

**Official Proceedings  
Pontiac City Council  
85<sup>th</sup> Session of the Tenth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, May 14, 2019 at 6:00 p.m. by Council President Kermit Williams.

Call to Order

Invocation

Pledge of Allegiance

Roll Call

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

Members Absent: Miller.

Mayor Waterman was present.

Clerk announced a quorum.

19-175        **Excuse Councilperson Gloria Miller for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

Councilwoman Gloria Miller arrived at 6:02 p.m.

19-176        **Amendments to the Agenda: remove item #11, (resolution for Alma Marie Bradley-Pettress) remove items #15-#17, we will postpone items 15-17 until May 28, 2019 and move presentations 4-6 after agenda Item #18.** Moved by Councilperson Woodward and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

19-177        **Approval of the Agenda with amendments.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

19-178        **Approval of meeting minutes for May 7, 2019.** Moved by Councilperson Pietila and second by Councilperson Woodward.

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

No: None

**Motion Carried.**

### **Subcommittee Reports**

Public Safety – May 10, 2019 received.

### **Special Presentation**

Waterford Regional Fire Presentation (Presentation requested by Councilwoman Mary Pietila)

Presentation Presenter: Chief John Lyman, Fire Chief, Waterford Regional Fire Department

Agenda Address – Chuck Johnson

19-179        **First reading of an Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020.**

Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

**\*\*See Ordinance attachment after minutes\*\***

19-180        **Resolution to schedule a special meeting for Friday, May 17, 2019 at 12:00 p.m. to consider an Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020.** Moved by Councilperson Pietila and second by Councilperson Miller.

Whereas, the Pontiac City Council will hold a Special Meeting on Friday, May 17, 2019 at 12:00 p.m. in the Council Chambers of City Hall 47450 Woodward Ave. Pontiac, Michigan 48342 to adopt an Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020.

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council schedules a Special Meeting on Friday, May 17, 2019 at 12:00 p.m. in the Council Chambers of City Hall 47450 Woodard Ave. Pontiac, Michigan.

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

No: None

**Resolution Passed.**

19-181        **Resolution for the City Attorney to review the Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020 by May 16, 2019.** Moved by Councilperson Pietila second by Councilperson Taylor-Burks.

Whereas, pursuant to the Pontiac City Charter section 4.202 more specifically, section 4.202 (b), the City Attorney is hereby requested to review the ordinance to Amend Ordinance #2288 and make changes that are only necessary for the ordinance to be in compliance with the Charter and in proper form for implementation by May 16, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council request that the City Attorney have this review and if needed any modifications made to the ordinance completed by May 16, 2019 to ensure it is in proper form.

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

No: None

**Resolution Passed.**

19-182        **Resolution for Kevon Davenport.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

WHEREAS, It is the sense of this legislative body to honor an outstanding, young adult of remarkable character, who is inspirational and who serves as a role-model to others; and,

WHEREAS, Kevon Davenport has the unique distinction and privilege of becoming the first four-time African-American State Wrestling Champion, after winning the 2019 MHSAA State Championship 145lbs; and,

WHEREAS, Kevon Davenport is a Pontiac resident and attends Novi Detroit Catholic Central; and,

WHEREAS, Kevon Davenport started his career in wrestling at the early age of eight, as he played for the Pontiac Jr. Huskies under coaches Adam Polk, Cisco McKinney, Time Gomez, Marvin McClellan and Jim Hayward; and,

WHEREAS, Kevon Davenport's talent did not go unrecognized, as both his parents were eagerly committed and devoted to his development and as a consequence, his father studied the sport and became indoctrinated in wrestling, ultimately becoming his primary coach; and

WHEREAS, Kevon Davenport is an exceptional and accomplished wrestler who was taught to always place God first and to maintain great sportsmanship like conduct at all times; and,

WHEREAS, Kevon Davenport has won several tournaments and championships, some include: the MYWA State Tournament, Tournament of Champions in Ohio, Liberty Nationals in Missouri, the Grappler Fall Classic, the 2013 and 2014 Monster Medal Championship, the 2014 and 2015 Great Lakes Championship, was the 2016 MHSAA State Champion 119lbs, the 2017 MHSAA State Champion 130lbs, the 2018 MHSAA State Champion 145lbs and on March 2, 2019, recently became the 2019 MHSAA State Champion 145lbs.



NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council, and members of this great community, honor and salute the personal accomplishments and achievements of Kevon Davenport for a job well done and for truly, representing the City of Pontiac. Congratulations.

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

No: None

Resolution Passed.

19-183      **Resolution to approve the 2019 High Intensity Drug Trafficking (HIDTA) Subrecipient Agreement between the City of Pontiac and Oakland County and that the Mayor be authorized to sign this agreement.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

WHEREAS, Oakland County as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy (ONDCP) to grant N.E.T. an award for program year (PY) 2019 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime costs; and, WHEREAS, if ONDCP grants N.E.T. an award for PY 2019, the ONDCP disburses the HIDTA funds to the Michigan State Police (MSP); and,

WHEREAS, the County has the authority to allocate a portion of the Grant funds to reimburse a participating municipality for qualifying overtime costs subject to the terms and conditions of the agreement; and,

WHEREAS, the County requires any participating unit of government to approve the proposed Subrecipient Agreement by Resolution of the governing board of the local unit of government; and,

WHEREAS, the Oakland County Board of Commissioners has agreed to the attached Subrecipient Agreement; and,

WHEREAS, the City of Pontiac desires to enter into the attached Subrecipient Agreement between the City and Oakland County; and

WHEREAS, Oakland County Corporate Council and the City of Pontiac have approved the attached Subrecipient Agreement.

NOW THEREFORE BE IT RESOLVED that the City of Pontiac Council approves the attached Subrecipient Agreement with the County of Oakland and authorizes the Mayor to sign on behalf of the City.

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

No: None

Resolution Passed.

19-184      **Resolution to formally affirm the City of Pontiac commitment to proceed with our endeavor to obtain Redevelopment Ready Community Certification status from Michigan Economic Development Corporation (MEDC); and furthermore, that this resolution be sent to MEDC as required.** Moved by Councilperson Pietila and second by Councilperson Woodward.

Discussion on the floor. Motion to refer this resolution to the Community Development Subcommittee; Councilperson Pietila withdrew her motion, Councilperson Woodward withdrew his second.

19-184 (b) **Refer resolution to formally affirm the City of Pontiac commitment to proceed with our endeavor to obtain Redevelopment Ready Community Certification status from Michigan Economic Development Corporation (MEDC); and furthermore, that this resolution be sent to MEDC as required to the Community Development Subcommittee Meeting.** Moved by Councilperson Woodward and second by Councilperson Pietila.

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

No: None

**Motion Carried.**

19-185 **Resolution to authorize the Mayor to enter into a contract agreement with North American Construction Enterprises for the 50<sup>th</sup> District Court Renovations at a cost not to exceed \$1,318,453.00.** Moved by Councilperson Taylor-Burks and second by Councilperson Woodward.

Whereas, the City of Pontiac has advertised and received responses to a request for proposal for 50<sup>th</sup> District Courthouse Renovations on April 8, 2019 and publically opened bids, and;  
Whereas, the Department of Public Works, Engineering Division has reviewed the subject proposals and;  
Now, therefore, Be It resolved, that the Pontiac City Council authorized the Mayor or Deputy Mayor to enter into a contract with North American Construction Enterprises for the 50<sup>th</sup> District Court Renovations for \$1,318,453.00.

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

No: None

**Resolution Passed.**

19-186 **Resolution to appeal the Planning Commission's decision and grant a Special Designated Distributor License for parcel 64-14-07-483-011, also known as 355 W. Walton Blvd from Applicant, Jamal Safidine.** Moved by Councilperson Miller and second by Councilperson Pietila.

Whereas, the City has received an application for a Special Exception Permit for parcel 64-14-07-483-011, also known as 355 W. Walton Blvd. from the Applicant, Jamal Safidine, and;  
Whereas, the Planning Division has reviewed the applicant's Special Exception Permit request to sell packaged alcoholic beverages with a Special Designated Distributer [SDD] license, in addition to the existing Special Designated Merchant [SDM] license for the sale of beer and wine sales, and;  
Whereas, the Planning Division has reviewed the requirements set forth in Section 2.515 of the Zoning Ordinance and Section 10.188 of the Pontiac Municipal Code and the Planning Division determined that aforementioned request and proposed sale of package liquor does comply with the City of Pontiac Zoning Ordinance, and;  
Whereas, in accordance with the procedures outlined in the Zoning Ordinance, Section 6.302 as it related to Special Exception Permit Review Procedures and Requirements, the request has undergone the required; technical review, Public Hearing and Planning Commission decision, and;



