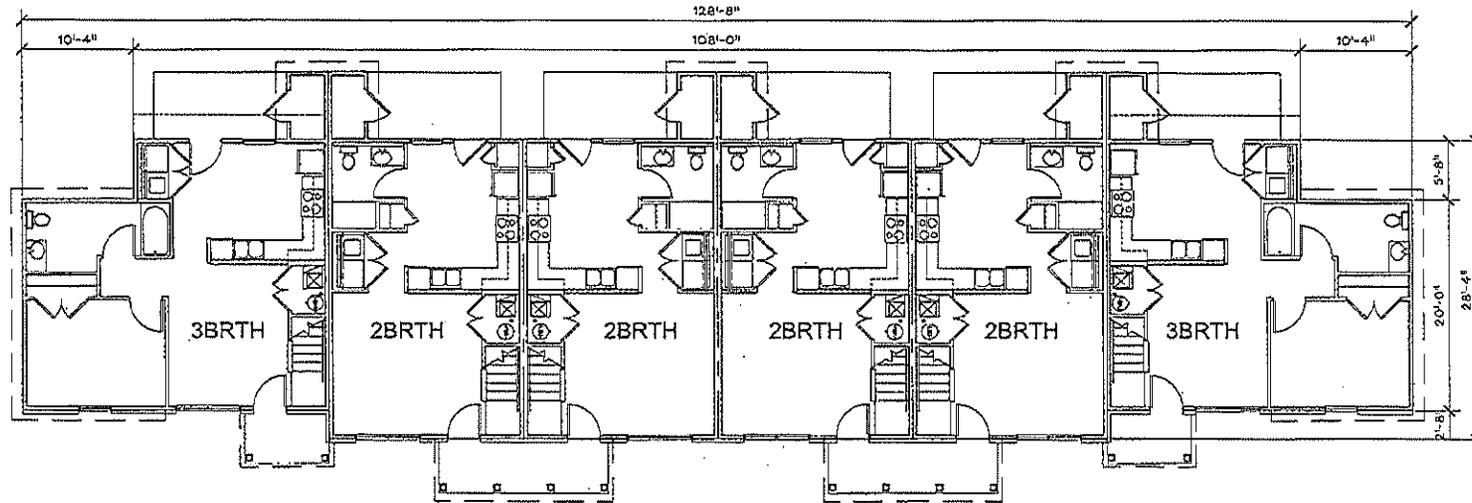
PROJECT NAME:
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

SHEET:
S1.1



SECOND FLOOR PLAN

SCALE $\frac{1}{8}'' = 1'-0''$ 2ND FLOOR AREA = 3,080 S.F.



FIRST FLOOR PLAN

SCALE $\frac{1}{8}'' = 1'-0''$ 1ST FLOOR AREA 3,410 S.F. TOTAL BLDG = 6,412 S.F.



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

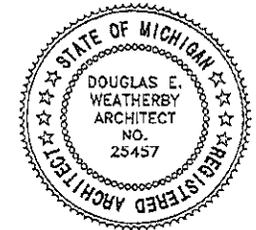
PROJECT TYPE:
FAMILY HOUSING

SHEET NAME:
BUILDING A PLANS

DATE:
09-06-2018

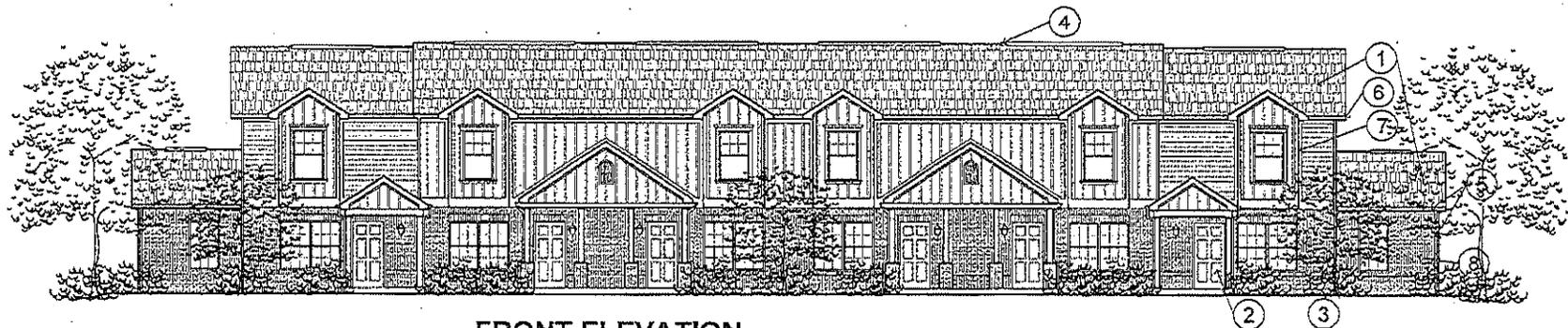
PROJECT NAME:
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

REVISION:
A1.0



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{3}{8}" = 1'-0"$



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 075
COLUMBUS, OHIO 43215

FAMILY HOUSING

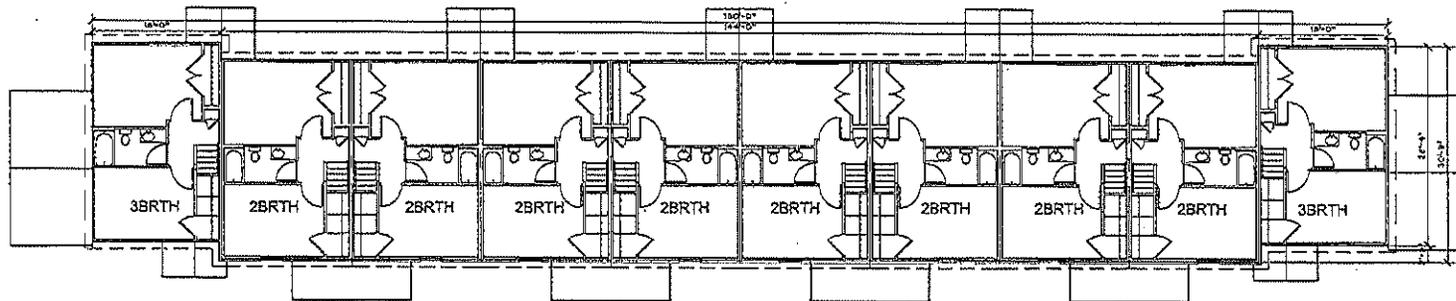
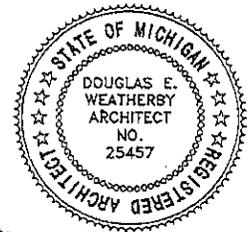
BUILDING A STREET ELEVATION

09-06-2019

WINSTON COMMONS
66 DOUGLAS STREET
PONTIAC, MI 48342

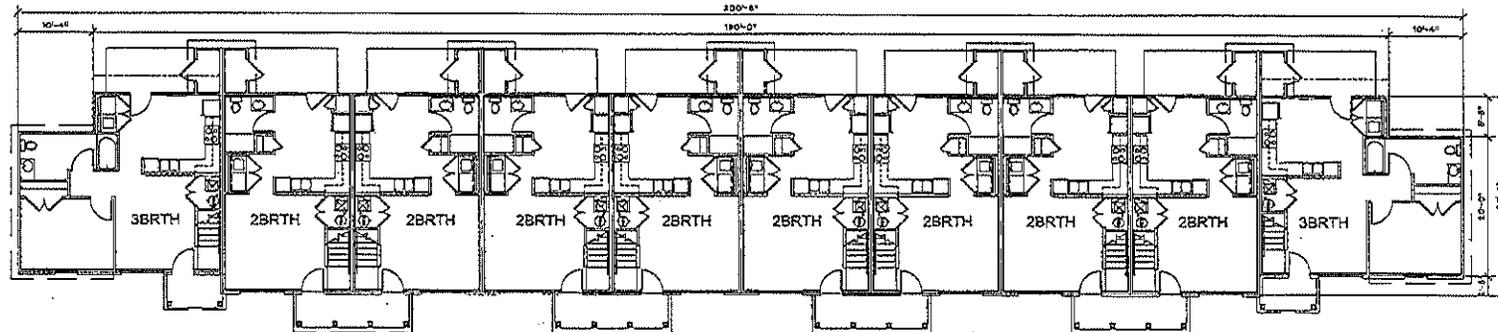
A1.1

Copyright 2019 PCI Design Group, Inc. All Rights Reserved



SECOND FLOOR PLAN

SCALE 1/8" = 1'-0" 2ND FLOOR AREA = 5,760 S.F.



FIRST FLOOR PLAN

SCALE 1/8" = 1'-0" 1ST FLOOR AREA = 5,242 S.F., TOTAL BLDG AREA = 10,802 S.F.



PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE:
FAMILY HOUSING

SHEET NAME:
BUILDING B PLANS

DATE:
09-06-2018

PROJECT NAME:
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SUBMITTAL

SHEET

A1.2

Copyright 2018 PCI Design Group, Inc. All Rights Reserved



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE 1/8" = 1'-0"



PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

FAMILY HOUSING

**BUILDING B
 STREET ELEVATION**

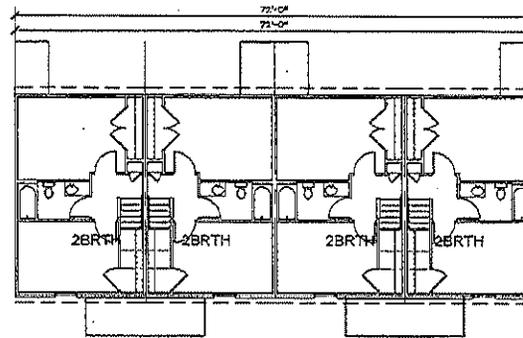
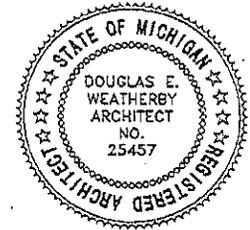
09-06-2018

WINSTON COMMONS

69 DOUGLAS STREET
 PONTIAC, MI 48342

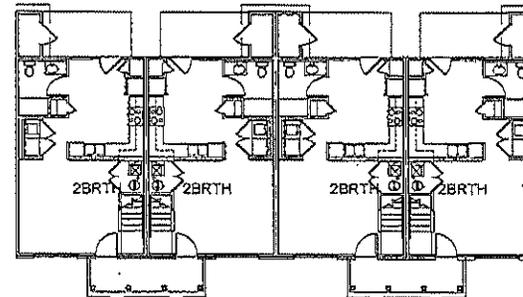
A1.3

Copyright 2018 PCI Design Group, Inc. All Rights Reserved



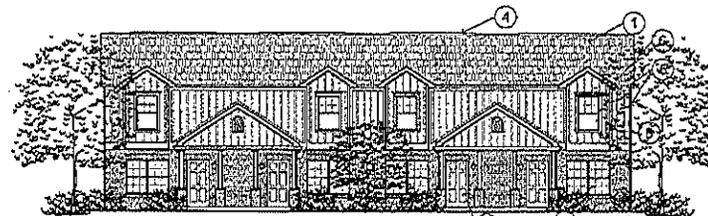
SECOND FLOOR PLAN

SCALE $\frac{1}{8}'' = 1'-0''$ 2ND FLOOR AREA = 2,040 S.F.



FIRST FLOOR PLAN

SCALE $\frac{1}{8}'' = 1'-0''$ 1ST FLOOR AREA = 2,040 S.F., TOTAL BLDG AREA = 4,080 S.F.



FRONT ELEVATION

SCALE $\frac{1}{8}'' = 1'-0''$

CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

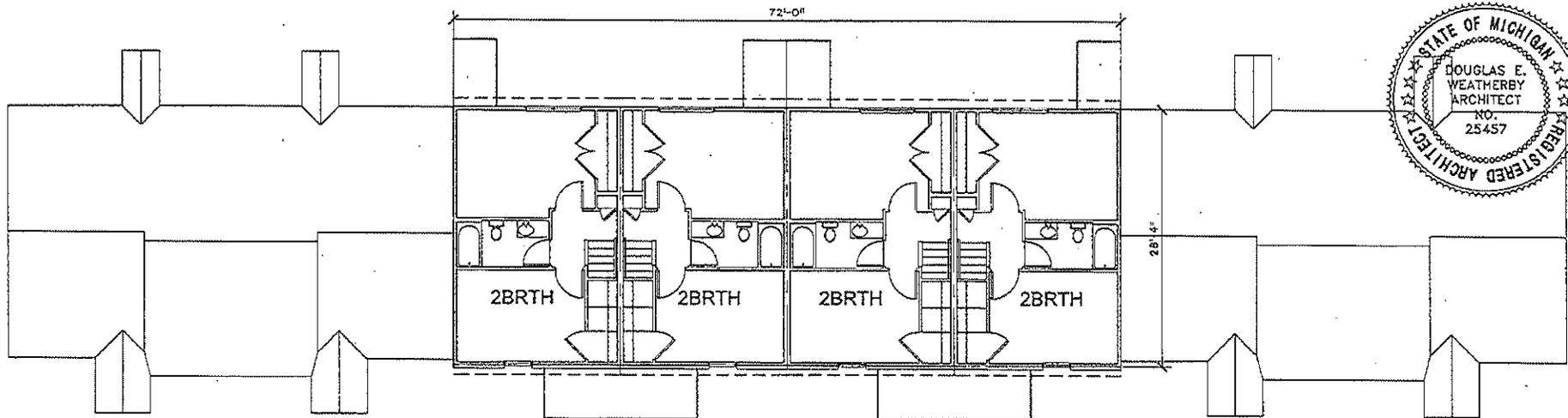
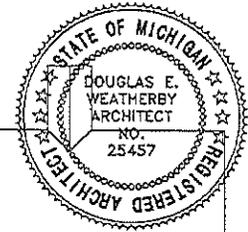
PROJECT TYPE
FAMILY HOUSING

SHEET LABEL
BUILDING C PLANS & STREET ELEVATION

DATE
09-05-2018

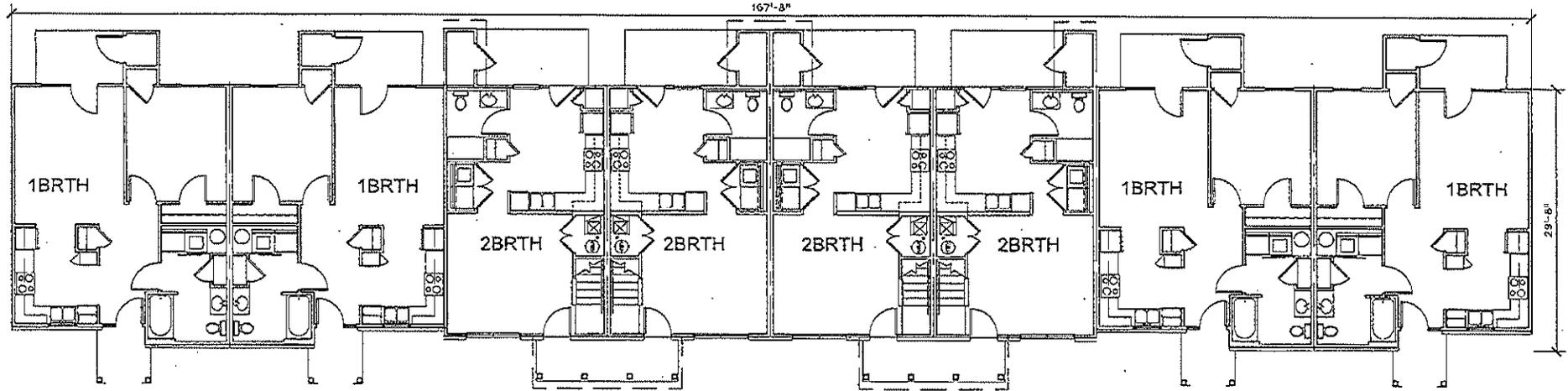
PROJECT NAME
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

PROJECT
A1.4



SECOND FLOOR PLAN

SCALE $\frac{3}{32}'' = 1'-0''$ 2ND FLOOR AREA = 2,040 S.F.



FIRST FLOOR PLAN

SCALE $\frac{3}{32}'' = 1'-0''$ 1ST FLOOR AREA = 4,892 S.F. TOTAL BLDG AREA = 6,932 S.F.



