



PONTIAC CITY COUNCIL
FORMAL MEETING

November 27, 2018

6:00 P.M.

59th 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. Special Meeting of November 20, 2018
2. Study Session of November 20, 2018

Subcommittee Reports

3. Public Works Sub-Committee
4. Community Development Sub-Committee

Recognition of Elected Officials

Agenda Address

Agenda Items for City Council Consideration

5. Resolution to authorize the Mayor to enter into a contract with Covenant Cemetery Services for 2018-2023. (Awaiting response from Department of Public Works to Councilwoman Waterman's questions)
6. Resolution from the Interim City Clerk regarding salaries in the Office of the City Clerk
7. Resolution to establish a living wage for City of Pontiac Employees
8. Resolution on Deputy Director of Community Development qualifications and to set salary
9. Resolution for 5% wage increase for those full-time employees that were hired before May 1, 2018 excluding the City Council Department, Mayor, Deputy Mayor, Department Heads and/or Directors
10. Resolution to Approve Budget Amendments to transfer amount necessary to fund already approved 5% salary increase for City Employees hired on or before May 1, 2018 (excluding Mayor and City Council Department)
11. Memorandum from City Attorney regarding Council's resolution to strike Deputy Mayor and Department

Head Reports

12. Resolution to update the 10th Pontiac City Council Rules and Procedures
13. Ordinance Opting-Out of Recreational Marihuana Facilities

Public Comment

Mayor, Clerk and Council Closing Comments

Adjournment

MINUTES

November 20, 2018 Special Meeting

**Official Proceedings
Pontiac City Council
57th Session of the Tenth Council**

A Special Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday November 20, 2018 at 11:00 a.m. by Council President Kermit Williams.

Call to Order at 11:00 a.m.

Roll Call

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

Members Absent: Carter and Pietila.

Mayor Waterman was present.

Clerk announced a quorum.

Councilwoman Mary Pietila arrived at 11:01 a.m.

Interview for Citizen Trustee to the General Employees Retirement System. (GERS)

Mr. John White was interviewed. The Council recessed until the next interview.

Interviews for the Zoning Board of Appeals.

Ms. Claudia Buckley was interviewed. The Council recessed until the next interview.

Mr. Reggie Hayes was interviewed.

No members of the public made comments.

Pro-Tem Randy Carter arrived at 11:53 a.m.

Council President Kermit Williams adjourned the meeting at 11:54 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

**Official Proceedings
Pontiac City Council
58th Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday November 20, 2018 at Noon by Council President Kermit Williams.

Call to Order at Noon.

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman, Williams and Woodward.
Mayor Waterman was present.
Clerk announced a quorum.

18-435 **Motion to add a resolution to appoint John White as Citizen Trustee to the General Employee Retirement System Board, a resolution to appoint Reggie Hayes and Claudia Buckley to serve on the Zoning Board of Appeals and a resolution from the Interim Clerk regarding salaries in the office of the City Clerk then approve the agenda with amendments.** Moved by Councilperson Taylor-Burks and second by Councilperson Waterman.

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

No: None

Motion Carried.

Council President asked for a point of privilege to allow State Representative Tim Greimel to speak.

18-436 **Minutes of November 13, 2018.** Moved by Councilperson Woodward and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

18-437 **Corrected Minutes of October 30, 2018.** Moved by Councilperson Woodward and second by Councilperson Pietila.

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

No: None

Motion Carried.

Special Presentation by our Director of DPW- John Balint

18-438 **Motion to suspend the rules to vote on appointments to the GERS and Zoning Board of Appeals.** Moved by Councilperson Woodward and second by Councilperson Pietila.

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

No: None

Motion Carried.

18-439 Resolution to appoint John White to serve as Citizen Trustee to the GERS Board.
Moved by Councilperson Woodward and second by Councilperson Taylor-Burks.

WHEREAS, The Retirement System Ordinance vests with the Pontiac City Council the authority to appoint Citizen Trustees to the Retirement Board; and,

WHEREAS, Kevin Williams is currently a Citizen Trustee on the GERS Board; however, Mr. Williams will be moving out of the City of Pontiac, thereby creating a vacancy on the GERS Board; and,

WHEREAS, when a vacancy occurs in the office of Trustee, the vacancy shall be filled within 90 days after the date of the vacancy, for the unexpired term, in the same manner as the office was previously filled; and,

WHEREAS, the Pontiac City Council conducted interviews on Tuesday, November 20, 2018, for the purpose of filling the vacancy for the Citizen Trustee to the GERS Board; and,

WHEREAS, the Pontiac City Council selected John White to serve as Citizen Trustee to the GERS Board, as Mr. White is a Pontiac resident and has the qualifications.

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council appoints John White to serve in the vacancy as Citizen Trustees to the GERS Board, with a partial term ending March 31, 2022.

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

No: None

Resolution Passed.

18-440 Resolution to appoint Reggie Hayes and Claudia Buckley to serve on the Zoning Board of Appeals. Moved by Councilperson Woodward and second by Councilperson Taylor-Burks.

