

December 8, 2016

**Official Proceedings
Pontiac City Council
161st Session of the Ninth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, December 8, 2016 at 6:00 p.m. by President Patrice Waterman.

Moment of Silence

Invocation –Councilman Williams

Pledge of Allegiance

Roll Call

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

16-315 **Approval of the Agenda with changes to add a public hearing scheduled for January 5, 2017 regarding the amended of TIFA boundaries.** Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

16-316 **Journal of December 1, 2016.** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

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

No: None

Motion Carried.

Departmental Head Reports – Deputy Mayor Jane Bias-Disessa

Subcommittee Oral Report – Mark Holland/Real Estate and Kermit Williams/Finance

Community Announcements – Mike McGuinness

16-317 **Resolution for approval of a salary adjustment for a Senior Financial Analyst.**
Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.

Whereas, the Administration and the City Council have agreed to adjust the salaries for the vacant position of Senior Financial Analyst; and

Whereas, the budget as approved for FY 2016-2017 has sufficient appropriation in aggregate for the position, since the Senior Financial Analyst has been vacant for this fiscal year to date, therefore no budget amendment is required for the FY 2016-2017; and

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Whereas, Section 2-88 of Article III of the Code of Ordinances states that: "...The Director (of Finance-*emphasis added*) may hire such number of full-time, part-time, or seasonal employees as the City budget shall authorize to assist him in fulfilling the responsibilities of his position; and

Now, Therefore, Be It Resolved, that the City Council, upon the recommendation of the Mayor approves the salary range for the position of Senior Financial Analyst to be between \$65,000 and \$70,000.

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

No: None

Resolution Passed.

16-318 **Resolution for the scheduling of meetings of the Pontiac City Council for 2017.**

Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Therefore, Be It Resolved, that the Pontiac City Council adopts the scheduling of their meetings for 2017.

The dates are as follows:

Thursday, January 5, 2017 6:00 p.m. Study Session
Thursday, January 12, 2017 6:00 p.m. Formal Meeting
Thursday, January 19, 2017 6:00 p.m. Study Session
Thursday, January 26, 2017 6:00 p.m. Formal Meeting
Thursday, February 2, 2017 6:00 p.m. Study Session
Thursday, February 9, 2017 6:00 p.m. Formal Meeting
Thursday, February 16, 2017 6:00 p.m. Study Session
Thursday, February 23, 2017 6:00 p.m. Formal Meeting
Thursday, March 2, 2017 6:00 p.m. Study Session
Thursday, March 9, 2017 6:00 p.m. Formal Meeting
Thursday, March 16, 2017 6:00 p.m. Study Session
Thursday, March 23, 2017 6:00 p.m. Formal Meeting
Thursday, March 30, 2017 6:00 p.m. Study Session
Thursday, April 6, 2017 6:00 p.m. Formal Meeting
Thursday, April 13, 2017 6:00 p.m. Study Session
Thursday, April 20, 2017 6:00 p.m. Formal Meeting
Thursday, April 27, 2017 6:00 p.m. Study Session
Thursday, May 4, 2017 6:00 p.m. Formal Meeting
Thursday, May 11, 2017 6:00 p.m. Study Session
Thursday, May 18, 2017 6:00 p.m. Formal Meeting
Thursday, May 25, 2017 Noon Study Session
Thursday, June 1, 2017 6:00 p.m. Formal Meeting
Thursday, June 8, 2017 6:00 p.m. Study Session
Thursday, June 15, 2017 6:00 p.m. Formal Meeting
Thursday, June 22, 2017 6:00 p.m. Study Session
Thursday, June 29, 2017 6:00 p.m. Formal Meeting
Thursday, July 6, 2017 6:00 p.m. Study Session
Thursday, July 13, 2017 6:00 p.m. Formal Meeting
Thursday, July 20, 2017 6:00 p.m. Study Session
Thursday, July 27, 2017 6:00 p.m. Formal Meeting
Thursday, August 3, 2017 6:00 p.m. Study Session

Thursday, August 10, 2017 6:00 p.m. Formal Meeting
Thursday, August 17, 2017 6:00 p.m. Study Session
Thursday, August 24, 2017 6:00 p.m. Formal Meeting
Thursday, August 31, 2017 Noon Study Session
Thursday, September 7, 2017 6:00 p.m. Formal Meeting
Thursday, September 14, 2017 6:00 p.m. Study Session
Thursday, September 21, 2017 6:00 p.m. Formal Meeting
Thursday, September 28, 2017 6:00 p.m. Study Session
Thursday, October 5, 2017 6:00 p.m. Formal Meeting
Thursday, October 12, 2017 6:00 p.m. Study Session
Thursday, October 19, 2017 6:00 p.m. Formal Meeting
Thursday, October 26, 2017 6:00 p.m. Study Session
Thursday, November 2, 2017 6:00 p.m. Formal Meeting
Thursday, November 9, 2017 6:00 p.m. Study Session
Thursday, November 16, 2017 6:00 p.m. Formal Meeting
Monday, November 20, 2017 Noon Study Session
Thursday, November 30, 2017 6:00 p.m. Formal Meeting
Thursday, December 7, 2017 6:00 p.m. Study Session
Thursday, December 14, 2017 6:00 p.m. Formal Meeting
Thursday, December 21, 2017 Noon Study Session
Thursday, December 28, 2017 Noon Formal Meeting

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

No: None

Resolution Passed.