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

FAMILY HOUSING

BUILDING D PLANS

09-06-2018

WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

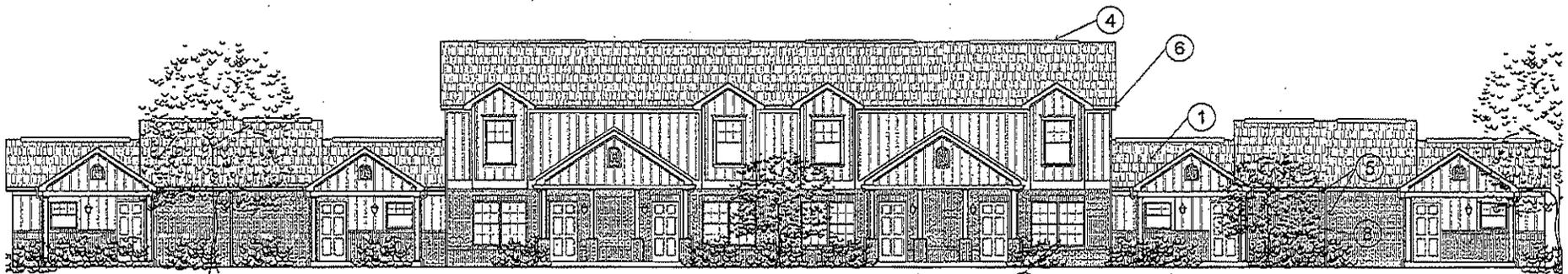
A1.5

Copyright 2018 PCI Design Group, Inc. All Rights Reserved



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{1}{32}'' = 1'-0''$



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

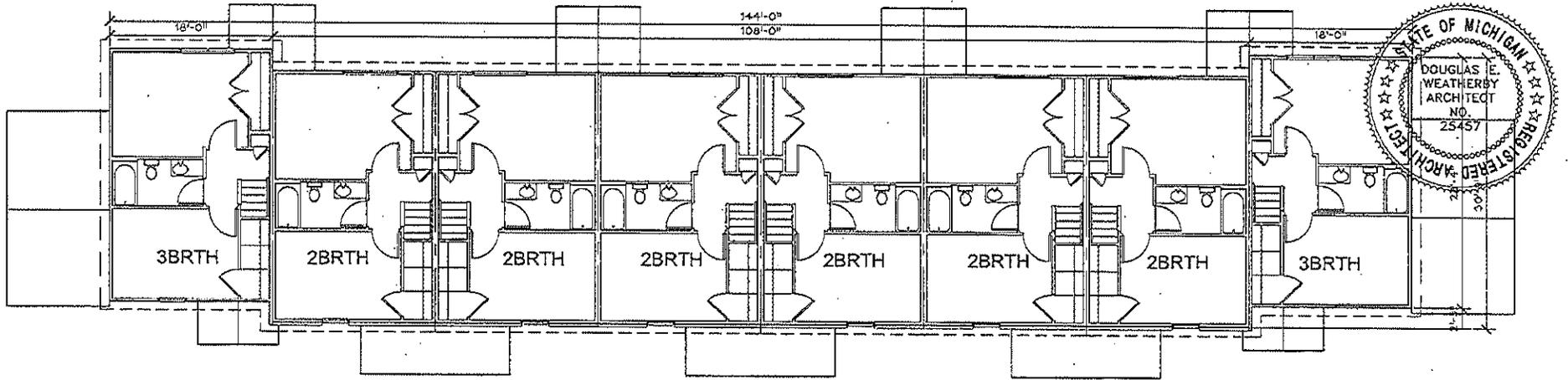
FAMILY HOUSING

BUILDING D STREET ELEVATION

09-06-2018

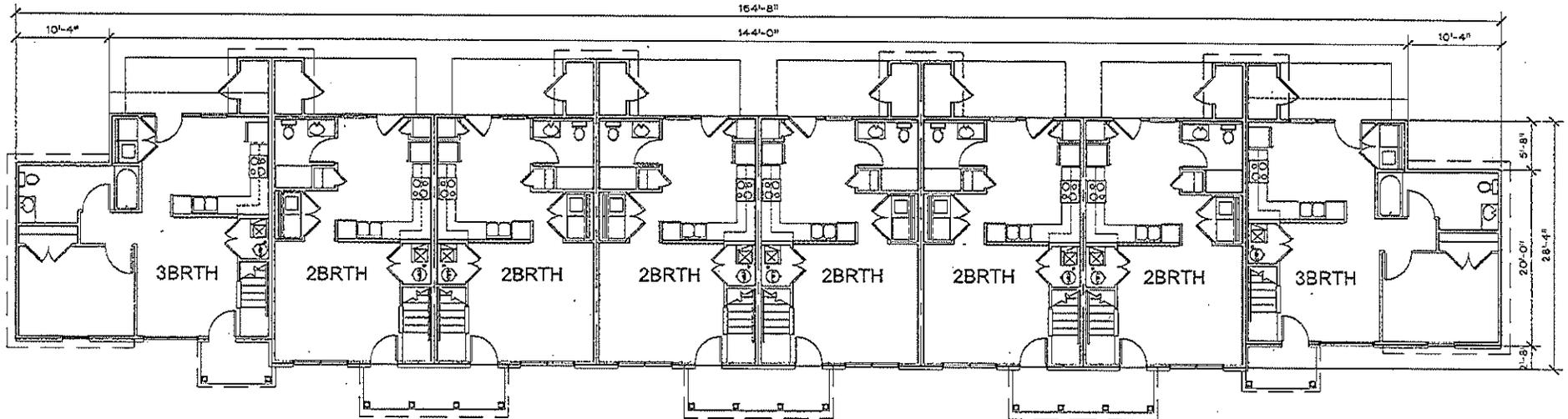
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.6



SECOND FLOOR PLAN

SCALE $\frac{3}{8}" = 1'-0"$ 2ND FLOOR AREA = 4,080 S.F.



FIRST FLOOR PLAN

SCALE $\frac{3}{8}" = 1'-0"$ 1ST FLOOR AREA = 4,476 S.F. TOTAL BLDG ARE = 8,556 S.F.



ARMP/PCJ OF RECORD
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE
FAMILY HOUSING