WHEREAS, the Zoning Board of Appeals allows the Pontiac City Council to appoint not more than two (2) alternate members for the same term as regular members; and,

WHEREAS, both Ahmad Taylor and Darryl Fowlkes have both resigned from the Zoning Board of Appeals, thereby creating two (2) vacancies; and,

WHEREAS, the Pontiac City Council conducted interviews on Tuesday, November 20, 2018, for the purpose of filling both vacancies for the Zoning Board of Appeals; and,

WHEREAS, the Pontiac City Council selected Reggie Hayes and Claudia Buckley, as both individuals are Pontiac residents and have the requisite qualifications and credentials.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council appoints, Reggie Hayes and Claudia Buckley to serve on the Zoning Board of Appeals, with terms expiring November 20, 2021.

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

No: None

Resolution Passed.

Deputy Mayor Report or Departmental Head Report – The Mayor gave a report. The City Attorney talked about the impact that Recreational Marihuana will have on the City’s Medical Marihuana Ordinance.

Councilwoman Pietila made a motion to have the City Attorney bring forth the Ordinance for Pontiac to opt-out of Recreational Marihuana for a first reading. Councilwoman Waterman seconded the motion. Discussion on the motion. Council President Williams raised concerns about the motion since Council had not seen the Ordinance. Councilwoman Pietila withdrew her motion, Councilwoman Waterman withdrew her second.

Councilwoman Pietila proposed a new motion to have the City Attorney give a report on Recreational Marihuana at the next Council Meeting. Councilwoman Waterman seconded the motion.

18-441 **Motion on Recreational Marihuana report for the next Council Meeting.** Moved by Councilperson Pietila and second by Councilperson Waterman.

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

No: None

Motion Carried.

18-442 **Motion to suspend the rules to strike Deputy Mayor Report or Departmental Head Report from all future agendas.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: None

Motion Carried.

18-443 **Motion to strike Deputy Mayor Report or Departmental head Report from all future agendas.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: Pietila

Motion Carried.

Eight (8) individuals addressed the body during public comment.

18-444 **Motion to suspend the rules to vote on Item #4, resolution for a Small Wine Maker’s License for Experimentation Brewing Company at 7 North Saginaw Pontiac, Michigan.** Moved by Councilperson Woodward and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

18-445 **Resolution for a Small Wine Maker's License [MLCC Request No. RQ-1807-10136] to existing Micro-Brewing License, Experimentation Brewing Company at 7 North Saginaw Pontiac, Michigan.** Moved by Councilperson Taylor-Burks and second by Councilperson Woodward.

Now, Therefore, Be It Resolved, that the Pontiac City Council recommends this application be considered for approval by the Michigan Liquor Control Commission.

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

No: None

Resolution Passed.

18-446 **Table Item #5 resolution requesting the Oakland County Brownfield Redevelopment Authority to review the 140 S. Saginaw Street Project to the Community Development Subcommittee.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

18-447 **Table Item #6 resolution concurring with the provisions of a Brownfield Plan adopted by the Oakland County Brownfield Redevelopment Authority for the 140 S. Saginaw Street Project to the Community Development Subcommittee.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

President Pro-Tem Carter assumed the chair after agenda item 6 was tabled.

Agenda Item 7 was presented.

Agenda Item 8 was presented.

Agenda Item 9 (add-on) resolution from the Interim City Clerk regarding salaries in the Office of the City Clerk was read.

Council President Pro Tem Randy Carter adjourned the meeting at 1:51p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

**SUB
COMMITTEE
REPORTS**

DEPARTMENT OF PUBLIC WORKS SUB-COMMITTEE NOTES

November 14, 2018

In attendance:

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

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-Disessa

DPW Director: John Balint

AGENDA

A. Street Sweeping

- It was mentioned that the streets are in deplorable conditions and questioned if the streets can be swept again, the answer, no, as it would need to start in mid-October, staff and equipment would be needed, and require a 15-20 person operation, all before December.
- Question, how do you get WRC to pump the sewers so that basements do not get backed up?
- Basements backing up are not due to leaves in the storm sewer, or the storm sewer connector.
- Catch basins are cleared all year round, approximately 3,000 this year.
- There is a possibility of renting equipment instead of purchasing.
- Leasing would be less expensive, require no maintenance and the cost, approximately \$100,000.
- The Director of DPW will provide a presentation at the next Council meeting regarding an additional leaf pick-up and will provide options and a cost analysis.
- Loaders with clam buckets are approximately \$150,000 each, buckets are \$20,000 alone and a three-person crew would be needed.
- If leaves are raked in the street like Oak Park, a large staff would be needed and it is very expensive, roughly, \$600,000.
- The leaves fall in mid-October and in mid-November, the leaves need to be picked up.
- If an additional leaf pick-up is added, it will not be necessary to make a policy change, the only requirement, that money is available in the budget.
- There is no grant money available for local street cleaning; however, this year, there is approximately \$1.521 million available. The City may want to consider ways of increasing funding, such as a millage or special assessment.
- There are five state roads in the City.
- Friday, November 30, 2018 is the last week for leaf pick-up.
- Last year, the time for leaf pick-up was extended by two weeks due to leaves falling later.

- Question: when the roads are finished, will a left turn light be placed at MLK and Perry?
- Answer: It looks like that may not be an option based on an MDOT report. The Director of DPW will investigate and report back.
- The project will not be done this year, but the barrels will be removed until the Spring.

