

# PONTIAC CITY COUNCIL

**Mike McGuinness, District 7**  
**President**  
**William A. Carrington, District 6**  
**President Pro Tem**



**Melanie Rutherford, District 1**  
**Brett Nicholson, District 2**  
**Mikal Goodman, District 3**  
**Kathalee James, District 4**  
**William Parker, Jr., District 5**

*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."*

47450 Woodward Pontiac, MI 48342

Phone: (248) 758-3200

Garland S. Doyle, M.P.A., City Clerk

**60<sup>th</sup> Session of the 11<sup>th</sup> Council**  
**November 22, 2022 at 6:00 P.M.**

**Meeting Location: City Council Chambers 47450 Woodward Pontiac, MI 48342**

**Meeting Agenda**

**Call to Order**

**Invocation**

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Authorization to Excuse Councilmembers from the Meeting**

**Amendments to and Approval of the Agenda**

**Approval of the Consent Agenda**

- A. November 10, 2022 Finance & Personnel Subcommittee Meeting Minutes
- B. November 15, 2022 City Council Meeting Minutes

**Special Presentation**

1. State Senator Jeremy Moss Elected to Represent Pontiac for the Next Four Years in New District Lines, Will be Speaker Pro Tempore of the Michigan State Senate in the Upcoming Legislative Session  
Presenter: State Senator Jeremy Moss

**Recognition of Elected Officials**

**Agenda Address (Two Minutes Time Limit)**

**Agenda Items**

**Resolutions**

**Finance**

2. Resolution to Authorize the City Clerk to publish the proposed Budget Amendment for Budget Year 2022-2023, Increase the budget appropriation in the General Fund GL account 101-201-818.000 – Other Professional Service in the amount of \$80,000.

**Planning**

3. Resolution to Approve an Agreement between the City and Carlisle/Wortman Associates, Inc. for Plan Review Services on a temporary basis for three months

**Purchasing**

4. Resolution to Approve the Senior Center Improvements Contract Award with PDSI Contractors and authorize the Mayor to execute the agreement.

**Public Comment (Three Minutes Time Limit)****Discussion**

5. Body-Worn Cameras for Oakland County Sheriff Deputies Working in Pontiac Implemented
6. Progress in Tackling Abandoned Vehicles on Pontiac Neighborhood Streets

**Communications****City Council**

7. On trash collection days, Pontiac residents can now place up to twenty (20) lawn refuse bags at the curb for collection to accommodate for leaf removal
8. Now Through January 4, 2023, Mittens for Detroit is collecting new mittens and glove donations for children, including a pickup site at the Pontiac Community Foundation, 79 Oakland Avenue, Pontiac 48342
9. "Let Us Help" Tutoring, Essay Writing, Computer Skills, Financial Literacy, Resume Writing and Interview Preparation, Mondays, Tuesdays and Thursdays from 6:00 to 8:00 pm, held at Pontiac Seventh Day Adventist Church, 182 S. Sanford Street, Pontiac 48342
10. Grave Blankets at Oak Hill Cemetery and Ottawa Park Cemetery are still available for ordering, contact (248) 623-7705 for more information; grave blankets are able to be laid out starting November 15, 2022 per cemetery rules and regulations
11. The Art Experience Glimpse & Glimmer Annual Gala, November 17, 2022, held at the Flagstar Strand Theatre, 12 N. Saginaw Street, Pontiac 48342
12. Fee Coat Giveaway by Councilwoman Melanie Rutherford, November 20, 2022 from 10:00 am to 1:00 pm, held at Pontiac City Hall Parking Lot, Contact City Councilwoman Melanie Rutherford to pre-register or with questions at (248) 758-3017
13. South Boulevard Tree Lighting by District 1, November 26, 2022
14. Southside Carolers First Rehearsal with Councilwoman Melanie Rutherford, November 26, 2022 at 3:00 pm, held at New Springfield Missionary Baptist Church, 124 Prospect Street, Pontiac, Contact City Councilwoman Melanie Rutherford to pre-register or with questions at (248) 758-3017
15. Pontiac Impact Challenge by Thrivent and the Pontiac Community Foundation, from November 29, 2022 through December 4, 2022
16. Annual Holiday Tree Lighting Ceremony, December 2, 2022 outside of the District Courthouse, Downtown Pontiac
17. Annual Holiday Extravaganza Parade, December 3, 2022 along Cesar Chavez Avenue, Oakland Avenue, and Saginaw Street in Downtown Pontiac
18. Ottawa Park Cemetery Tree Lighting Event, December 8, 2022 at 6:30 pm, held at the Ottawa Park Chapel, 6180 Dixie Highway, Clarkston 48346, prayers will be offered and the names of those laid to rest will be read, with refreshments to follow