PROJECT NAME
BUILDING E PLANS

DATE
 09-09-2018

PROJECT ADDRESS
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SUBMITTAL

Sheet

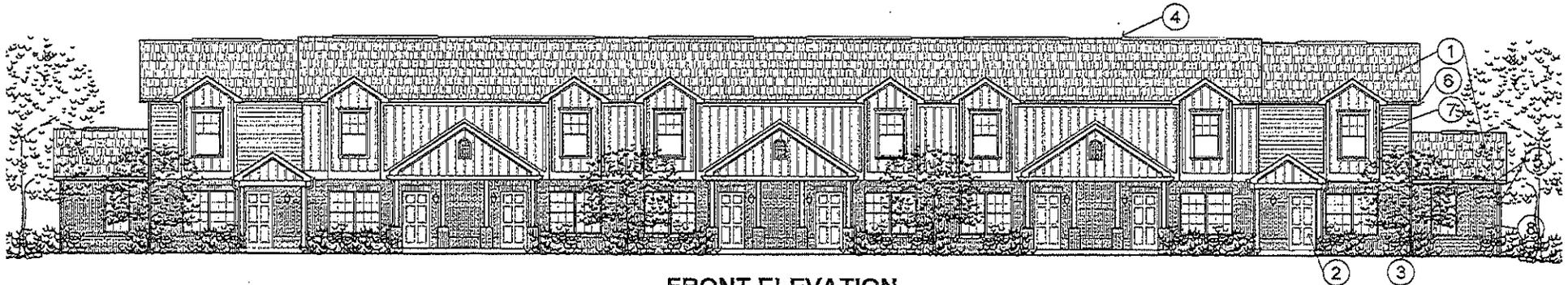
A1.7

Copyright 2018 PCI Design Group, Inc. All Rights Reserved



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{1}{8}'' = 1'-0''$



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

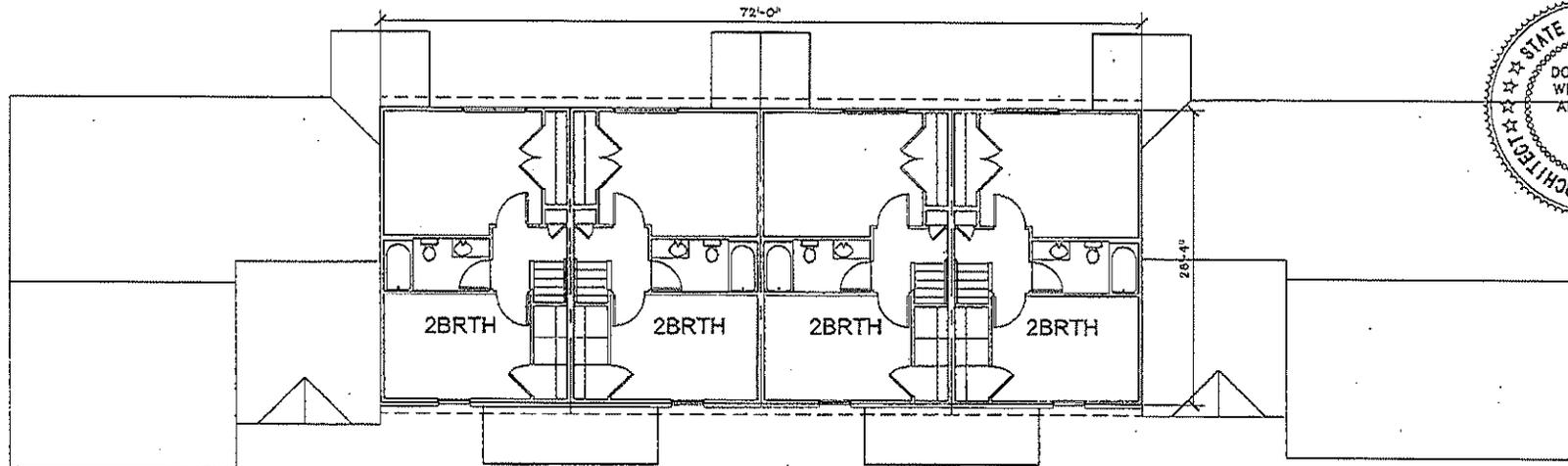
FAMILY HOUSING

BUILDING E STREET ELEVATION

09-08-2015

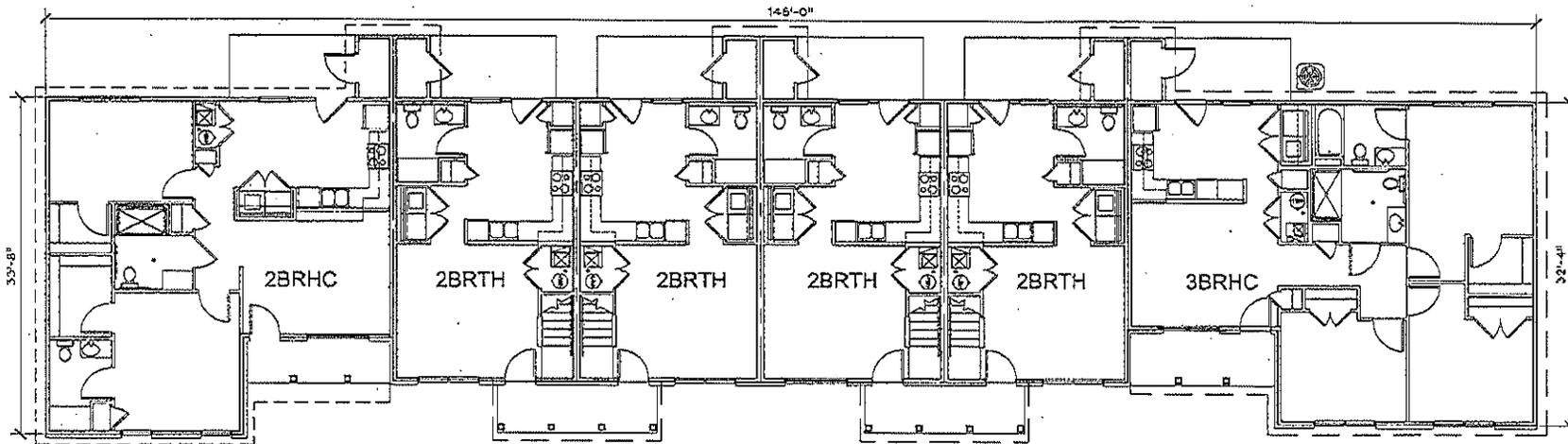
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.8



SECOND FLOOR PLAN

SCALE 3/32" = 1'-0" 2ND FLOOR AREA = 2,040 S.F.



FIRST FLOOR PLAN

SCALE 3/32" = 1'-0" 1ST FLOOR AREA = 4,335 S.F. TOTAL BLDG AREA = 6,375 S.F.



DESIGN GROUP
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE:
FAMILY HOUSING

CLIENT NAME:
BUILDING F PLANS

DATE:
 09-06-2018

PROJECT NAME:
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

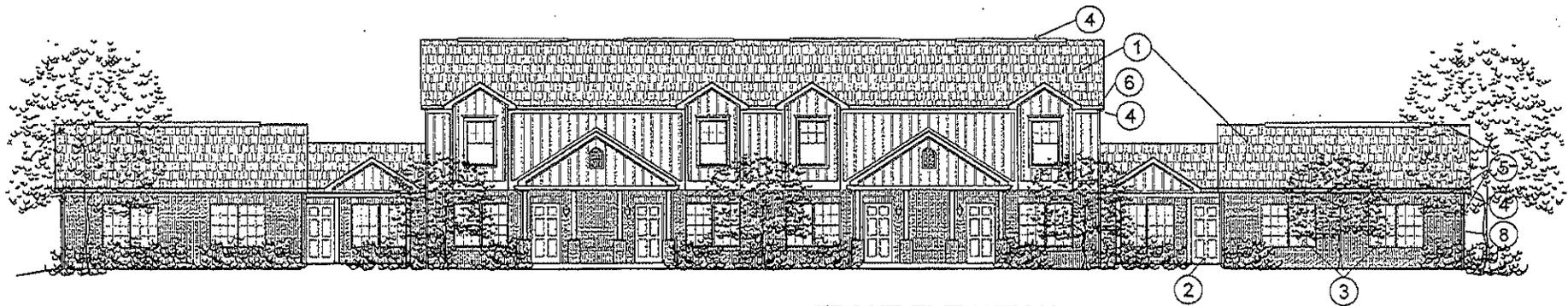
SHEET:
A1.9

Copyright © 2018 PCI Design Group, Inc. All Rights Reserved



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{3}{32}'' = 1'-0$



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

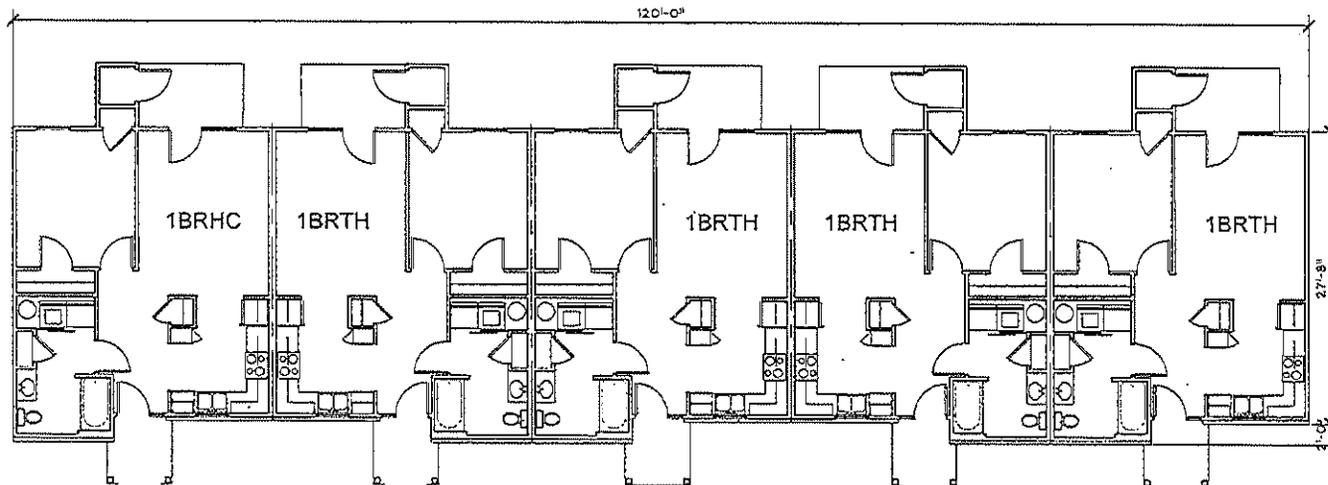
FAMILY HOUSING

BUILDING F STREET ELEVATION

09-06-2018

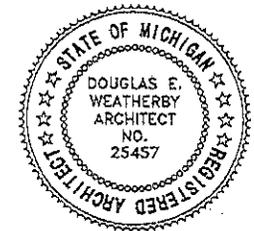
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.10



FLOOR PLAN

SCALE $\frac{3}{32}$ " = 1'-0" TOTAL BLDG AREA = 4,718 S.F.



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{3}{32}$ " = 1'-0"