Whereas, on November 28, 2018 a Public Hearing was held, the Planning Commission voted to deny the request the sale of packaged liquor at 355 W. Walton Blvd., and;

Whereas, following Section 6.303, [H. Appeals] of the Zoning Ordinance, the applicant submitted a letter to the Planning Manager Gustafsson within ten days of the Planning Commission decision requesting an appeal from the City Council and provided a property line survey from a licensed professional surveyor that showed the nearest distance of 515.16 feet between Marimont Church property line and BP gas/convenience building, and;

Now, Therefore, Be It Resolved, that the City Council for the City of Pontiac appeal the Planning Commission decision and grant a Special Designated Distributor license at parcel 64-14-07-483-011, also known as 355 W. Walton Blvd. from the Applicant, Jamal Safidine.

Ayes: None

No: Woodward, Carter, Miller, Pietila, Taylor-Burks, Waterman and Williams

**Resolution Denied.**

19-187      **Resolution to authorize the Mayor to enter into a two-year contract with AUCH for Owner Representative Services for the Phoenix Center Restoration at a cost not to exceed \$357,987.00 will be brought back next week due to awaiting items from the Administration.** Moved by Councilperson Woodward and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried to bring back item next week.**

19-188      **Suspend the Rules.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

19-189      **Motion to remove item #20 Communication from the Mayor regarding Oakland County Sheriff's request for more patrol deputies in 2019-2020 from the Agenda.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

#### Monthly Mayoral Reports

#### City Credit Card Statement

(The City Council adopted a resolution that the Mayor will provide the monthly credit card statements for the prior month to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of

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each month. **The City Clerk did not receive the March 2019 or April 2019 statements. This item was brought back from the April 9, April 23, April 30, and May 7, 2019 Council Meetings.)**

Check Register for April 2019 was received.

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

Mayor Deirdre Waterman, Interim City Clerk Garland Doyle, Councilwoman Patrice Waterman, Councilwoman Mary Pietila, Councilwoman Doris Taylor-Burks, Councilwoman Gloria Miller, Council Pro-Tem Randy Carter and Council President Kermit Williams made closing comments.

President Kermit Williams adjourned the meeting at 8:51 p.m.

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GARLAND S. DOYLE  
INTERIM CITY CLERK

**ORDINANCE NO.**

AN ORDINANCE TO **AMEND ORDINANCE NO. 2288 TO** PROVIDE FOR THE MAYOR TO SUBMIT A PROPOSED TWO-YEAR BALANCED BUDGET TO THE CITY COUNCIL FOR CONSIDERATION, TO ESTABLISH MINIMUM REQUIREMENTS FOR THE PROPOSED BUDGET DOCUMENT, AND TO REQUIRE THE CITY COUNCIL TO ADOPT A BUDGET BY JUNE 9 OF EACH YEAR.

The City of Pontiac ordains:

**Section 1. Title.**

The title of this ordinance shall be the "Executive Balanced Budget Ordinance."

**Section 2. Definitions.**

- a. Balanced Budget – The phrase "balanced budget" shall mean that the total proposed expenditures, including an accrued deficit, shall not exceed proposed revenue, including an available surplus.
- b. Budget Request Packet – The phrase "budget request packet" shall mean the formal documents prepared by the Finance Director in which all budget requests shall be justified and made by department heads.

**Section 3. Budget Preparation.**

- a. On or before March 15 in each year, the Finance Director shall distribute the budget request packet to each department head, whom shall return the completed budget request packet to the Finance Director on or before April 1 in each year.
- b. On or before April 15 in each year, the Finance Director shall transmit the departmental requests to the Mayor, who may revise or alter the estimates, and then shall return a copy of a balanced budget as revised to the Finance Director for tabulation on or before May 1 each year along with a list clearly indicating the changes the Mayor made in order to arrive at a balanced budget.
- c. The Finance Director shall recalculate the balanced budget proposed by the Mayor and shall inform the Mayor of any inconsistencies.
- d. On or before May 15 in each year, the Mayor shall submit to the City Council the proposed budget and appropriations ordinance for the ensuing two fiscal years and the proposed tax rate for the ensuing fiscal year. The proposed budgets shall be balanced. The Mayor shall provide a budget message with the proposed budgets that identifies revenues, expenditures, and significant revenues and significant expenditures.