19. Matthew Morrow Performs Live at Pontiac's Little Arts Theatre, December 9, 2022, 7:00 pm; the PLAT is at 47 N. Saginaw Street, Pontiac 48342
20. Oakland History Center Holiday Open House, December 10 and 11, 2022 from 12:00 to 4:00 pm each day, held at the Oakland History Center, 405 Cesar E. Chavez Avenue, Pontiac 48342 free to open to all attendees
21. Pontiac Eastside (District Seven) Monthly Meeting with Holiday Potluck, December 12, 2022 from 7:00 to 9:00 pm, held at Prospect Missionary Baptist Church, 351 Prospect Street, Pontiac 48341
22. CARE House of Oakland County Seeds of Hope Tour, December 13, 2022 from 12:00 to 1:00 pm, located at 44765 Woodward Avenue, Pontiac 48341
23. Pre-New Year's Night of Jazz with the Phillips / Stewart Quintet, December 30, 2022 from 7:00 to 9:00 pm, held at Pontiac's Little Art Theatre, 47 N. Saginaw Street, Pontiac 48342, tickets \$26.50, available at [bit.ly / psqpontiac](https://bit.ly/psqpontiac)
24. Pontiac Regional Chamber of Commerce Fruitful Toast, January 6, 2023
25. Pontiac Regional Chamber of Commerce "Prosperity Pontiac" Annual Event, March 29, 2023
26. Pontiac Community Foundation 5-Year Anniversary Celebration, May 19, 2023

**Closing Comments**

Mayor Greimel (Seven Minutes Time Limit)

Clerk and City Council (Three Minutes Time Limit)

**Adjournment**

# CONSENT AGENDA

A

**PONTIAC CITY COUNCIL FINANCE & PERSONNEL  
SUBCOMMITTEE NOVEMBER 10, 2022 MEETING MINUTES**

Meeting held at Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan  
in the City Council Conference Room.

**In Attendance:**

Council members: Chair Brett Nicholson, William Parker Jr. and Kathalee James

Mayor: Tim Greimel

Deputy Mayor: Khalfani Stephens

GERS: Executive Director Deborah Munson, Patrice Waterman, Billie Swazer and Sheldon Albritton

Finance: Sekar Bawa

Actuary for GERS: Louise Gates

Attorney Cynthia Billings-Dunn

Legislative Counsel: Monique Sharpe

**The meeting started at 2:00 p.m.**

**AGENDA ITEMS**

**Finance**

1. GERS Presentation
2. Financial Reporting Discussion
3. June & July 2022 financial YTD financial review
4. Finance Department support update
5. Annual financial audit update
6. MISC Finance updates

**Human Resources Update**

1. Positions Open/new hires
2. ADP implementation/progress
3. Open enrollment updates
4. MISC Human Resource Updates

**Public Comment:** There were no requests for public comment at the meeting.

**Adjournment:** The meeting ended at 3:52 p.m.

# **CONSENT AGENDA**

## **B**

November 15, 2022 Draft

**Official Proceedings  
Pontiac City Council  
59<sup>th</sup> Session of the Eleventh Council**

**Call to order**

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, November 15, 2022 at 6:00 p.m. by Council President Mike McGuinness.

**Invocation** – Councilman William Parker, Pontiac Michigan

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Members Present** – William Carrington, Kathalee James, Mike McGuinness, Bret Nicholson, William Parker, Jr. and Melanie Rutherford

Mayor Greimel was present  
A quorum was announced.

**Excuse Councilmembers**

**Motion to excuse Councilman Mikal Goodman for personal reasons.** Moved by Councilperson Carrington and second by Councilperson Rutherford.

Ayes: Carrington, James, McGuinness, Nicholson, Parker and Rutherford

No: None

**Motion Carried**

**Amendments to and Approval of the Agenda**

**Motion to approve the agenda.** Moved by Councilperson Parker and second by Councilperson Nicholson. Discussion.

**Motion to add Discussions on Leaf Collection Process and Parks & Recreation Director to the agenda.** Moved by Councilperson James and second by Councilperson Rutherford.

Ayes: James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

**Motion Carried**

**Motion to remove item # 9 (Resolution to approve the appointment of Allen Cooley III, as the Director of the Department of Public Works) from the agenda.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Ayes: McGuinness, Nicholson, Parker, Rutherford, Carrington and James

No: None

**Motion Carried**

**The vote was taken to approve agenda as amended**

Ayes: James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

**Motion Carried**

**Consent Agenda**

22-308 **Resolution to approve the consent agenda for November 15, 2022.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, the City Council has reviewed the consent agenda for November 15, 2022.

Now, Therefore, Be It Resolved that the City Council approves the consent agenda for November 15, 2022 including the November 7, 2022 Economic Development, Housing & Planning Subcommittee Meeting Minutes and November 10, 2022 City Council Meeting Minutes.