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

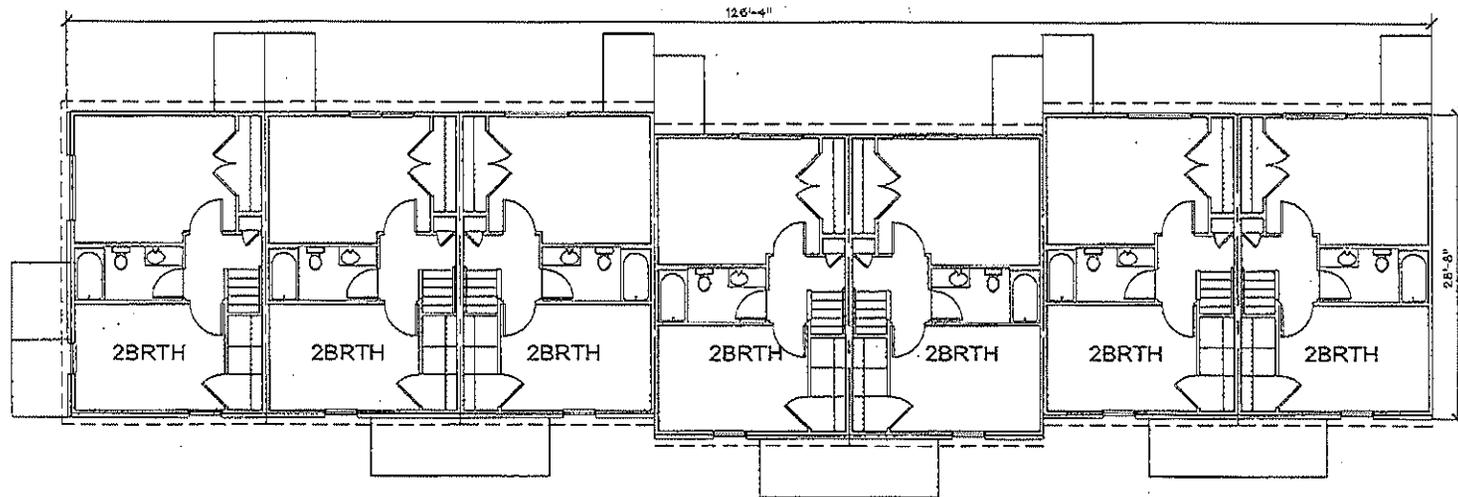
FAMILY HOUSING

BUILDING G PLAN & STREET ELEVATION

08-08-2018

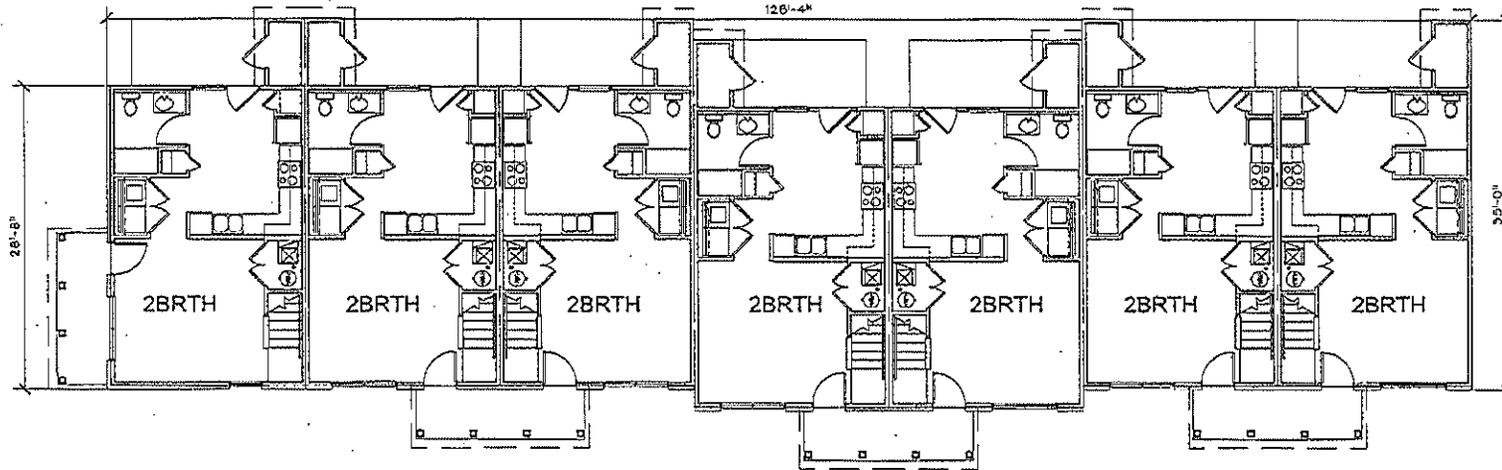
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.11



SECOND FLOOR PLAN

SCALE $\frac{3}{32}'' = 1'-0''$ 2ND FLOOR AREA = 3570 S.F.



FIRST FLOOR PLAN

SCALE $\frac{3}{32}'' = 1'-0''$ 1ST FLOOR AREA = 3,731 S.F. TOTAL BLDG AREA = 7,301 S.F.



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

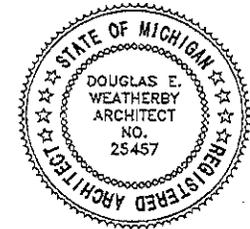
FAMILY HOUSING

BUILDING H PLANS

08-06-2018

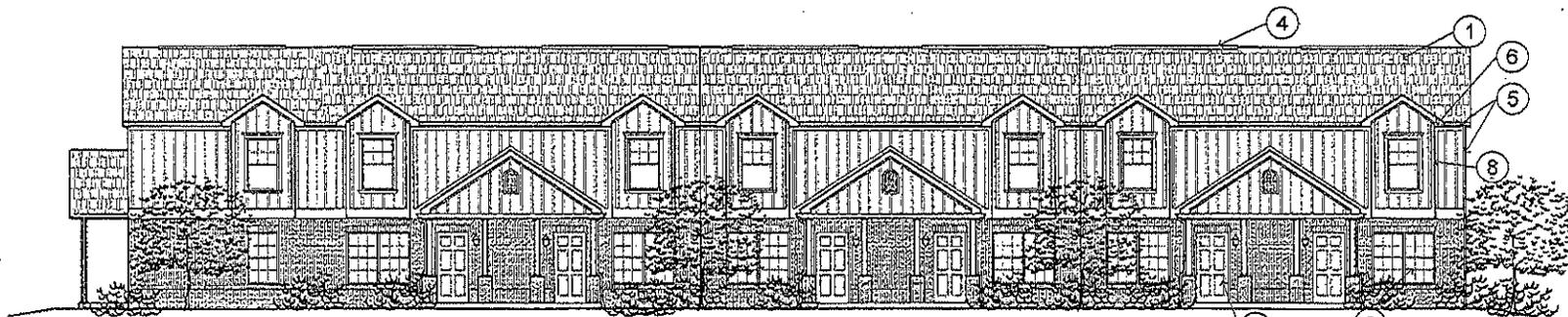
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.12



CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION

SCALE $\frac{1}{32}'' = 1'-0''$



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

FAMILY HOUSING

BUILDING H STREET ELEVATION

09-06-2018

WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

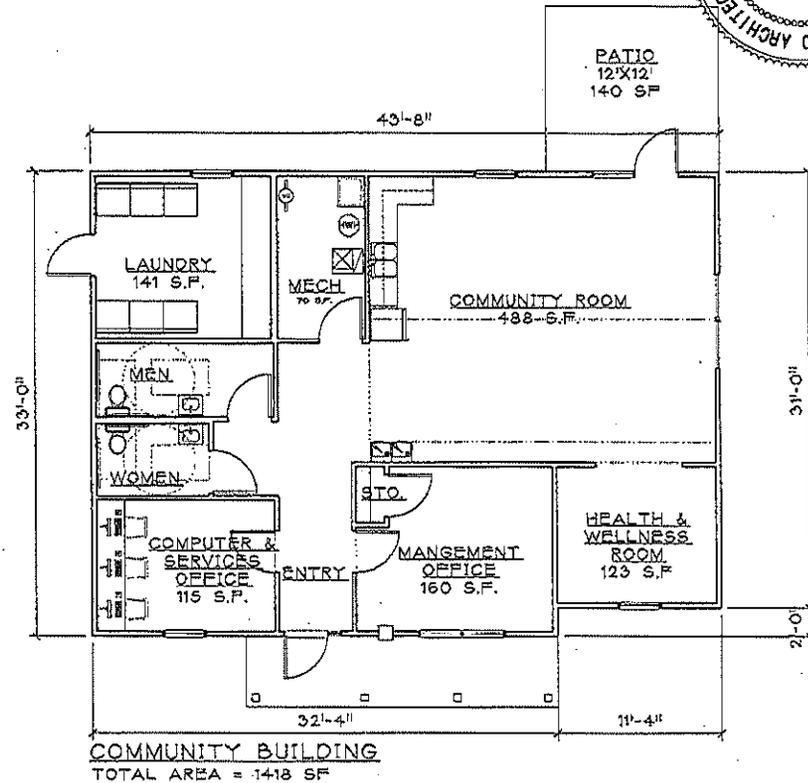
A1.13

CODED NOTES

1. 30 YEAR ARCHITECTURAL STYLE ANTI-FUNGAL SHINGLES.
2. FIBERGLASS INSULATED ENTRY DOORS.
3. ENERGY STAR RATED WINDOWS.
4. VENTED SOFFITS AND RIDGE VENTS.
5. ALUM. GUTTERS & DOWNSPOUTS.
6. PRE-FINISHED FASCIA & SOFFITS.
7. FIBER CEMENT SIDING.
8. 4" FACE BRICK VENEER.



FRONT ELEVATION



PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

FAMILY HOUSING

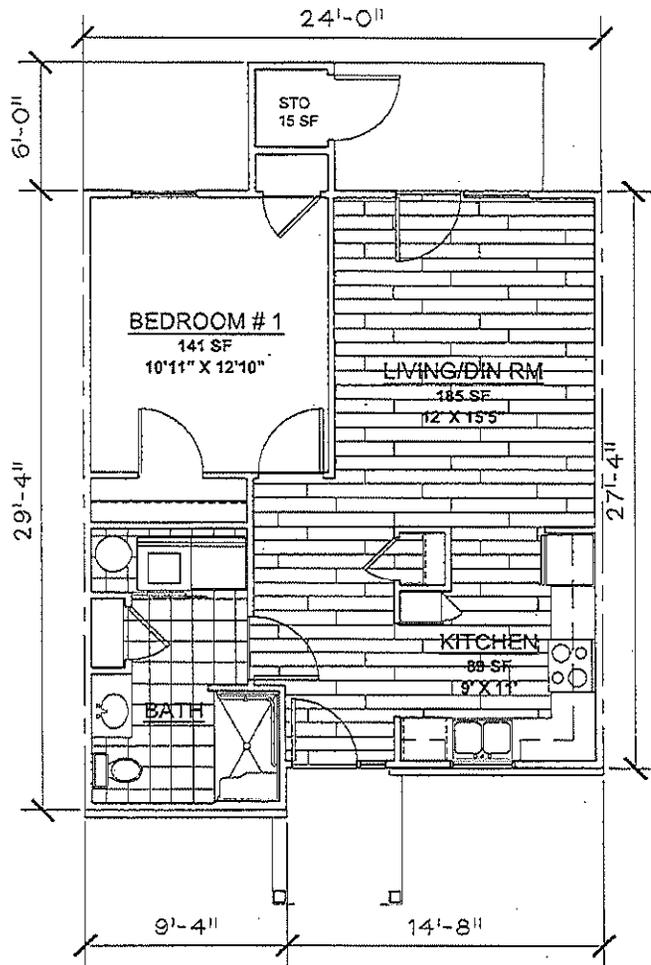
**COMMUNITY BUILDING
PLAN & STREET ELEVATION**