16-319 **Request for approval of the amended City Council Rules and Procedures.** Moved by Councilperson Pietila and supported by Councilperson Williams.

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

No: None

Motion Carried.

16-320 **Resolution for the adoption of the amended City Council Rules and Procedures.** Moved by Councilperson Williams and supported by Councilperson Woodward.

Therefore, Be It Resolved, that the Pontiac City Council adopts the amended version of the 9th Pontiac City Council Rules and Procedures (Rules are attached).

The 9th Pontiac City Council Rules and Procedures

Effective January 1, 2017

All meetings of the city council will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended, and with these rules.

Meeting Times

The city council meetings will be held every Thursday of each month beginning at 6:00 p.m. at City Hall in the Council Chambers for formal meetings and/or The City Council Conference Room for Study

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Session meetings unless otherwise rescheduled by resolution of the council. The Ninth Council has decided to implement Study Sessions and Formal Meetings. These meeting will alternate week to week.

Formal Meeting

During the formal meetings the City Council proceed through the formal agenda and take action on agenda items.

Special meetings

A special meeting shall be called by the mayor or any two members of council. A 24 hours written notice to each member of the council served personally or left at the councilmember's usual place of residence is required. However, any special meeting at which all council members are present or have given written consent shall be a legal meeting for such purposes, without such written notice. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the council unless the item has been stated in the notice of such meeting.

Posting requirements for regular and special meetings

- a. Within 10 days after the first meeting of the council following the election, a public notice stating the dates, times and places of the regular monthly council meetings will be posted at the City Clerk's Office and on the City's web page.
- b. For a rescheduled regular or special meeting of the council, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting at the City Clerk's Office and on the City's web site. Special meeting notices shall also state the purpose of the meeting.
- c. The notice described above is not required for a meeting of the council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the council determine that delay would be detrimental to the city's efforts in responding to the threat.

Minutes of regular and special meetings

The clerk shall attend the council meetings and record all proceedings and resolutions of the council in accordance with the Open Meetings Act. In the absence of the clerk, the deputy clerk shall perform the clerk's duties.

At a minimum, the minutes shall indicate the date, place, type (regular or special), and time of meeting; the names of all elected city officials present at roll call; the name and time of arrival of any elected official not present at roll call; the name and time of departure of any elected official before adjournment; the maker and supporter of all motions and resolutions which are voted upon by the council; an indication of how each council member present voted on a motion or resolution; the call of the chair as to the passage or failure of the motion or resolution; and the time of adjournment. For public comment, only the number of individuals speaking need be included in the minutes. For a public hearing, the name of the person addressing the council and a short description of the nature of the comments.

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A copy of the minutes of each regular or special council meeting shall be available for public inspection at the City Clerk's Office during regular business hours.

Conduct of meetings

Meetings to be public

All regular and special meetings of the council shall be open to the public. Citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Agenda preparation

An agenda for each regular council meeting shall be prepared by the city clerk with the following order of business: The agenda will be as follows for the Formal Meetings.

Formal Meetings

1. Call to order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Authorization to Excuse Members from the Meeting
6. Amendments to and approve of the agenda
7. Approval of the Minutes
8. Deputy Mayor Report or Departmental Head Reports
9. Special Presentation (If any)
10. Public Hearings (If any)
11. Recognition of Elected Officials (If any)
12. Agenda Address (2 Minute Limit)
13. Agenda Items
14. Public Comment (5 Minute Limit)
15. Mayor, Clerk and Council Closing Comments (7 Minute Limit)
16. Adjournment

The Agenda will be as follows for **Study Session Meetings**

Study Session

1. Call to order
2. Roll Call
3. Authorization to Excuse Members from the Meeting
4. Public Comment
5. Review of all agenda items
6. Adjournment

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All items presented to the city council for action shall be placed on the first possible agenda by the city clerk. The deadline to submit an item to the clerk to place on the agenda shall be noon on the Tuesday before a Study Session Meeting. The clerk shall distribute the agenda by email no later than 5:00 p.m. on Tuesday. Complete agenda packets, excluding confidential information, shall be posted on the City's web site concurrent with distribution of the agenda packet to the council members. Any councilmember shall have the right to add items to the regular agenda before it is approved.