Ayes: Nicholson, Parker, Rutherford, Carrington, James and Goodman

No: None

**Resolution Passed**

**Special Presentation**

Code Enforcement and Rental Inspections Expanded Capacity Progress Update

Presenter: Jack McIntyre – Code Enforcement Rental Inspections Division Manager

City of Pontiac Staff Appreciation Initiatives

Presenters: Employee Rewards and Recognition Committee

**Recognition of Elected Officials – H. Bill Maxey, Trustee of the Pontiac Library Board**

**Agenda Address**

1. Darlene Clark addressed item #1
2. Gloria Miller addressed item #8
3. Chuck Johnson addressed item #1

**Agenda Items**

**Resolutions**

Finance

22-309 **Resolution to Approve Budget Amendment for Budget Year 2022-2023, Increase the budget appropriation in the General Fund GL account 101-699-956.445-NEXT50 – Contribution to Capital Improvement Increase the revenue estimate in the General Fund GL account 101-000-675.000-NEXT50 – Contribution from Private Source.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, in November of 2021, the City council approved the acceptance of grant from NEXT50 Initiative, a Colorado nonprofit corporation for “The City of Pontiac’s Older Adult Enrichment” program in the amount of \$90,000. The grant amount was received in the Fiscal Year 2021-22.; and,

WHEREAS, the grant amount was received in the Fiscal Year 2021-22 and the amount was kept in the General Fund Current Liability GL account number 101-000-288.000-Next50 – Unearned Revenue account for future use; and,

WHEREAS, The Administration is proposing to spend \$90,000 for the Senior Center Improvements in Ruth and Bowen Center in current budget year; and,

WHEREAS, in order to ensure that the budgeted appropriations in compliance with the City’s Charter, the Budget Ordinance and the State Law, the Administration is proposing a budget amendment for the 101-General Fund; and,



WHEREAS, the administration is increasing the appropriation in the amount of \$90,000 in the General Fund GL account number 101-699-956.445-Next50 – Contribution to Capital Improvement and increase the Estimated Revenue in the General Fund GL account number 101-000-675.000-NEXT50 – Contribution from Private Source account; and,

WHEREAS, this budget amendment will not affect the Fund balance in the General Fund.

NOW THEREFORE, BE RESOLVED, that the City Council hereby approves budget amendments for Fiscal Year 2022-23: Increase the budget appropriation in the General Fund GL account 101-699-956.445-NEXT50 – Contribution to Capital Improvement; Increase the revenue estimate in the General Fund GL account 101-000-675.000-NEXT50 – Contribution from Private Source.

Ayes: Parker, Rutherford, Carrington, James, McGuinness and Nicholson

No: None

**Resolution Passed**

**22-310 Resolution to Approve Budget Amendment for Budget Year 2022-2023, Increase the budget appropriation in the General Fund GL account 101-699-818.017-KABOOM – Professional Services – Kaboom Grant Expenditure Retiree account in the amount of \$48,875. Moved by Councilperson Carrington and second by Councilperson Nicholson.**

WHEREAS, On July 2, 2019, the City council approved the acceptance of KABOOM! Play Everywhere Challenge Grant in the amount of \$56,500 and the amount was received in the Budget Year 2019-20 and recorded as revenue in the same year: and,

WHEREAS, out of \$56,500, an amount of \$7,625.00 was spent towards the construction of Upper Stage and Canopy at Hidden River Plaza.in the Budget Year 2021-22; and,

WHEREAS, the Administration is proposing to spend the remaining balance amount of \$48,875 in compliance with the grant agreement in the current budget year; and,

WHEREAS, in order to ensure that the budgeted appropriations in compliance with the City’s Charter, the Budget Ordinance and the State Law, the Administration is proposing a budget amendment for the 101-General Fund; and,

WHEREAS, the administration is increasing the appropriation in the amount of \$48,875 in the General Fund GL account 101-699-817.017-KABOOM and this increase in appropriation will decrease the Fund Balance in the General Fund by the same amount.

NOW THEREFORE, BE RESOLVED, that the City Council approves a budget amendment for Fiscal Year 2022-23: Increase the budget appropriation in the General Fund GL account 101-699-818.017-KABOOM – Professional Services – Kaboom Grant Expenditure Retiree account in the amount of \$48,875.