09-06-2016

WINSTON COMMONS

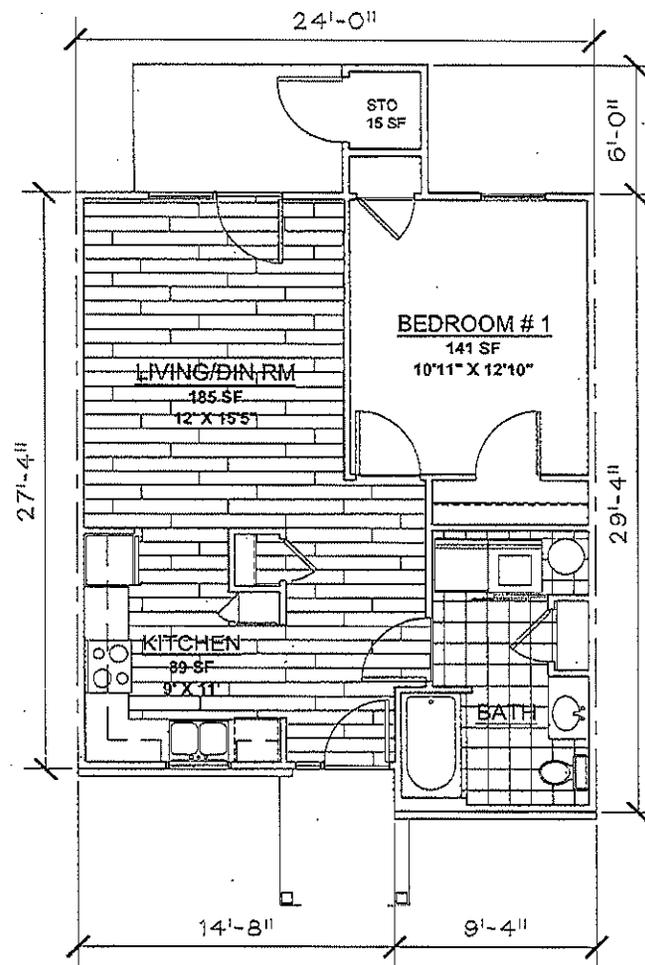
69 DOUGLAS STREET
PONTIAC, MI 48342

A1.14



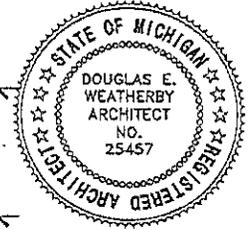
ONE BEDROOM ACCESSIBLE UNIT PLAN

SCALE $\frac{1}{8}" = 1'-0"$
 NET AREA = 634 S.F.
 GROSS AREA = 674 S.F.



ONE BEDROOM UNIT PLAN

SCALE $\frac{1}{8}" = 1'-0"$
 NET AREA = 634 S.F.
 GROSS AREA = 674 S.F.



PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

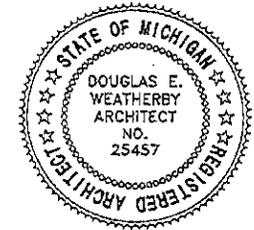
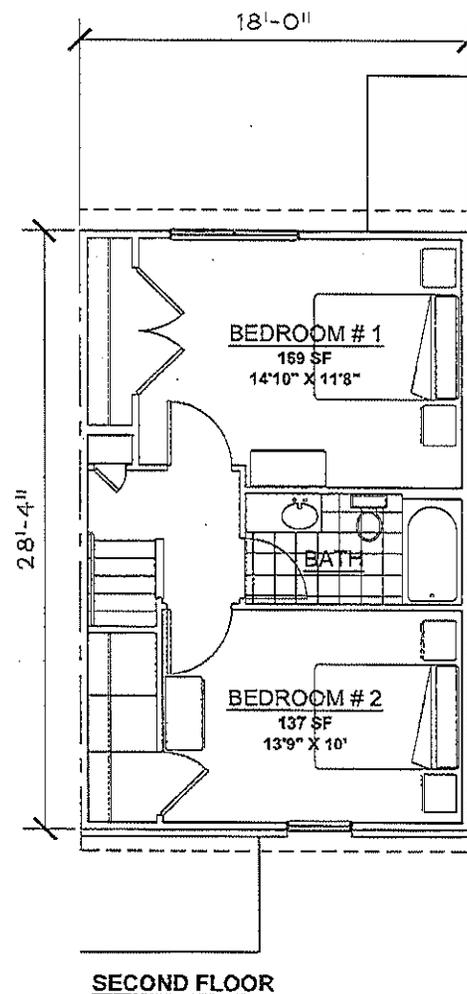
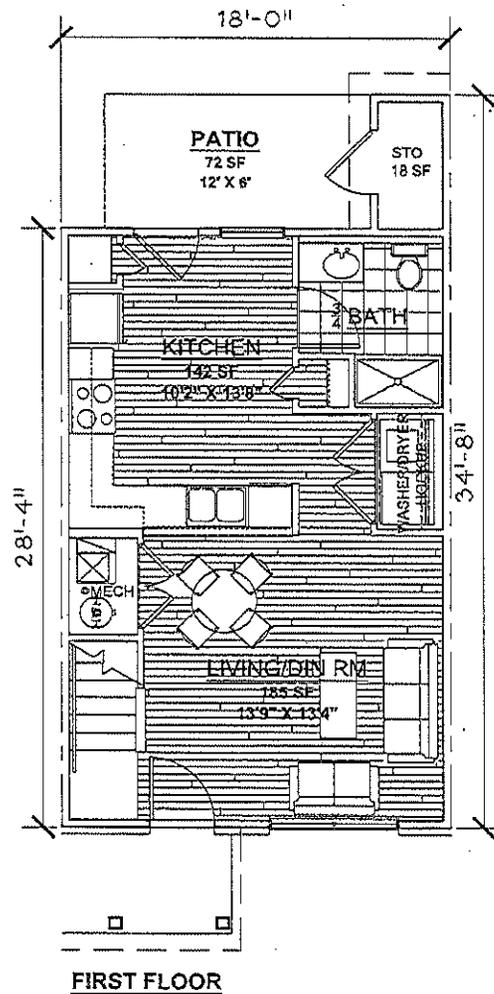
FAMILY HOUSING

TWO BEDROOM TOWNHOUSE UNIT PLANS

09-06-2018

WINSTON COMMONS
 89 DOUGLAS STREET
 PONTIAC, MI 48342

A2.0



TWO BEDROOM TOWNHOUSE UNIT

SCALE: 3/8" = 1'-0"
 GROSS AREA = 1020 S.F. - NET AREA = 950 S.F.