- District 7 has two areas that need lighting, area locations to be provided to the DPW Director.
- Question: what is the process for installing new street lighting on residential streets when poles are missing?
- Answer: the City can request that DTE add lighting and the cost will be born by the City.

- There are twenty (20) poles left over from the grant, so poles were replaced on M-59.
- There will not be a traffic study done on MLK and Ferry due to construction.

- There is a flashing light on Auburn across from the Family dollar on Spring Lake. In the Spring, a rapid flashing beacon will require about \$20,000- \$30,000. There was a little girl killed there.

B. Road Projects

1. South Boulevard-Woodward to MLK Blvd

- Asphalt paving has been completed, special markings (RR Crossing, stop bar symbols installed).
- The first dry lanes will be installed and street opening will occur.
- Restoration (topsoil/seeding will be completed in the spring).

2. South Boulevard- MLK Blvd. To Opdyke

- Concrete pavement repairs are progressing as anticipated. The North and South curb lanes are complete and traffic is now permitted on these lanes while saw cutting on the inside and center lanes progresses. This work of pavement repairs should be completed by November 30, but this is weather dependent.

3. CDBG Sidewalks

- Work this week slowed by weather, the contractor is now working in the area South of Montcalm and East of Cesar Chavez. Cleanup and restoration proceeding in the Madison/Perry/University areas.

4. Joslyn-Perry to Walton

- Paving project is substantially complete, miscellaneous signs yet to be placed.

5. Perry Street-Woodward to Walton (MDOT)

- Work progressing along the route, lane closures still required. No completion date has been determined.

C. WRC Smoke Testing

- WRC will be doing smoke testing with the sewer lines the first week of December.

D. State Transportation Economic Development Grant Award

MDOT announced on November 14, 2018 that Pontiac will be awarded \$3,600,000 to be used to reconstruct and resurface Centerpoint Parkway from South Boulevard to Opdyke Road to improve ride quality.

E. NEW DPW Employees

- No employees hired yet, closed for the first seven.

*Due to the moratorium, the Mayor would like to have community involvement in the discussion.

Adjourned: 4:50 pm

COMMUNITY DEVELOPMENT SUB-COMMITTEE NOTES

November 20, 2018

In attendance:

Council members: Chairperson Don Woodward, Mary Pietila and Gloria Miller

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-DiSessa

Economic Development Director: Rachel J. Loughrin

City Planner: Vernon Gustafsson

Start time: 9:35 am

A. TEDF Grant Award

- The Michigan Department of Transportation (MDOT) awarded a \$3,600,000 Transportation Economic Development Fund (TEDF) Category A grant to the City of Pontiac to be used to reconstruct and resurface Centerpoint Parkway from South Boulevard to Opdyke Road to improve road quality.
- The State will not pay all of the money, as there needs to be matching funds.
- The businesses on Centerpoint are asked to assist, if not, then a special assessment maybe imposed, but only on the businesses in the area.

B. Fencing Ordinance

- The proposed ordinance will be provided to the Council at the next Council meeting.
- The cost of the fencing should be absorbed by the builders/contractors and included in their bids.

C. Medical Marihuana Update

- Recreational Marihuana will allow cities to opt-in or opt-out.
- February 12, 2018 is the deadline for the moratorium on the medical marihuana.
- There should be a collective effort in coming up with the zoning and should include Council and the community.
- The Committee of Fifty will be meeting next Tuesday, at 8:00 am at Welcome Baptist Church.
- The Deputy Mayor and the City Planner will work together to provide schedules of when various groups meet.
- It was questioned as to whether W. Huron St. is an area that could be included in the zoning as the street is off the beaten path, but has traffic.
- There is a possibility of zoning the facilities where they are not located next to each other.
- Consideration given to having an open forum at the Bowens Center or Council Chambers.
- Residents of Pontiac pay 1% and only people that work in the City pay 1/2%
- There will be yearly inspections of the provisional facilities.

D. Proposed Ordinance Review

- The Executive is working on additional ordinances, but they are not ready yet.
- Rehab Ordinance and CDBG funds are a focus.
- Historic homes that were on the demo list, GM Modern Housing wants to save some.
- A list will be provided reflecting how many homes were actually rehabbed instead of demolished.
- Currently, there are less homes on the demo list, approximately 100.

E. Upcoming City Events & Updates

- Holiday Parade and Holiday Extravaganza.

F. Old Business

- The hole at the Silver Dome still has to be filled.
- Someone called and inquired about Glenwood Plaza, with the possibility of creating a warehouse.
- The Executive indicated that they just received the Sheriff's contract which has to be signed by Friday and which has a commencement date of January 1, 2019. The Oakland County Commission sets the contract price.

Adjourned: 10:25 am

AGENDA ITEM

5

CITY OF PONTIAC
OFFICIAL MEMORANDUM

TO: Honorable Council President and City Council members

FROM: John Balint, City Engineer

Thru: Jane Bais DiSessa, Deputy Mayor

Cc: Honorable Mayor Waterman

DATE: November 16, 2018

RE: Covenant Cemetery Services Contract.

The Department of Public Work has received a proposed contract from Covenant Cemetery Services for the operation and maintenance of the City two cemeteries, Oak Hill and Ottawa Park.