**Section 4. The budget document.**

The budget for each fund of the city shall be presented in a format that is readable and understandable to the general public and classified by character, object, function, and activity consistent with the uniform chart of accounts prescribed by the state treasurer, provided that long-term and short-term goals and measurable objectives of the program are clearly identified (MCL 141.421). The Finance Director shall prepare the budget document and make it available to the public during the time the budget is available for public inspection, and shall revise the



document upon adoption of the resolution adopting the budget. The budget document shall consist of the following components, not necessarily in the order presented:

a. Part I. Revenues.

Part I shall contain estimates of all anticipated revenues for the two ensuing fiscal years applicable to proposed expenditures. It shall include a summary statement of anticipated revenues classified by fund and source; a comparison between revenues actually received during the last completed fiscal year, those received and anticipated for the current fiscal year, and those anticipated for the next two ensuing fiscal years; the estimated surplus or unobligated balance of the current fiscal year, and any additional information required by the Mayor.

b. Part II. Expenditures.

Part II shall contain estimates of all operating and capital outlay expenditures for the two ensuing fiscal years. It shall include a statement of proposed expenditures for all funds classified by function. It shall show, in the same classification of expenditure, the expenditures of the last completed fiscal year, those anticipated for the current fiscal year, estimated expenditures for the budgetary center for the next two ensuing fiscal years; it shall include as separate items any deficit from the preceding fiscal year that was not included in the budget for the current year and any anticipated deficit resulting from operations of the current year; and any other additional information required by the Mayor.

c. Part III. Capital Outlay.

Part III shall consist of the capital improvement plan. These recommendations shall be accompanied by a statement indicating recommended priorities for projects and shall set forth for each project:

1. the intended use of the land, building, or equipment requested;
2. the total estimated cost at completion;
3. appropriations and expenditures made to date;
4. actual expenditures and encumbrances at the close of the last completed fiscal year;
5. estimated expenditures and encumbrances for the current fiscal year;
6. estimates of the amount of money necessary for the next five fiscal years; and,
7. estimates of annual operating costs, if any, and the method of financing those costs, for the next five fiscal years.

d. Part IV. Supplementary Information.

Part IV shall consist of the following information, at a minimum, that shall be included at some point in the budget document:

1. a table of contents to assist the reader in locating information;
2. an explanation of the budget process and accounting procedures followed by the city in the preparation of the budget;
3. a glossary of terminology that may not be readily understood by the average reader;
4. a community profile;

5. an ~~an-current~~ organizational chart that denotes all departments and offices and the positions in those departments and/or offices within the executive branch and the legislative branch;
6. a list of all contracts, identification of service provided, value of the contract, and expiration date of the contract;
7. a list of all full-time employees, their salaries, the total value of fringe benefits, and an indication if the employee could potentially receive a defined benefit pension or other post employment benefits upon retirement;
8. a comparable summary of personnel in each office from the previous fiscal year to the ensuing fiscal year and an explanation of proposed changes;
9. a description of funds subject to appropriation;
10. a description of activities, services, and functions subject to appropriation;
11. a ten-year history of property tax levies and taxable value;
12. a list of outstanding debt obligations of the city;
13. a description of proposed capital outlays included in the budget as identified in the City's capital improvement plan;
14. a budget message from the Mayor that summarizes its proposed budget and any significant changes from previous years;
15. charts, graphs, graphics, organizational charts, and other data used effectively to describe allocations and operations and measure results;
16. the proposed tax rate to support the budget;
17. a budget summary of revenues and expenditures;
18. a proposed general appropriations ordinance; and
19. additional information that the Mayor deems appropriate.