ARCHITECT OF RECORD
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

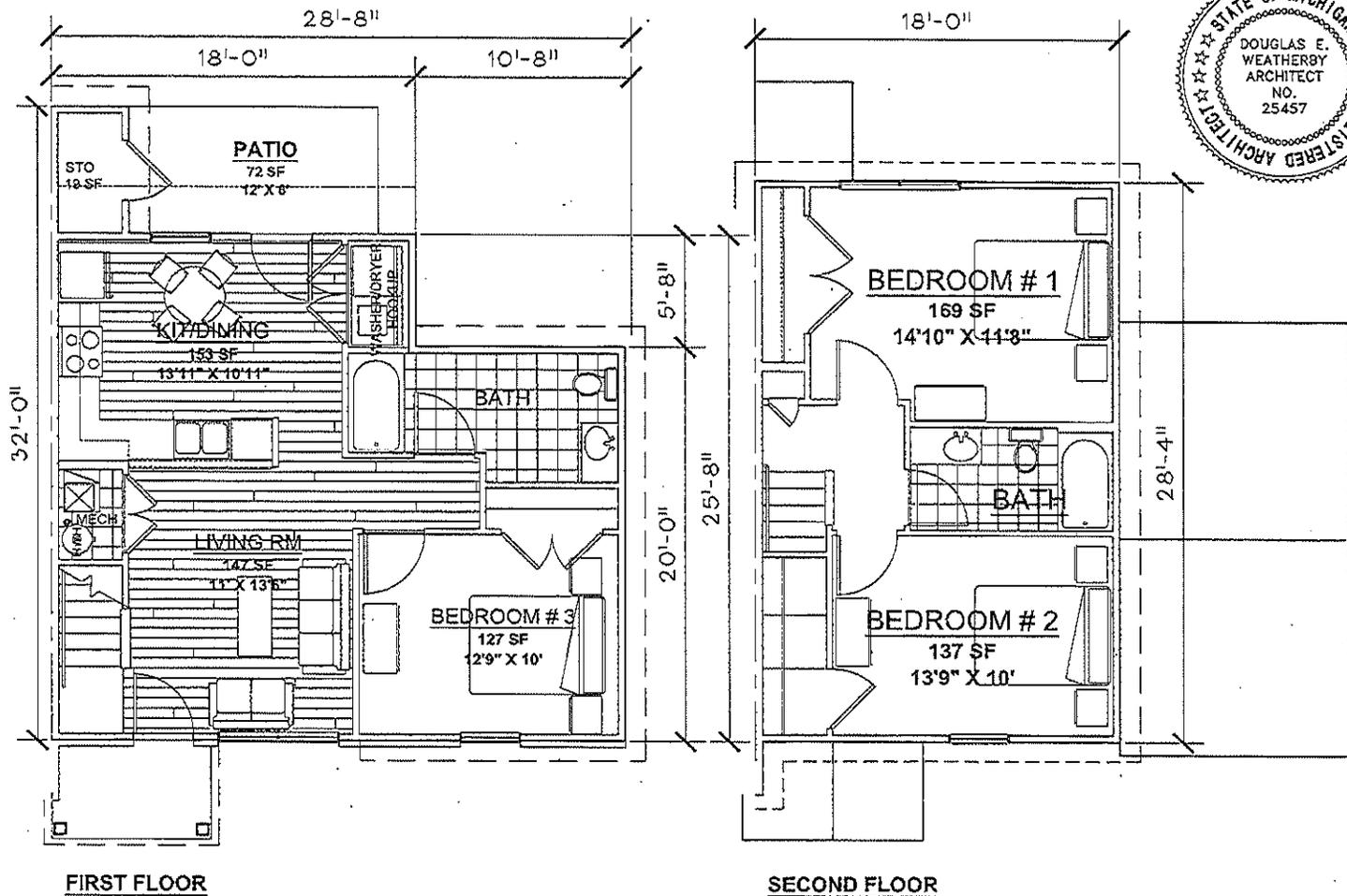
PROJECT TYPE
FAMILY HOUSING

SHEET NAME
TWO BEDROOM TOWNHOUSE UNIT PLANS 09-06-2018

PROJECT NAME
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SHEET
A2.1

Copyright 2018 PCI Design Group, Inc. All rights reserved.



PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE:
FAMILY HOUSING

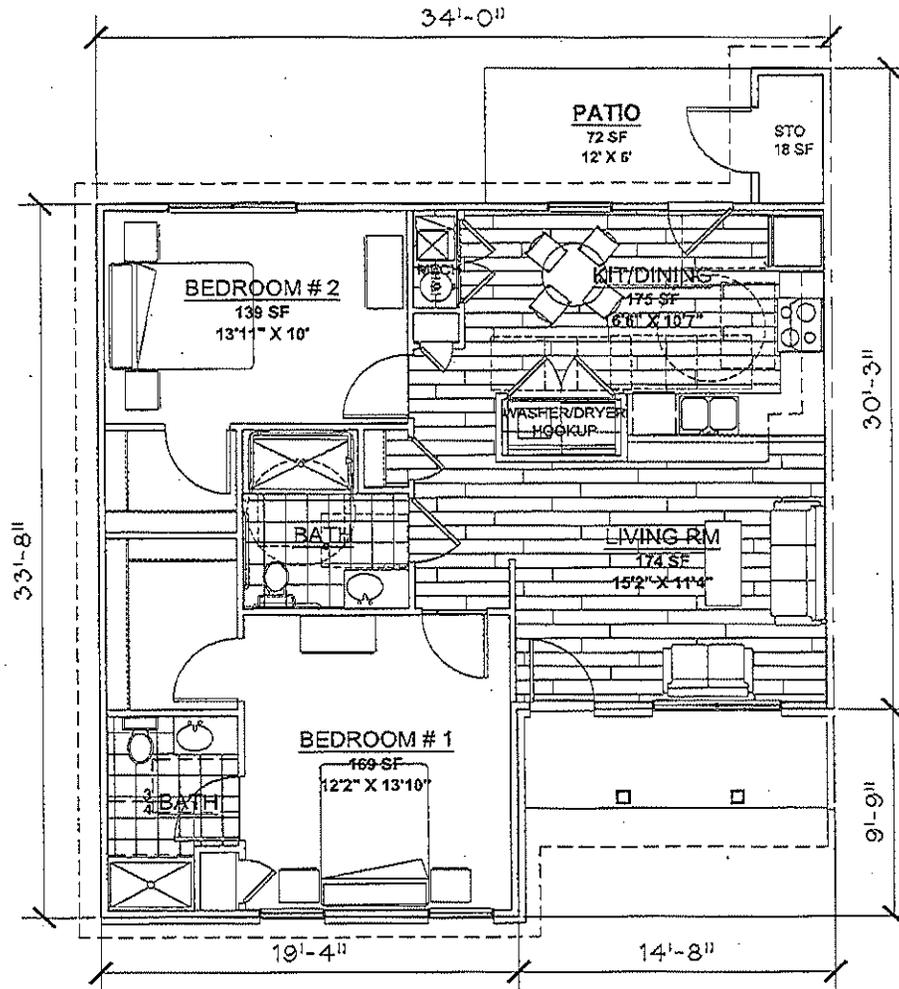
PROJECT NAME:
THREE BEDROOM TOWNHOUSE PLANS

DATE:
09-06-2018

PROJECT NAME:
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SHEET:
A2.2

Copyright 2018 PCI Design Group, Inc. All Rights Reserved



TWO BEDROOM ACCESSIBLE UNIT

SCALE $\frac{1}{8}" = 1'-0"$
GROSS AREA = 1002 S.F. - NET AREA = 950 S.F.



ARCHITECT OF RECORD
PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

PROJECT TYPE
FAMILY HOUSING

SHEET NAME
TWO BEDROOM ACCESSIBLE UNIT PLAN

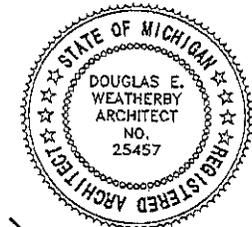
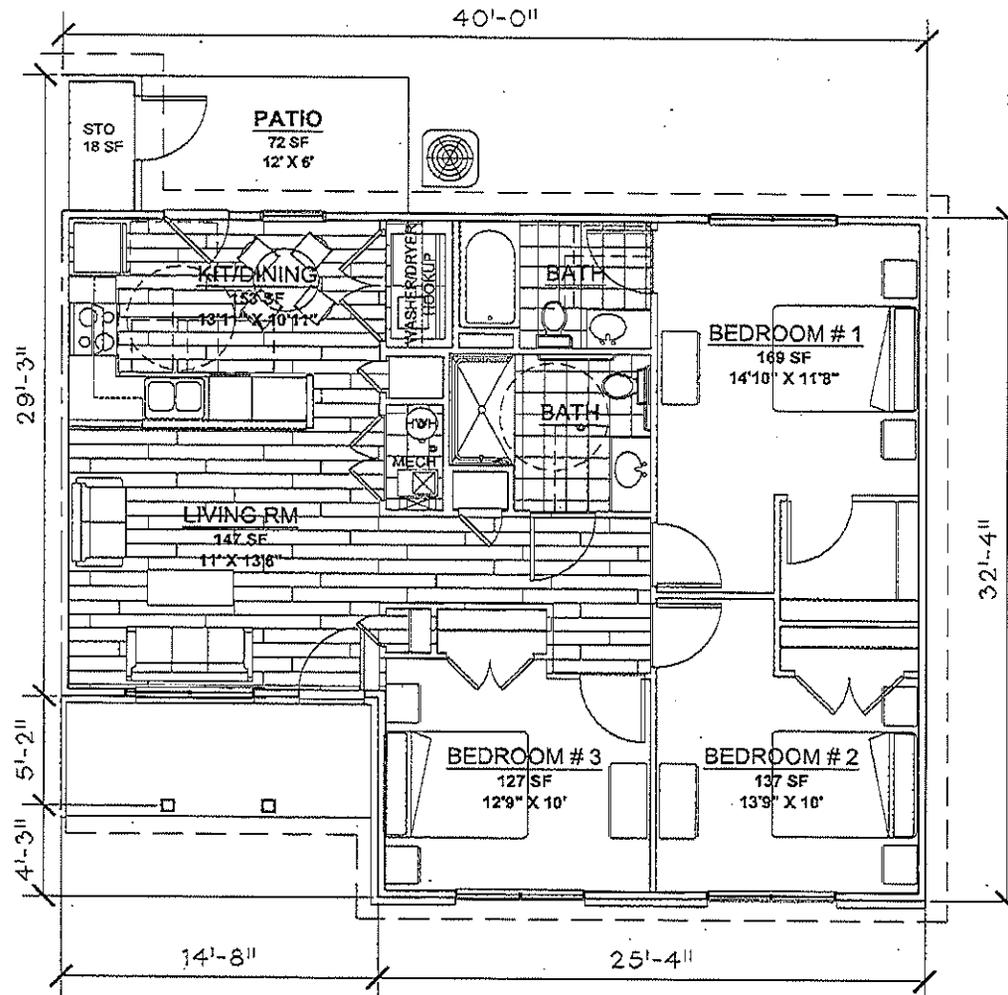
DATE
09-06-2018

PROJECT NAME
WINSTON COMMONS
69 DOUGLAS STREET
PONTIAC, MI 48342

QUANTITY

SHEET

A2.3



THREE BEDROOM ACCESSIBLE UNIT

SCALE 1/8" = 1'-0"
 GROSS AREA = 1155 S.F. - NET AREA = 1100 S.F.



PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE
FAMILY HOUSING

UNIT NAME
THREE BEDROOM ACCESSIBLE UNIT PLAN

DATE
09-06-2018

PROJECT NAME
WINSTON COMMONS
 69 DOUGLAS STREET
 PONTIAC, MI 48342

SHEET
A2.4

Copyright 2018 PCI Design Group, Inc. All Rights Reserved

Income and Rent Limits

New legislation was recently passed increasing the income and rent restrictions for affordable housing properties. Income limits are measured by the Area Median Income (AMI) by county. The following chart demonstrates income limits for 40% AMI, 60% AMI, and 80% AMI and number of persons in the family.

LIHTC Income Limits for 2018 (Based on 2018 MTSP Income Limits)						
	Charts	60.00%	30.00%	40.00%	50.00%	80.00%
1 Person		29,820	14,910	19,880	24,850	39,760
2 Person		34,080	17,040	22,720	28,400	45,440
3 Person		38,340	19,170	25,560	31,950	51,120
4 Person		42,540	21,270	28,360	35,450	56,720
5 Person		45,960	22,980	30,640	38,300	61,280
6 Person		49,380	24,690	32,920	41,150	65,840

Examples:

1.) 80% AMI:

- a. A single person with no kids can make up to \$39,760 and live at our property
- b. A family of three (mom, dad, and one child) can make up to \$45,440
- c. A family of four (mom, dad, and two children) can make up to \$56,720 and live at our property

2.) 60% AMI:

- a. A single person with no kids can make up to \$29,820 and live at our property
- b. A family of three (mom, dad, and one child) can make up to \$38,340 and live at our property.
- c. A family of four (mom, dad, and two children) can make up to \$42,540 and live at our property

3.) 40% AMI:

- a. A single person with no kids can make up to \$19,880 and live at our property
- b. A family of three (mom, dad, and one child) can make up to \$25,560 and live at our property.
- c. A family of four (mom, dad, and two children) can make up to \$28,360 and live at our property

Similar to the Income Limits, Rent Limits are also measured by Area Median Income (AMI). The following chart demonstrates the rent we can charge at the property broken down by 40% AMI, 60% AMI, and 80% AMI and bedroom type.

LIHTC Rent Limits for 2018 (Based on 2018 MTSP/VLJ Income Limits)						
Bedrooms (People)	Charts	60.00%	30.00%	40.00%	50.00%	80.00%
1 Bedroom (1.5)		798	399	532	665	1,065
2 Bedrooms (3.0)		958	479	639	798	1,278
3 Bedrooms (4.5)		1,106	553	737	921	1,475

Examples:

1.) 1 Bedrooms

- a. 80% AMI: We cannot charge more than \$1,155 per month
- b. 60% AMI: We cannot charge more than \$866 per month
- c. 40% AMI: We cannot charge more than \$577 per month

2.) 2 Bedrooms

- a. 80% AMI: We cannot charge more than \$1,386 per month
- b. 60% AMI: We cannot charge more than \$1,039 per month
- c. 40% AMI: We cannot charge more than \$693 per month

3.) 3 Bedrooms

- a. 80% AMI: We cannot charge more than \$1,602 per month
- b. 60% AMI: We cannot charge more than \$1,201 per month
- c. 40% AMI: We cannot charge more than \$801 per month

Average Salary by Job Type in the State of Michigan

Info provided by https://www.bls.gov/oes/current/oes_mi.htm

- 1.) Host and Hostesses: \$20,790
- 2.) Pharmacy Aides: \$25,170
- 3.) Barbers: \$26,270
- 4.) Security Guards: \$27,230
- 5.) Medical Assistants: \$31,270
- 6.) Bus Drivers: \$34,270
- 7.) Dental Assistants: \$36,480
- 8.) Police, Fire, and Ambulance Dispatchers: \$41,470
- 9.) Clergy: \$42,070
- 10.) Surveying and Mapping Technicians: \$42,280
- 11.) Medical Appliance Technicians: \$43,370
- 12.) Legal Secretaries: \$44,540
- 13.) Firefighters: \$44,870
- 14.) Postal Service Mail Carriers: \$49,530
- 15.) Correctional Officers: \$49,910
- 16.) Medical Equipment Repairers: \$52,950
- 17.) Health Educators: \$53,790
- 18.) Construction and Building Inspectors: \$54,290
- 19.) Healthcare Social Worker: \$56,500



CITY OF PONTIAC
Department of Building Safety & Planning

RECEIVED
2018 SEP -7 PM 1:54
PONTIAC CITY CLERK

Mayor Deirdre Waterman

MEMORANDUM

TO: Honorable Mayor, Council President, and City Council

FROM: Arthur F. Mullen, AICP – Interim City Planner
Through the Office of Deputy Mayor – Jane Bais-DiSessa

SUBJECT: ZMA 18-06 Zoning Map Amendment Request - REVISED
1000 Vanguard Drive – PIN 64-14-19-351-024
MUD Mixed Use Development District to M-1 Light Manufacturing
District

DATE: June 27, 2018

Analysis of Petition

The City has received a request from Butzel Long, PC on behalf of the Setzer Properties/Pontiac Community Investment to rezone approximately 50 acres of land located at the eastern end of Vanguard Drive (part of the site of the former Eastern Michigan Asylum) from MUD Mixed Use District to M-1 Light Manufacturing District. According to the completed Application for Zoning Map Amendment, the developer proposes to construct an 82,700 square foot freight terminal with an additional approximately 27,000 square foot addition in phase two.

The applicant's proposed use is determined to be a Terminal/Freight Principal Permitted Use, and this type of use is permissible in an M-1 Light Manufacturing District as-a-right. If the zoning map amendment is approved, the applicant will be required to complete a full site plan review per Section 6.204 to obtain preliminary site plan review approval.

The subject site is designated as the Civic Future Land Use Category. This site was rezoned in 2000 after the demolition of the Eastern Michigan Asylum with this Civic land use category included in the subsequent Master Plan land use amendment in 2008. The Civic use was envisioned for expansion of the Oakland County municipal campus. Oakland County has sufficient space on its campus for expansion so the subject site's use of the MUD district is not necessary for expansion of Civic uses. In addition, the subject site's non-central location would not be conducive to other Civic land uses either.

Per the lack of development interest over the last nearly 20 years for the site and with the goals of the Master Plan to take advantage of Pontiac's central location and focus on job creation efforts, this request complies with the 2014 Master Plan general vision and goals.

The subject site and abutting property to the south and west are zoned MUD Mixed Use District which were part of the former Eastern Michigan Asylum property. The Oakland County complex to the northwest is zoned GOT Government Office Technological District. The railroad yard abutting the parcel to the northeast is zoned M-1 Light Manufacturing District.

In the MUD requirements found in Sec. 3.704.D, it does permit light industrial uses that shall not exceed 45% of the district's area. The subject site is only approximately 23% of the entire district's area, ensuring compliance with the intent and the size and placement requirements found within this section for the former Eastern Michigan Asylum site, and the rezoning complies with these goals.

Per the review requirements found in Sec. 6.804 of the Zoning Ordinance, the Planning Commission found compliance with the review requirements and recommends that the applicant's rezoning request be approved for the subject site.

The error identifying the parcel with a previous Parcel ID has been corrected; the applicant provided this dated information on their application. The correct PIN is 64-14-19-351-024.

ZMA 18-06 - Zoning Map Amendment
Address: 1000 Vanguard Drive
Parcel: 64-14-19-351-024

Resolution

Whereas, The City has received an application for a Zoning Map Amendment for Parcel ID Number 64-14-19-351-024, also known as 1000 Vanguard Drive, from Butzel Long, PC for Setzer Properties/Pontiac Community Investment, LLC, and the applicant's petition is for the rezoning of the aforementioned parcel; and

Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, The Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On June 6, 2018, a Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for PIN 64-14-19-351-024, approving the change from the current MUD Mixed Use District zoning to M-1 Light Manufacturing District; and

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 18-06) request for PIN 64-14-19-351-024, to amend the current zoning from MUD Mixed Use District zoning to M-1 Light Manufacturing District.

PIN 64-14-19-351-024