Covenant has been operating our cemeteries for since April of 2017 due to of previous contractor leaving after failed negotiations. In the past year, Covenant has worked on a month-to-month basis performing burials and maintenance of the cemeteries, and other than some issues this past spring, their work has been excellent.

Covenant will continue to submit to the City of Pontiac on a quarterly basis, a report of all sales of graves, crypts or niches. Covenant will provide a quarterly report of payments received on the sales of graves, crypts or niches and will submit 15% of all funds received for these items following the building phase of the project. We would recommend the City of Pontiac Department of Public Works for to establishment of a cemetery care fund.

Business Administrative Services including Management oversight as required plus the minimum of two full-time employee on site to assist with cemetery management, recordkeeping, burial sales, etc. will be provided during stated Management Office Hours below, in exchange for the Opening & Closing fees and sales revenue generated.

M-F 9am – 4pm

Sat 9am – 1pm or until last burial arrives.

Closed Sundays and Holidays

Current expense to the City will be for landscape maintenance and winter maintenance (snow plowing and salt). Those cost for landscape maintenance will reduce over time based on the schedule on page 3 of 8. Average cost for year 2019 will be approximately \$115,500 for both cemeteries for landscape maintenance and \$3,000 to \$5,000 for snow, depending on snowfall.

Memorandum – Cemetery Contract
November 16, 2018
Page 2 of 2.

The Department of Public Works and the City Attorney have reviewed and based on the attached, recommend approval of this contract.

WHEREAS, The City of Pontiac has had Covenant Cemetery Services performing cemetery services and maintenance at both City cemeteries, Oak Hill and Ottawa Park since April of, and;

WHEREAS, they have prepared a comprehensive, long term plan for operation of both cemeteries, and;

NOW, THEREFORE,

BE IT RESOLVED, The Pontiac City Council authorized the Mayor to enter into a contract with Covenant Cemetery Services for 2018 – 2023.

JVB

Attachments



3136 N. State Road
Davison, MI 48423
(810) 653-2196

PROPOSAL FOR MANAGEMENT OF **OAK HILL AND OTTAWA PARK CEMETERIES**

Covenant Cemetery Services, Inc., herein also referred to as "Covenant" is pleased to propose to The City of Pontiac, herein also referred to as "The City" or "Pontiac" the following outline of services and responsibilities for management of "Historic" Oak Hill Cemetery and Ottawa Park Cemetery. While this proposal may not include unknown items for either party, it is agreed that both Covenant Cemetery Services, Inc. and The City of Pontiac will, at all times, work together to provide the highest level of service to the community we serve.

This proposal is based partially upon the approval of the City of Pontiac to allow Covenant Cemetery Services, Inc., the right to expand the interment products available to our community including the expansion of the current Mausoleum Garden and Columbarium and other Niche Units and the addition of private family estate products.

Covenant is researching the potential to construct new facilities for interment using our own funds. We would require the right to hold all hold the deeds or certificates for interment rights for all crypts and niches should new buildings be constructed. Covenant would maintain the burial rights with a percentage payment made to the City based on the sale of the new inventory. There are currently no crypts available in inventory and many families have expressed their desire to own crypts in the cemetery. Covenant would agree to pay the City of Pontiac 15% of all funds received on the sales of these crypts following the building phase of the project. We hope that the City of Pontiac would use these funds to establish a saving account for the Perpetual Care of the building in the future.

As its first order of business, Covenant is seeking to construct a new garden mausoleum. The mausoleum will be 4 crypts high and, although it will be simple, it will be a custom design. The crypt and niche fronts will be black granite with names and images etched on the stone. Covenant will look to Scott Goodsell, President of G.H. Forbes Associates Architects to recommend a concrete contractor, crane operator/ crypt setter, and membrane roofing contractor amongst other trades. Covenant plans to construct at least a portion of the building including pre-cast crypts, granite fronts / trims and masonry. Before any work begins, The City must approve the construction. A copy of Mr. Goodsell's resume and his company profile is included with this proposal.

The intent is to pre-sell the mausoleum and erect a temporary mausoleum at the south tip of the triangular plot of land where the existing garden mausolea currently stand. In order to pre-sell, the City will have to approve the schematic design and master plan (phased construction) for this triangle, known as Block 5 of Ottawa Park Cemetery. G.H. Forbes Associates Architects will also create a 3-dimensional model (not a photo realistic rendering) to spark public interest and simple sales maps to record the sales. Covenant plans to finance this construction through advance sales of crypts and niches

in this project. It is important to note The City of Pontiac is NOT being asked to provide funding for this project, only your approvals to move forward and your understanding that Covenant Cemetery Services will hold the deeds or certificates for interment rights for all crypts and niches constructed. Because Covenant Cemetery Services, Inc. will be covering the cost of construction, no construction liens will be placed on the building.

Ongoing Management Responsibilities

Covenant will continue to be paid directly by the families and/or funeral directors for all opening and closing services provided, including late arrival, holiday, and weekend charges as well as for all ancillary merchandise sold, including markers, monuments, foundation installation and layout fees, vaults, caskets, cremation urns, etc. and will be responsible for the delivery and installation of such products and services.