Agenda distribution

The clerk is responsible for the agenda distribution which is emailed to each councilmember forty-eight (48) hours or more prior to each council meeting. In addition, the clerk posts each agenda to the city website 48 hours prior to each meeting for public access. Agendas for special meetings shall be distributed with the notice of special meeting and posted on the City's website.

Quorum

A majority of the entire elected or appointed and sworn members of the council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice. The council may adopt an ordinance to prescribe penalties.

Attendance at council meetings

Council is empowered by Article III – Legislative Branch, Section 3.107 of the charter to adjourn a meeting if a quorum is not present and compel attendance in a manner prescribed by its ordinance. In the event that the member's absences continue for more than five consecutive regular meetings of the council, the council may declare the seat vacant in accordance with Section 3.119 of the charter.

Presiding officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The council president is ordinarily the presiding officer. If the Council President is absent, The Council President Pro Tem will preside over the meeting. In the absence of both the Council President and the Council President Pro Tem at the same meeting, the council shall decide who presides over the meeting via alphabetical rotating order of the last name of the councilmembers.

Disorderly conduct

The president may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

Closed meetings

Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which are the following:

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- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- d. To consult with the municipal attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the council.
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

Calling closed meetings

At a regular or special meeting, the councilmembers elected or appointed and serving, by a two-thirds roll call vote may call a closed session under the conditions outlined in the Open Meetings Act. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

Minutes of closed meetings

A separate set of minutes shall be taken by the clerk or the designated secretary of the council at the closed session. These minutes will be retained by the clerk, shall not be available to the public, and shall only be disclosed if required by civil action, as authorized by the Michigan Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

Discussion and voting

Rules of parliamentary procedure

The rules of parliamentary practice, as contained in the 10th edition of Robert's Rules of Order, shall govern the council in all cases to which they are applicable, provided they are not in conflict with these rules, city ordinances or applicable state statutes. The presiding officer may appoint a parliamentarian. The chair shall preserve order and decorum and may speak to points of order in preference to other councilmembers.

Conduct of discussion

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During the council discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

Ordinances and resolutions

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or by council rules.

Roll Call

In all roll call votes, the names of the members of the council shall be called in rotating alphabetical order.

Citizen participation

Each regular and special council meeting agenda shall provide reserved time for citizen participation. During citizen participation, each individual shall address the City Council in an orderly and dignified manner and shall not engage in conduct or language that disrupts, makes fun of, or otherwise impedes the orderly conduct of the Council Meeting. In addition, members of the audience shall not engage in disorderly or boisterous activity including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language, cheering, whistling, or any other acts that disturb, disrupt, or impede, or otherwise interfere with the orderly conduct of the City Council Meeting.

Agenda Address

The Council has included in its agenda a time for Agenda Address. Agenda Address will allow the audience to comment on agenda items on the agenda of the City Council Meeting. The individuals addressing the body will have 3 minutes to complete the Agenda Address. All individuals wishing to participate in the Agenda Address will have to fill out an Agenda Address Card which will be located in the City Clerk's Office. The Agenda Address Card shall require the person to identify themselves, a method of contact, and the subject matter of their comments, and such other information the Council President may require. The Agenda Address Card has to be completed and turned in to the Clerk's Office by Wednesday at 4:30 p.m. to be considered for the following council meeting. Individuals who have submitted an Agenda Address Card to speak must be present in the City Council Chambers when their name is called or they will lose their turn to speak.

Public Comment

The Council has included in its agenda a time for Public Comments. The Public Comment portion of the agenda will allow individuals to comment on non-agenda items. The individuals addressing the body will have 5 minutes to complete public comment. All individuals wishing to participate during public comment will have to complete the Public Comment Sign-In Sheet which will be located in the City Council Chambers on a clip board.

The Public Comment Sign In-Sheet shall require the person to identify themselves, a method of contact, and the subject matter of their comments, and such other information the Council President may require.

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The Public Comment Sign-In Sheet will be picked up before the call of order of the meeting. If your name is not on the Public Comment Sign-In Sheet once picked up you will not be allowed to speak during Public Comment. Individuals who have submitted their information on the sign in sheet to speak must be present in the City Council Chambers when their name is called or they will lose their turn to speak.

Miscellaneous

Suspension of rules

The rules of the council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that council actions shall conform to state statutes and to the Michigan and United States Constitutions.

Committees

Standing and special committees of council

The city shall have the following standing committees:

Finance/Human Resource Committee: Responsible for meeting with the Finance Director to review periodic financial reports; responsible for reviewing the proposed budget. This committee will meet once a month or as needed.

Public Safety Committee: Responsible for meeting with the Mayor and representatives of the City's police, fire, and emergency medical transport service providers. This committee will meet once a month or as needed.