Ayes: Carrington, James, McGuinness, Nicholson and Parker

No: None

**Resolution Passed**

Councilwoman Rutherford was absent during the vote

**22-311 Resolution to Approve Budget Amendment for Budget Year 2022-2023, Increase the budget appropriation in the General Fund GL account 101-699-808.000-MMHPRK – Parks and Neighborhood Project account Increase the revenue estimate in the General Fund GL account 101-000-582.000-MMHPRK – Grants from Oakland County. Moved by Councilperson Nicholson and second by Councilperson Carrington.**

WHEREAS, in May of 2022, the City council approved the acceptance of grant award from the Oakland County Parks for the “Mattie McKinney Hatchett Park Redevelopment Program” in the amount of \$100,000. The grant amount was received in the Fiscal Year 2021-22: and,

WHEREAS, the Oakland County agreed to reimburse the City for the amount spent in compliance with the project; and,

WHEREAS, the City did not spend any money on this project in the Fiscal year 2021-22; and,

WHEREAS, the Administration is proposing to spend \$100,000 for the Mattie McKinney Hatchett Park Redevelopment Program in the current budget year; and,

WHEREAS, in order to ensure that the budgeted appropriations in compliance with the City's Charter, the Budget Ordinance and the State Law, the Administration is proposing a budget amendment for the 101-General Fund; and,

WHEREAS, the administration is increasing the appropriation in the amount of \$100,000 in the General Fund GL account number 101-699-808.000-MMHPRK – Parks and Neighborhood Project account and increase the Estimated Revenue in the General Fund GL account number 101-000-582.000-MMHPRK – Grants from Oakland County account; and,

WHEREAS, this budget amendment will not affect the Fund balance in the General Fund.

NOW THEREFORE, BE RESOLVED, that the City Council approves budget amendments for Fiscal Year 2022-23: Increase the budget appropriation in the General Fund GL account 101-699-808.000-MMHPRK – Parks and Neighborhood Project account; Increase the revenue estimate in the General Fund GL account 101-000-582.000-MMHPRK – Grants from Oakland County.

Ayes: Carrington, James, McGuinness, Nicholson and Parker

No: None

**Resolution Passed**

Councilwoman Rutherford was absent during the vote

**22-312 Resolution to Approve the City of Pontiac's submission of the grant application title "Pontiac Storm Water Project" to the Michigan Department of Environment Great Lakes, and Energy Water Resources Division State High Water Infrastructure Grant Program in the amount of \$1,500,000. Moved by Councilperson Nicholson and second by Councilperson James.**

WHEREAS, the City of Pontiac desires to submit an application titled "Pontiac Stormwater Project" to the Michigan Department of Environment, Great Lakes, and Energy Water Resources Division State High Water Infrastructure Grant Program in the amount of \$1,500,000; and,

WHEREAS, the grant program requires that the City of Pontiac certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns.

WHEREAS, the grant program requires a minimum of 20 percent matching funds.

THEREFORE, BE IT RESOLVED that the Pontiac City Council hereby approves participation in the State High Water Infrastructure Grant Program and authorizes the submission of an application titled "Pontiac Stormwater Project" in the amount of \$1,500,000.

BE IT FURTHER RESOLVED that the City of Pontiac shall make a local match of \$375,000.

Ayes: James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

**Resolution Passed**

**22-313 Resolution to Approve the City of Pontiac's submission of the grant application title "Galloway Lake Park Redevelopment" to the Michigan Department of Natural Resources Spark Grant in the amount of \$1,000,000. Moved by Councilperson Parker and second by Councilperson Rutherford.**

WHEREAS, the City of Pontiac supports the submission of an application titled, "Galloway Lake Park Redevelopment" to the Michigan DNR Spark grant program; and,

WHEREAS, there is no matching requirement; and,  
WHEREAS, the proposed application is supported by the City of Pontiac's Parks and Recreation Master Plan;  
WHEREAS, the Grant Program requires that the City of Pontiac certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns.  
NOW THEREFORE, BE IT RESOLVED that the City of Pontiac hereby authorizes submission of a Michigan Department of Natural Resources Spark Grant Application in the amount of \$1,000,000.

Ayes: James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

**Resolution Passed**

22-304            **Resolution to approve the City of Pontiac State and Local Fiscal Recovery Fund American Rescue Plan Act Project Budget.** Moved by Councilperson Goodman and second by Councilperson Parker. **(This item was deferred from the November 10, 2022 meeting.)**

WHEREAS, the City of Pontiac was awarded The City of Pontiac was allocated \$37.7 million from the State and Local Fiscal Recovery Fund (SLFRF) under the American Rescue Plan Act (ARPA), and;  
WHEREAS, the funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19, and;  
WHEREAS, over the last ten months, the City's Executive Administration worked to build a programming budget for the use of its \$37,700,000 in SLFRF funding that reflects the needs of the community, and;  
WHEREAS, the administration has provided substantial evidence, supporting documentation, context, reference and evaluation of proposed use of the City of Pontiac's American Rescue Plan Act SLFRF award, and;  
WHEREAS, the City Council and administration recognize that formal and detailed program and project plans will accompany budget amendment requests at a future date.  
WHEREAS, the City Council and administration further recognize that no funds can be expended until they are formally appropriated via budget amendment which must be approved by the City Council.  
NOW THEREFORE, be resolved that the City Council hereby approves the City of Pontiac State and Local Fiscal Recovery Fund – American Rescue Plan Act Project Budget