Covenant will continue to submit to the City of Pontiac on a quarterly basis, a report of all sales of graves, crypts or niches. Covenant will provide a quarterly report of payments received on the sales of graves, crypts or niches and will submit 15% of all funds received for these items following the building phase of the project. We would recommend the City of Pontiac Department of Public Works for to establishment of a cemetery care fund.

Business Administrative Services including Management oversight as required plus the minimum of two full-time employee on site to assist with cemetery management, recordkeeping, burial sales, etc. will be provided during stated Management Office Hours below, in exchange for the Opening & Closing fees and sales revenue generated.

M-F 9am – 4pm

Sat 9am – 1pm or until last burial arrives.

Closed Sundays and Holidays

Spring, Summer & Fall Grounds Maintenance work is generally referred to throughout the industry as Mowing & Maintenance, but it includes far more than mowing. It is reference to the detailed work our professional staff handle throughout the seasons, including mowing and trimming of both open areas and around new and historic markers, monuments and features by our trained and supervised staff who understand the care needed to avoid damage to the family memorials and other cemetery features while navigating the often dangerous terrain of the properties.

The grounds staff also handles the mulching of fall leaves with mowers, trash removal from sections to City provided bins and dumpster(s), work order requests from families for raising, leveling and top soil and seeding of graves and other areas that have sunken. Work order requests from families for raising and leveling of markers and monuments that have sunken or are leaning. Also included is the removal and trimming of small trees and bushes, small branch removal, the services of our "Gardening Person" who maintains and cares for the cemetery plants and gardens at both locations. Our staff watches over the properties to insure the general cemetery beautification projects are continuously moving forward. They are also often the first point of contact with families, which requires them to be more than just a summer intern; but rather a trained professional who can help families locate loved ones, answer questions and make suggestions as required.

We currently provide these services on a weekly basis at the rate of \$2500 per week for Oak Hill Cemetery and \$1350 per week for Ottawa Park Cemetery. This rate includes onsite insured staff at both locations as needed, use of Covenant owned mowers, trimmers, and other gardening equipment, including mowing equipment, employee and equipment insurance, and ongoing maintenance and replacement costs. As discussed, the overall cost for mowing and maintenance will DECREASE over a 5 year period for Ottawa Park. The costs for Oak Hill will be fixed for the term of this agreement. The weekly costs each year for the mowing/maintenance period will be as follows: (note we anticipate mowing/maintenance/spring and summer cleanup periods to average 25-30 weeks per year depending on the weather conditions.)

PERIOD	OAK HILL COSTS	OTTAWA PARK COSTS
COMPARISON 2018	\$2500.00	\$1350.00
Spring -Fall 2019	\$2500.00	\$1350.00
Spring-Fall 2020	\$2500.00	\$1000.00
Spring-Fall 2021	\$2500.00	\$650.00
Spring-Fall 2022	\$2500.00	\$300.00

NOTE: If both parties agree to a new or extended management agreement for 2023 the Mowing/Maintenance costs for Ottawa Park going forward would be reduced to \$0.00

The City of Pontiac Dept. of Public Works will be responsible for patching/repairing the cemetery roads each year and provide snow removal services for the Oak Hill location as well as salt, salting services and snow stakes for both locations. Covenant will provide the staff to handle the plowing of snow off the roads and entrances at the Ottawa Park location using the dump truck and plow provided by the City of Pontiac for snow falls of 5.99 inches and below. Snow falls over 5.99 inches may require assistance from the City of Pontiac larger equipment and staff to be determined based on availability and burial schedules. Covenant Plowing rates are as follows:

Clearing of snow accumulation from parking areas and cemetery roads are charged per occurrence on a weekly basis based on the following amounts of snowfall:

	Current Rate	Winter 2018 Rate
1.5 – 3.99 inches	\$186.68	\$200.00
4.0 – 5.99 inches	\$224.00	\$250.00
6.0 – 7.99 inches	\$270.68	\$300.00
8.0 – 9.99 inches	\$322.67	\$350.00
10.0-11.99 inches	\$388.00	\$400.00
12.0 inches and above	\$466.68	\$500.00

Plowing Rates going forward will be limited to 5% annual increases.

We will continue with our current understanding that the Buildings and Roads, Water System Maintenance and Utilities and other related costs will be the responsibility of the City of Pontiac. Buildings must be maintained with working phone lines, data lines, heating and cooling systems and plumbing services to operate efficiently. We would also require the continued use of the City of Pontiac's instance of TechniServe, Inc's. "The Cemetery Manager" programs. The assurance that TechniServe provides for your data management processing and backup services is essential to the day to day operation of the cemeteries.

The City will continue to provide a backhoe at each of the cemeteries as well as a shared dump truck with snow plow capabilities to be available for use by our staff for burial and grounds keeping related purposes.

We would also request that the City provide 4x8 plywood sheets for use on grounds to avoid excess damage to the grounds from heavy equipment. Ottawa Park currently has adequate plywood, but Oak Hill has nothing available. 30 sheets minimum are needed at each location.

It is our hope that you have found our company worthy of continuing to provide services to the City of Pontiac. This proposal would be for a period of 4 years with renewals annually or longer going forward, subject to the agreement of both parties.