Community Development Committee: Responsible for meeting with the Mayor and Community Development Director concerning the operations and functions of the Community Development Department. This committee will be meeting once a month or as needed.

Public Works/Parks and Recreation Committee: Responsible for meeting with the Mayor and Public Works Director concerning the operations and functions of the Public Works Department. This committee will meet once a month or as needed

Information Technology Subcommittee: Responsible for meeting with the Mayor and the IT Department concerning the operations and function of the IT Department. This committee will be meeting as needed.

Law and 50th District Court Subcommittee- Responsible for meeting with Judges or Court Reps concerning the operations and functions of the 50th Court. This committee will be meeting as needed.

Forensic Audit Subcommittee- This committee will meet as needed.

Real Estate Subcommittee-This committee will meet as needed.

Cable Subcommittee-This committee will meet as need.

Committee members will be appointed by the president. They shall be members of the council. The president shall fill any committee vacancies. The committee member shall serve for a term of one year and may be re-appointed. Committees shall be comprised of at least three council members and one

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alternate who may attend if a regular member is unable to attend. Committees can discuss policy with department heads. Committees cannot make final decisions, but may recommend actions to the Council. Committees may determine their own meeting schedule. Committee meetings at which department heads will be present shall be scheduled at a time mutually acceptable to both the committee and the department head.

Committees shall present both oral and written reports. The committee shall designate a member to prepare the written report for the committee. The written report shall indicate the date and time of the committee meeting, all persons present, and the subject matter of discussion with some detail. If a committee is making a recommendation to the Council as a body, then at least two of the three members of the committee must be noted as being in support of the recommendation.

Special committees may be established for a specific period of time by the president or by a resolution of the council which specifies the task of the special committee and the date of its dissolution. Special committees shall present reports in the same manner as standing committees.

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

No: None

Resolution Passed.

16-321 **Resolution for approval of the updated Oakland County Law Enforcement services agreement January 1, 2017 – December 31, 2018.** Moved by Councilperson Williams and supported by Councilperson Pietila.

Whereas, the City required by law to provide enforcement services for its residents and taxpayers; and, Whereas, the current agreement with the Oakland County Sheriff's Office expires on December 31, 2016; and,

Whereas, the County and City may enter into an agreement by which the Oakland County Sheriff's Office would provide law enforcement services for the City; and,

Whereas, the Oakland County Sheriff's Office agrees to provide law enforcement services for the City under the terms and conditions of the Agreement;

Now, Therefore, Be It Resolved, that the City Council, upon the recommendation of the Mayor and Finance Director accepts the Oakland County Sheriff's Office 2017-2018 Law Enforcement Services Agreement with the City of Pontiac and authorizes the Mayor to sign document as presented.

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

No: None

Resolution Passed.

16-322 **Resolution for approval of the updated Community Development Block Grant (CDBG) Fiscal Year 2017 proposed allocations.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

Whereas, the City Council has received the Community Development Department recommendations for projects for the CDBG FY 2017 and

Whereas, the Community Development Department has recommended \$300,000 be allocated to the sidewalk project and \$431,526 to the demolition and clearance program and

Whereas, the City Council held a public hearing on the proposed allocations for FY 2017 on December 1, 2016.

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Now, Therefore Be It Resolved, the Pontiac City Council approves the submission of the CDBG FY 2017 application with the proposed allocations to the Oakland County Community and Home Improvement Division.

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

No: None

Resolution Passed.

16-323 **Request for Council to schedule a public hearing regarding the amendment of the TIFA boundaries on January 5, 2017 at 6:00 p.m.** Moved by Councilperson Holland and supported by Councilperson Woodward.

Therefore, Be It Resolved, that the Pontiac City Council shall hold a public hearing during its regular scheduled City Council meeting at 6:00 p.m. on Thursday, January 5, 2017 in Pontiac City Hall Council Chambers, 47450 Woodward Ave., for the purpose of receiving public comment on the proposal to remove from the boundaries of the Tax Increment Finance Authority parcels 14-29-428-002, 14-29-284-007 and 14-29-284-008.

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

No: None

Resolution Passed.

Councilman Don Woodward left meeting at 7:00 p.m.

There were 6 individuals who addressed the body during public comment.

Honorable Mayor Deirdre Waterman Reported

Pro-tem Mary Pietila left meeting at 7:25 p.m.

Deputy Clerk Sheila R. Grandison, Councilman Randy Carter, Councilwoman Taylor-Burks, Councilman Mark Holland, Councilman Kermit Williams and President Patrice Waterman made closing comments. City Attorney J. Travis Mihelick had no closing comments.

President Patrice Waterman adjourned the meeting at 8:02 p.m.

SHEILA R. GRANDISON
DEPUTY CITY CLERK