Ayes: McGuinness, Nicholson, Parker, Rutherford, Carrington and James

No: None

**Resolution Passed**

**Public Comment**

1. Billie Swazer
2. Tameka Ramsey
3. Quincy Stewart
4. H. Bill Maxey
5. Melissa Moussa Spearing and Kelle Porter
6. Darlene Clark
7. Gloria Miller
8. Chuck Johnson

**Discussions**

Leaf Collection Process

November 15, 2022 Draft

Parks & Recreation Director Position

**Communications**

City Council and Mayor's Office

**Mayor, Clerk and Council Closing Comments**

Mayor Greimel, Clerk Doyle, Councilman Parker, Councilwoman James, Councilwoman Rutherford, Councilman Nicholson, Council President Pro-Tem Carrington and Council President Mike McGuinness made closing comments.

**Adjournment**

**Motion to adjourn the meeting.** Moved by Councilperson Parker and second by Councilperson Rutherford.

Ayes: Nicholson, Parker, Rutherford, Carrington, James and McGuinness

No: None

**Motion Carried**

Council President Mike McGuinness adjourned the meeting at 8:32 p.m.

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Garland S. Doyle  
City Clerk

**#2**

# **RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

Finance

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**TO:** Honorable City Council President and City Council

**FROM:** Sekar Bawa, Senior Accountant

**CC:** Mayor Tim Greimel and Deputy Mayor Khalfani Stephens

**DATE:** November 17, 2022

**RE:** **Council Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023,**

**Increase the budget appropriation in the General Fund GL account 101-201-818.000 – Other Professional Service in the amount of \$80,000**

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City council appropriated \$120,000 to pay for the Forensic audit service and to hire a Consulting firm as needed to assist the Finance staff to prepare the work papers and schedules for the year end audits as well as to assist Finance staff on special projects.

One Senior Accountant position and Grant Accountant are not filled yet due to difficulty in finding qualified candidates in the current tough job market. Finance Director position is also vacant since the middle of July 2022 for the same reason. Finance staff are utilizing Consulting firm more than anticipated to prepare the audit schedules and work papers. Hence, the current appropriation of \$120,000 ran out after paying the Forensic auditors (\$47,900) and the Consulting firm CVHTCPAS through October of 2022.

We are requesting an amendment to increase the appropriation in the amount of \$80,000 that will take us to the end of the fiscal year. Budgeted Appropriation may be amended in the Fund 101 – General Fund as given below:

### **Budget Year 2022-23**

GL Account	Original Budget	Requested Increase	Amended Budget
<b>Appropriation</b>			
101-201-818.000 - Other Professional Services	\$ 120,000	\$ 80,000	\$ 200,000

It is hereby requested that the City Council approve this proposed budget amendment.

*This item cannot be approved until after the resolution to authorize the city clerk to publish the notice of the budget amendment has been approved and one week after the publication of the notice.*



**Council Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023,**

**Increase the budget appropriation in the General Fund GL account 101-201-818.000 – Other Professional Service in the amount of \$80,000**

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WHEREAS City council appropriated \$120,000 to pay for the Forensic audit service and to hire a Consulting firm as needed to assist the Finance staff to prepare the work papers and schedules for the year end audits as well as to assist Finance staff on special projects; and,

WHEREAS, the current appropriation in the amount of \$120,000 in the 101 – General Fund GL account 101-201-818.000 is not sufficient to cover the expenditure for the entire Budget Year; and,

WHEREAS, this requested increase in appropriation reduce the fund balance in the amount of \$80,000; and,

WHEREAS, in order to ensure that the budgeted appropriations in compliance with the City’s Charter, the Budget Ordinance and the State Law, the Administration is proposing a budget amendment for the 101-General Fund; and,

WHEREAS, the administration is increasing the appropriation in the amount of \$80,000 in the 101-General Fund GL account 101-201-818.000.

**NOW THEREFORE, BE RESOLVED**, that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

<b>Budget Year 2022-23</b>			
<b>GL Account</b>	<b>Original Budget</b>	<b>Requested Increase</b>	<b>Amended Budget</b>
<b>Appropriation</b>			
101-201-818.000 - Other Professional Services	\$ 120,000	\$ 80,000	\$ 200,000



**#3**

# **RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Community Development*

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**TO:** Honorable Mayor, Council President and City Council Members

**FROM:** Rachel Loughrin, Community Development Director  
Mark Yandrick, Planning Manager

**DATE:** November 22, 2022

**RE:** **Resolution to Approve Carlisle Wortman and Associates as a consultant for Plan Review on a temporary basis for three (3) months.**

The Planning Division of the Community Development Department beginning on Tuesday, November 22, will not have any employees with City of Pontiac plan review experience. While newly hired Planning Manager Mark Yandrick is looking to fill open positions within the Planning Department, staff recommends utilizing plan review resources from a consultant, Carlisle Wortman Associates Inc., for approximately three (3) months, until Planning Staff can be hired and properly trained to process Planning and Zoning reviews in a timely, effective and efficient manner.