#### **Section 5. Budget Adoption.**

- a. ~~On or B~~efore June 2, the City Council shall authorize and publish a notice of public hearing on the proposed budget and tax rate and shall introduce the proposed appropriation ordinance at a city council meeting.
- b. ~~On or Before June 4, the City Council shall have separate budget hearings with each department and/or office of the Executive Branch and each department or office of the Legislative Branch.~~
  - a. ~~The City Council shall not amend the proposed appropriation ordinance or tax rate until after the public hearing. The City Council shall be permitted to make unlimited amendments to the budget subsequent to the public hearing on the budget and before its adoption.~~
  - d. ~~By June 9 and N~~o less than six days after the notice of public hearing on the proposed budget and tax rate is published and the proposed appropriation ordinance had been introduced at a city council meeting, the City Council shall hold a public hearing on the proposed budget and proposed tax rate.

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~~e.e.~~ By June 9, the City Council ~~and~~ shall adopt an appropriations ordinance and tax rate. The budget shall be adopted on a line item basis ~~functional-basis~~ for expenditures, rather than on a departmental or functional line-item-basis.

~~d.f.~~ At the meeting wherein the City Council adopts the appropriations ordinance, the Council shall adopt a resolution setting user fees for the ensuing fiscal year. Such fees shall be amended or waived by the City Council from time to time during the fiscal year only upon recommendation from the Finance Director and Mayor.

~~e.g.~~ The Mayor shall be allowed to exercise the Mayor's ~~his~~ veto authority as granted by the city charter.

~~f.h.~~ During the fiscal year, whenever it appears to the Finance Director that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures will exceed an appropriation upon which appropriations from such fund were based, the Finance Director shall present to the Mayor recommendations to prevent expenditures from exceeding available revenues or appropriations for the fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues or both. The Finance Director is hereby authorized to amend accounts within a line item or department that does not exceed Ten Thousand (\$10,000.00) Dollars. Any budget amendments to a line item or department that exceeds Ten Thousand (\$10,000.00) must be approved by the City Council prior to the amendment, functions in a fund and among functions in a fund during the fiscal year provided that such amendments do not change the total revenues, expenditures, transfers, and other uses for the fund as approved by the City Council. If the total revenues or the total expenditures, including transfers in and out and other sources and uses within a single fund must be changed, then the Mayor shall present such amendments for departments within the Executive Branch to the City Council for approval by resolution. The amendments to the budget for the Legislative Branch do not have to be presented by the Mayor but still must be approved by ~~to the City Council resolution for approval by resolution.~~ Budget amendments shall be made by June 30 of each year.

#### Section 6. Penalty.

~~a.~~ Any violation of Sections 3, 4, or 5 by the Mayor shall result in the deduction of one month pay for every month or portion thereof that the Mayor ~~he~~ is late in fulfilling the ~~his~~ budget preparation duties.

~~a.b.~~ Any violation of Section 5 (f) by the Mayor shall result in the deduction of one month pay for every month that the Mayor is found to have violated this section of the Ordinance.

~~b.c.~~ Any violation of Sections 3, 4, or 5 by the city council shall result in the deduction of one month pay for every month or portion thereof that the council is late in adopting the budget.

~~e.d.~~ The retroactive payment of compensation deducted in accordance with this section upon fulfillment of duties is expressly prohibited.

~~d.e.~~ The city attorney, or any resident of the city, may file a complaint with the district court to enforce this section in the event that a deduction of pay is not made.

#### Section 7. Severability.

This ordinance and the various parts, sections, and clauses are hereby declared severable. If any clause, sentence, or paragraph or part of this ordinance shall, for any reason, be adjudged or decreed to be invalid by any Court of competent jurisdiction, such judgment or decree shall not



effect, impair, or invalidate the remainder of this ordinance, but such judgment or decree shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment or decrees shall have been entered.

**Section 8. Repealer.**

That all ordinances or parts of ordinances, of the City of Pontiac in conflict herewith are hereby repealed.

**Section 9. Effective Date.**

This Ordinance shall take immediate effect upon publication thereof after its adoption by the City Council.

**Section 10. Publication.**

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

**Section 11. Effective Date.**

This Ordinance shall be effective ten days after date of adoption. ~~The ordinance and/or ordinance amendments were adopted by the emergency manager with an effective date of June 27, 2013. Sherikia L. Hawkins, Clerk of Pontiac, Michigan, does hereby certify that the forgoing ordinance was published in the Oakland County News on this 19th day of June 2013.~~  
~~Sherikia L. Hawkins, City Clerk.~~