3136 N. State Road

Davison, MI 48423

(810) 653-2196

PROPOSAL FOR MANAGEMENT OF OAK HILL AND OTTAWA PARK CEMETERIES

SCHEDULE 1 : City Responsibilities

"Historic" Oak Hill and Ottawa Park Cemeteries

Main Chapel and Office Buildings

Building Maintenance for Capital Items such as Roof Replacement (needed ASAP, the roof on the chapel/office building at Ottawa Park required 9 buckets in the main chapel and 6 other leaks in the other parts of the building.

HVAC Systems (Boiler, Air Conditioners)

Plumbing and Septic Systems

Electrical Service

Windows, Doors, Flooring

Removal of Retorts at Ottawa Park as required.

NOTE: Chapel at Oak Hill needs some plaster repair that should be done this spring as pieces are dropping and could hit someone.

Shop Buildings

Building Maintenance for Capital Items such as

Roof Repairs/Replacement (repairs needed on main pole barn)

Electrical Service NOTE: It is our understanding that the shop building at Oak Hill will have electrical soon and is in need of a new roof.

Doors, Windows

Vehicles

Major Equipment Repairs/Replacements for:

Back Hoes, Dump Trucks, Plows, Snow Blowers and Vans

Burial Equipment

Repairs/ Replacements for:

Burial Tents and Lowering Devices

NOTE: Should not be needed for several years.

Grounds, Roads and Sidewalks

Repairs, Replacements and Removals for:

Paved and Unpaved Roads

Cement Sidewalks and Curbs

Cemetery Water and Sewer Lines

Top Soil and Seed for Grounds Maintenance

Dead, Unhealthy and Unsafe Tree Removals and Stumping

Features, Crypts, Niches and Private Mausoleum Buildings Roofs, Foundations, tucking and other related maintenance.

Utilities

Electrical Expenses

Natural and Propane Gas Expenses

Water, Sewer and Septic Cleaning Expenses

Telephone and Communication Expenses

Office Furniture and Equipment List that Belongs to the City of Pontiac

NOTE: These are specified as Covenant and The City each have items currently in use at the Ottawa Park location. (When the Oak Hill Office opens this list may have to be updated. Currently all Furniture and Equipment at Oak Hill belongs to the City.

Ottawa Park City Owned Items:

3 Dell Desktop Computers, Monitors and Keyboards

1 HP Color Printer

1 Older Desktop Computer and Printer with Older Cemetery Records in Access Database

5 Black and Wood Padded Waiting Room/Office Chairs

All Standard Style Black, Yellow and Silver File Cabinets plus all Blue Lateral File Cabinets

Conference Table

6 Black Weave Style Conference Table Chairs

4 Black Secretary rolling chairs

2 Black and Brown L Shaped Office Desks

1 Blue Desk with Gray/Pink Overheads and Pink partition Walls

1 Grey Executive Desk

1 Pink and Wood Executive Chair and 2 Pink and Wood Side Chairs

All Chapel Pews, Casket Bier and Flower Stands

1 Meilink Vault

1 small round wood table, 1 Queen tables 6 misc chairs



3136 N. State Road
Davison, MI 48423
(810) 653-2196

PROPOSAL FOR MANAGEMENT OF
OAK HILL AND OTTAWA PARK CEMETERIES
SCHEDULE 2 : Covenant Responsibilities

"Historic" Oak Hill and Ottawa Park Cemeteries

Main Chapel and Office Buildings

Building Maintenance for Non- Capital Items such as
Regular Building Cleaning
Carpet and Floor Cleaning
Portable Air Conditioners
Window and Door Cleaning
Light Bulbs and Keys

Shop Buildings

Building Maintenance for Non-Capital Items such as
Building Cleanliness
Light Bulbs and Keys

Vehicles

All Gas, Oil and Hydraulic Grease Costs and Regular Cleanings for:
Back Hoes, Dump Trucks, Plows, Snow Blowers and Vans
Covenant owns and maintains all lawn mowers and weed whips at both locations

Burial Equipment

Burial Tents and Lowering Devices NOTE: Should not be needed for several years.

Grounds, Roads and Sidewalks

Covenant will use caution and standard practice to help protect the condition of
and immediately report any problems to the City of Pontiac but will not be responsible for repair
or replacement costs for:
Paved and Unpaved Roads
Cement Sidewalks and Curbs
Cemetery Water and Sewer Lines
Dead, Unhealthy and Unsafe Tree Removals and Stumping
Features, Crypts, Niches and Private Mausoleum Buildings Roofs, Foundations, tucking and
other related maintenance.

Communication Equipment / Utilities

Allworx Phone Equipment – Covenant will provide for use, an Allworx VOIP Phone system connected to the City of Pontiac phone and communication lines during the term of this contract, including all wiring and data connections. The 3 Phones and related equipment that were in use when our relationship began are stored in the Chapel store room and easily reconnected to the existing old wiring.

Any cabling attached to floors and walls for the Allworx system will become the property of the City should this agreement end. The Phone System and all Phones will remain the property of Covenant and removed.

Office Furniture and Equipment List that Belongs to Covenant Cemetery Services, Inc.

NOTE: These are specified because both Covenant and The City each have items currently in use at the Ottawa Park location. (When the Oak Hill Office opens this list may have to be updated.)

Currently all Furniture and Equipment at Oak Hill belongs to the City.