**WHEREAS,** The Department of Community Development needs to hire and train a Planning Division to properly administer plan review for Planning and Zoning functions and,

**WHEREAS,** the consultant, Carlisle Wortman Associates, Inc. will provide consultant work for plan review for a temporary basis while Planning Staff are hired and trained and,

**NOW, THEREFORE, BE IT RESOLVED,** the Pontiac City Council authorizes the Mayor to enter into an agreement with Carlisle Wortman Associates, Inc. for consulting services for approximately three (3) months, until the Planning Division is hired and properly trained in Plan Review and related processes.

Attachments.  
Resolution Staff Review Form  
Proposed Contract



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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## AGREEMENT FOR CONSULTING SERVICES

**THIS AGREEMENT** ("Agreement"), entered into this \_\_\_\_\_ day of **November 2022** ("Effective Date"), by the **City of Pontiac**, a Michigan municipal corporation, whose address is 47450 Woodward Ave., Pontiac, Michigan (hereinafter referred to as the "Client") and Carlisle/Wortman Associates, Inc. (hereinafter referred to as the "Consultant."). In this Agreement, either the Client or Contractor may also be referred to individually as a "Party" or jointly as the "Parties".

**WHEREAS**, The Client desires to engage the Consultant to provide assistance in connection with the City's planning and zoning administration services.

**NOW, THEREFORE**, In consideration of the foregoing, and of the mutual agreement hereinafter set forth, the Parties hereto legally intending to be bound hereby do agree for themselves and their respective successors and assigns as follows:

### SECTION 1.0

### PLANNING SERVICES

The Consultant for his part agrees to provide interim support services in accordance with a Scope of Work as requested by the Client. The Scope of Work will include, but may not be limited to following:

- 1.1 Development Review – Consultant shall review and provide a written report of site plans, rezoning requests, special land use, planned unit development and variance requests.
- 1.2 Planning Studies and Analysis – Consultant shall provide studies analyses and opinion on matters requested by Client.

### SECTION 2.0

### COLLECTION OF DATA

It is understood that the Consultant will have the cooperation of the Client in the collection of basic data and other information for the above work. This shall include the transmittal of base maps in AutoCad files, if available.

### SECTION 3.0

### PAYMENT FOR SERVICES

- 3.1 **For interim planning support services**, the Consultant shall be paid in accordance at an hourly rate based on Attachment I.
- 3.2 **Terms of Payment** - No more than once a month, the Consultant shall submit an invoice to the Client, which shall itemize all amounts due and/or owing by the City under this Agreement based on work performed in the previous month. Invoices shall be paid within thirty (30) days after receipt by the Client.

### SECTION 4.0 REPRESENTATION

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Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Senior Associate* Paul Montagno, *Senior Associate*, Megan Masson-Minock, *Senior Associate*

It is understood and agreed that **Richard K. Carlisle** will represent the Consultant in all matters pertaining to this Agreement. From time to time, the Consultant may use additional personnel within the firm or sub-consultants to assist in the execution of matters pertaining to this Agreement.

Consultant will employ and assign qualified employees as necessary and appropriate to provide the services under this Agreement. Consultant will ensure all Consultant's personnel or sub-consultants have all the necessary knowledge, skill, and qualifications necessary to perform the required services and possess any necessary licenses, permits, certificates, and governmental authorizations as may required by law.

Consultant assures that all services performed hereunder will be performed in a manner that complies with all applicable laws, statutes, regulations, ordinances, and professional standards.

The Consultant will obtain and maintain at all times during the term of this Agreement all applicable business and professional licenses necessary to provide the contracted services.

The Consultant will pay, its own local, state and federal taxes, including without limitation, social security taxes, and unemployment compensation taxes. The Client shall not be liable to or required to reimburse the Consultant for any federal, state and local taxes or fees of any kind.

Except as otherwise expressly provided in this Agreement, the Consultant shall be solely responsible and liable for all costs and expenses incident to the performance of all services for the Client including, but not limited to, any professional dues, association fees, license fees, fines, taxes, and penalties.

Nothing in this Agreement is intended to establish an employer-employee relationship between the Client and the Consultant or Consultant's personnel or subconsultants. All Consultant's personnel assigned to provide services under this Agreement shall, in all cases, be deemed employees of the Consultant and not employees of the Client.

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**SECTION 5.0** **OWNERSHIP OF MATERIALS**

All documents or other materials prepared by the Consultant under this Agreement shall be considered the property of the Client.

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**SECTION 6.0** **LIMITATION OF LIABILITY AND INSURANCE**

The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold the Client harmless from damages and losses arising from the negligent acts, errors or omissions of the Consultant in the performance of professional services under this Agreement, to the extent that the Consultant is responsible for such damages and losses on a comparative basis of fault and responsibility between the Consultant and the Client. The Consultant is not obligated to indemnify the Client for the Client's own negligence.

Insurance. At all times during this Agreement, Consultant shall obtain and maintain the following insurance according to the specifications indicated:

- Professional Liability or Errors and Omissions with minimum limits of \$1,000,000.00 per claim and \$2,000,000.00 aggregate.
- Workers' Compensation
  - Statutory Coverage as required by law
  - Employer's Liability: \$500,000.00 / \$500,000.00 / \$500,000.00
- Automobile Liability with minimum limits of \$1,000,000.00 per occurrence Combined Single Limit Liability, including hired and leased vehicles, and owned and non-owned.

Any and all deductibles in the above-described insurance policies shall be assumed by and be or the amount of, and at sole risk of, the Consultant.

All Certificates are to provided 30-day notice of material change or cancellation. Certificates of Insurance and insurance binders must be provided to the City at the time of the commencement of the services.

**SECTION 7.0** **TERMS OF AGREEMENT**

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The term of this Agreement shall be for a period of one (1) year from the Effective Date, and unless terminated or canceled as provided below shall terminate on the 1-year anniversary date shown on the first page of this Agreement, without any further act or notice of either Party being required. Extension of this Agreement shall not occur unless approved by an amendment signed an approved by both Parties.

This Agreement may be terminated by either the Client or Consultant individually or jointly upon thirty (30) days written notice. Compensation during the notice period would be paid by the Client to the Consultant if services are faithfully rendered to the Client. Under no circumstances shall the City be liable for any future loss of income, profits, any consequential damages or any loss of business opportunities, revenues, or any other economic benefit Consultant may have realized but for the termination and/or cancellation of this Agreement.

Any modifications, amendments, recessions, waivers, or releases to this Agreement must be in writing and agreed to by both Parties.

This Agreement shall be governed, interpreted and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any claim arising under or related to this Agreement shall be brought in the Sixth Judicial Circuit Court of the State of Michigan, or the 50th District Court of the State of Michigan

**IN WITNESS WHEREOF**, The Consultant and the Client execute this Agreement as of the date first set forth in this Agreement.

**WITNESS**

**CLIENT**

\_\_\_\_\_

\_\_\_\_\_  
Title:

\_\_\_\_\_

\_\_\_\_\_  
Title

**CONSULTANT**

\_\_\_\_\_

\_\_\_\_\_  
Richard K. Carlisle, FAICP  
President  
Carlisle/Wortman Associates, Inc.

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Douglas Lewan, AICP  
Executive Vice-President  
Carlisle/Wortman Associates, Inc.



# Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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## Attachment 1

### RATE SCHEDULE

<u>Personnel</u>	<u>Hourly Rate</u>
Principal	\$140
Senior Associate	\$130
Associate	\$120
Community Planner/Landscape Architect	\$110
Graphics (GIS) Technician	\$95
Support Staff	\$80
<u>Expenses</u>	<u>Rates</u>
AutoCAD	\$30/hr.
Mileage	.58/mil
Supplies, Prints, Mailing	Cost + 20%

**#4**

# **RESOLUTION**





# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

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**TO:** Honorable Mayor, Council President, and City Council Members

**FROM:** Alicia Martin, Purchasing Manager

**DATE:** November 2, 2022

**RE: Senior Center Improvements Contract Award**

The Robert Bowens and Ruth Peterson Senior Centers are dire need of repairs. The City of Pontiac and Architectural firm Hubbell, Roth & Clark, Inc. conducted a second competitive bid process for improvements to the Senior Centers. Purchasing facilitated the bid process again to cure the bid protest for proposed costs due to changes in the design of the Senior Center Improvements. The second RFP was posted on 10/5/2022 to BidNet and the City of Pontiac's Purchasing web page; the closing date for the solicitation process was 10/28/2022 at 2 pm EST. A total of 37 organizations requested the RFP documents; 31 firms out of the 37 are either headquartered or have a location in Michigan. A total of three firms submitted a sealed bid in response to the solicitation. Please refer to the attached Exhibit A for the results. Based on CDBG requirements, the bid award must go to the lowest bidder. The lowest bidder is PDSI Contractors, with a total bid of **\$634,366**, which includes the bid alternate.