Ottawa Park, Covenant Owned Items:

- 5 laptop Computers with wireless Keyboards and Mice
- 1 HP Color Printer
- 1 B&W Brother MFC Printer
- 1 Burgundy Swivel Executive Chair (belongs personally to Charles Sornig)
- 4 Standard Style 4 Drawer Beige File Cabinets
- 4 Lateral Style Brown and Beige File Cabinets
- 2 Epson Scanners and 2 Desktop Calculators
- 2 Drawer lateral wooden file cabinet
- 1 Kerby Sentra Vacuum and 1 Shop Vac
- 3 Grey Brocade Cubicles with Overheads, Desk Tops, File drawers and related hardware.
- 1 U-Shaped Black Desk/Credenza with overhead and lighting
- 1 Cross Cut Shredder
- Various Floor Lamps
- Various Tools and Grounds Maintenance Equipment

Building Improvements

Covenant requests permission to paint the wood paneled walls and joiners in the reception and manager offices at their expense, should they choose to do so.

AGENDA

ITEM

6

Pontiac City Council Resolution



WHEREAS, Sheila Grandison, Deputy City Clerk and Annette Wesley, Election Specialist assumed additional duties and job responsibilities as result of the City Clerk's position being vacant; and,

WHEREAS, the Pontiac City Council resolution 17-363 approved on November 30, 2017 increased Sheila Grandison salary to \$62,000 and Annette Wesley's hourly rate to \$24.04 from \$17.63; and,

WHEREAS, Garland S. Doyle was appointed Interim City Clerk effective October 29, 2018; and

WHEREAS, Annette Wesley's additional job responsibilities has ended; and,

WHEREAS, the Marihuana Ordinance has imposed some new responsibilities of the City Clerk. Sheila Grandison as the Deputy City Clerk will have to assume some additional job responsibilities; and,

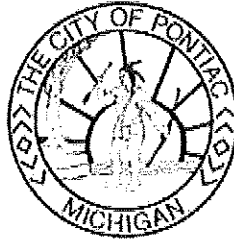
NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council does hereby approve Sheila Grandison remaining at \$62,000 annual salary until June 30, 2019. Annette Wesley hourly rate of \$18.52 due to the Mayor's proposed 5% salary increase effective December 3, 2018.

AGENDA

ITEM

7

Pontiac City Council Resolution



WHEREAS, pursuant to the Pontiac City Charter, provision 3.120, Control of City Payroll, no compensation or salary shall be paid to appointees, members of boards or commissions, or employees of the city except as approved by the Council; and,

WHEREAS, the Pontiac City Council supports employees earning an adequate living wage; and,

WHEREAS, maintaining a minimum wage of \$15.00 per hour leads to higher productivity and reduces turnover; and,

WHEREAS, every City of Pontiac employee should make at least \$15.00 per hour.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby establishes, a minimum hourly wage of \$15.00 per hour.

AGENDA

ITEM

8

Pontiac City Council Resolution



WHEREAS, pursuant to the Pontiac City Charter, provision 3.120, Control of City Payroll, no compensation or salary shall be paid to appointees, members of boards or commissions, or employees of the city except as approved by the Council; and,

WHEREAS, section 2-143 of Ordinance No. 22xx, Deputy Director, provides that there may be a deputy director of the department of community development whose appointment and compensation shall be in accord with the procedures provided for in the Charter. The Deputy Director of the Department of Community Development shall be considered the Chief Assistant Director of the Department of Community Development. The Deputy Director of the Department of Community Development shall have a bachelor's degree in architecture, business administration, community development, or political science, or public administration and at least three years experience in administration in the enforcement of zoning ordinances, grant administration, or economic development activities.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby requires that before the position of Deputy Director of Community Development is filled, the Pontiac City Council must be presented with the qualifications of the candidate and provided proof that the candidate's qualifications are consistent with the ordinance. Further, the annual salary for the Deputy Director of Community Development is set at \$55,000 per year.

AGENDA

ITEM

9

Pontiac City Council Resolution



WHEREAS, pursuant to the Pontiac City Charter, provision 3.120, Control of City Payroll, no compensation or salary shall be paid to appointees, members of boards or commissions, or employees of the city except as approved by the Council; and,

WHEREAS, effective December 1, 2018, Mayor Waterman is requesting to increase the wages by 5% for those full-time City employees that were hired before May 1, 2018 excluding the City Council Department and the Mayor; and,

WHEREAS, the 2018-2019 budget as adopted by City Council on June 8, 2018 did contain a provision for employee wage increases in the general fund for \$146,724 under department 270 - personnel.

WHEREAS, the Controller's office has performed a calculation of the impact on the budget for these increases and has determined that the \$146,724 provision is sufficient to provide this increase to those eligible employees; and,

WHEREAS, the Pontiac City Council has requested documentation in support of some of the proposed raises.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby agrees to the 5% wage increase for those full-time employees that were hired before May 1, 2018 excluding the City Council Department, Mayor, Deputy Mayor, Department Heads and/or Directors, until further documentation is presented and reviewed.

AGENDA

ITEM

10



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable Mayor, Council President and City Council Members

FROM: Danielle Kelley, Plante Moran

Thru: Office of Deputy Mayor, Jane Bais-DiSessa

DATE: November 20, 2018

RE: **Resolution to Approve Budget Amendments to transfer amount necessary to fund already approved 5% Salary Increase for City Employees hired on, or before May 1, 2018 (excluding Mayor and City Council Department).**

The FY 2018-2019 budget as adopted by City Council on June 8, 2018, includes an approved General Fund allocation of \$146,724 for employee wage increases. As such, effective December 1, 2018, an approved 5% salary increase will be given to full-time City employees that were hired on, or before May 1, 2018, excluding the City Council department and the Mayor; whose salaries are determined by the Local Officers Compensation Commission (LOCC).

The Controller's office has performed a calculation of the impact on the budget for this increase and has determined that the \$146,724 provision is more than sufficient to provide this increase to those eligible employees. At 5%, the calculated increase for the affected employees from December 1, 2018 to June 30, 2019 is \$122,741.

However, not all eligible employees eligible are funded in the General Fund. As such, an approval from the City Council is needed in order to transfer budgeted General Funds to various other City funds. The exact transfers required can be found below. This is a balanced budget amendment and does not require a use of fund balance in any fund.

In summary, the breakdown of the total cost of this proposed wage increase between General Fund and other funds is as follows:

General Fund	\$61,489
Other Funds	\$61,252
Total	\$122,741

As such, with an effective date of December 1, 2018, the following resolution is recommended:

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

Memo - Budget Amendments

November 20, 2018

Page 2 of 2.

Whereas, the adopted FY 2018-2019 General Fund budget includes an approved general government appropriation of \$146,724 for employee wage increases; and

Whereas, the Executive Office wishes to provide a 5% increase as of December 1, 2018 to those full time employees City employees hired before May 1, 2018 (excluding City Council department and the Mayor); and

Whereas, the budget ordinance allows the Mayor to amend appropriations within a fund, so long as total revenues and appropriations are equal as approved by the City Council; and

Whereas, the total cost of a 5% wage increase is \$122,741, which is less than the amount already included in the FY 2018-2019 budget; and

Whereas, the wages and fringes for certain full-time employees hired on, or before May 1, 2018 eligible for this increase, are accounted for in funds other than the General Fund. As such, General Fund needs to transfer \$61,252 to the other funds to appropriately match the budgeted expenditures with the actual expenditures. General Fund transfers are approved for distribution to the funds shown below; and

- Major Street Fund: \$18,484.00
- Local Street Fund: \$14,125.00
- Senior Center Fund: \$16,129.00
- Youth Recreation Fund: \$ 6,331.00
- Cable Fund: \$ 2,840.00
- District Court Fund: \$ 1,291.00
- Insurance Fund: \$ 1,424.00
- Cemetery Fund: \$ 337.00
- Sanitation Fund: \$ 291.00

Total Fund Transfers: \$61,252.00

Whereas, the Mayor is proposing to the City Council to decrease General Fund appropriations and increase General Fund transfers out to other funds for the current fiscal year 2018-2019 in the amount of \$61,252 and increase the transfers in and appropriations for those funds in amounts described above for a total of \$61,252.

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.

DK

AGENDA

ITEM

11

MEMORANDUM

TO: Pontiac City Council

CC: Mayor Deirdre Waterman

FROM: City Attorney Anthony Chubb

DATE: November 21, 2018

RE: Resolution to Strike Deputy Mayor and Department Head Reports

At the City Council meeting of November 20, City Council President Williams passed a Resolution to “strike Deputy Mayor Report and Department Head Reports from all future meetings.” Thereafter, I explained that the City Charter, at Section 4.104, Council Attendance, notes that the Mayor or the Deputy Mayor shall attend all meetings of the Council and respond to questions from Council members and citizens, make reports and present proposals.” Because the Resolution was inconsistent with this provision of the Charter, the Resolution is *ultra vires* and is ineffective as an act of Council because it is outside of the legal authority of the Council. See *Salzer v East Lansing*, 263 Mich 230-237-238 (1933); *Parker v West Bloomfield Twp.*, 60 Mich App 583, 595-596 (1975).

Based upon the foregoing, I respectfully request that the Deputy Mayor Report and Department Head Reports continue to be included on Council Agendas.

AGENDA

ITEM

12

Pontiac City Council Resolution



WHEREAS, effective April 24, 2018, the 10th Pontiac City Council Rules and Procedures were adopted; and,

WHEREAS, the rules and procedures as it relates to Pontiac City Council Study Sessions, currently provides for Deputy Mayor report or Departmental Head reports; and,

WHEREAS, during Study Sessions, the Deputy Mayor and all Department Heads are provided an opportunity to speak on corresponding agenda items and address any and all concerns; and,

WHEREAS, items to be included for the Study Session should be provided to the City Clerk in writing, no later than 5:00 pm on the Thursday prior to the regularly scheduled Tuesday, Pontiac City Council Study Session.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby amends the 10th Pontiac City Council Rules and Procedures and removes the Deputy Mayor and Department Head reports, will allow matters to be referred to the Policy Advisor and subcommittees and requires that any information to be included on the agenda for a Study Session, be provided in writing, to the City Clerk by 5:00pm on the Thursday prior to the regularly scheduled Tuesday, Pontiac City Council Study Session.