WHEREAS, The Purchasing Division has conducted the competitive bid process for Senior Center Improvements in accordance with the City's municipal code, Division II. Purchasing, Section 2-516;

WHEREAS, the interim director of DPW, the architect for Hubbell, Roth & Clark, Inc. and the purchasing manager recommends the lowest bidder to complete the scope of services in accordance with CDBG guidelines;

WHEREAS, The Department of Public Works will proceed with contract signing and kick-off meeting to begin the scope of services.

NOW, THEREFORE,  
BE IT RESOLVED The Pontiac City Council authorizes the approval of the bid award to PDSI Contractors in the amount of \$634,366 and for the mayor to execute the agreement for the completion of the Senior Center Improvements project.

AM

Exhibit A

Type text here

City of Pontiac  
Senior Center Improvement Bid Tabulation  
10/31/2022

Robert Bowens		Engineering Estimate	PDSI Contractors Total Cost	Allied Building Service Total Cost	DMC Group Total Cost
1	Demolition	\$ 6,000	\$ 6,875	\$ 17,000	\$ 19,895
2	Asbestos Abatement	5,500	5,000	7,000	60,400
3	Concrete Work (incl. removal and replacement)	20,000	33,200	40,000	22,655
4	Masonry	8,000	7,440	25,500	5,750
5	Cold Formed Metal Framing & Structural Steel	14,500	9,500	10,000	8,855
6	Drywall, Insulation and Ceilings	8,000	10,494	15,000	10,695
7	Storefront Doors/Sidelights, Frames and Hardware	30,000	17,938	59,000	70,000
8	Steel Doors, Frames and Hardware	27,000	27,500	25,000	20,100
9	Resilient Flooring, Wall Base, and Floor & Wall Tile	18,000	19,000	20,000	22,885
10	Electrical and Lighting	20,000	17,988	38,000	7,500
11	Plumbing	25,000	37,000	37,000	61,000
12	Mechanical	9,500	14,995	4,000	4,500
13	Security Systems	6,000	8,868	2,000	3,500
14	Toilet Partitions and Accessories	9,000	7,930	10,000	13,200
15	Paint and Miscellaneous	6,000	4,689	20,000	8,500
16	General Conditions, OH+P	63,750	72,340	55,579	80,000
17	Contingency (Mandatory)	25,000	25,000	\$ 25,000	25,000
<b>Sub-total Amount of Bid</b>		<b>\$ 301,250</b>	<b>\$ 325,757</b>	<b>\$ 410,079</b>	<b>\$ 444,435</b>

Ruth Peterson		Engineer's Estimate	PDSI Contractors Total Cost	Allied Building Service Total Cost	DMC Group Total Cost
1	Demolition	6000	\$ 7,700	\$ 17,000	\$ 22,000
2	Asbestos Abatement	5000	5,000	7,000	40,900
3	Concrete Work (incl. removal and replacement)	9000	6,800	15,000	13,800
4	Masonry	6500	7,440	3,000	5,750
5	Cold Formed Metal Framing & Structural Steel	5000	11,426	10,000	4,140
6	Drywall, Insulation and Ceilings	8500	4,450	15,000	13,400
7	Storefront Doors/Sidelights, Frames and Hardware	48000	20,211	59,000	46,000
8	Steel Doors, Frames and Hardware	14000	19,925	25,000	16,000
9	Resilient Flooring, Wall Base, and Floor & Wall Tile	20000	19,000	20,000	37,375
10	Electrical and Lighting	16500	29,477	46,000	12,500
11	Plumbing	38000	37,000	45,000	61,000
12	Mechanical	15000	14,995	5,000	5,000
13	Security Systems	8500	8,768	4,000	7,500
14	Toilet Partitions and Accessories	12000	11,675	10,000	18,900
15	Paint and Miscellaneous	26000	3,689	7,243	7,100
16	General Conditions, OH+P	71400	69,953	50,000	65,000
17	Contingency (Mandatory)	25000	25,000	\$ 25,000	25,000
<b>Sub-total Amount of Bid</b>		<b>\$ 334,400</b>	<b>\$ 302,609</b>	<b>\$ 363,243</b>	<b>\$ 401,365</b>
<b>TOTAL</b>		<b>\$ 635,650</b>	<b>\$ 628,366</b>	<b>\$ 773,322</b>	<b>\$ 845,800</b>
<b>Alternate A</b>		<b>\$ 7,000</b>	<b>\$ 6,000</b>	<b>\$ 7,000</b>	<b>\$ 18,500</b>
<b>Alternate B</b>		<b>\$ 8,000</b>	<b>\$ 14,880</b>	<b>\$ (2,000)</b>	<b>\$ 5,000</b>



## **PURCHASING DEPARTMENT**

47450 Woodward Ave., Pontiac, MI 48342 • P: (248) 758-3120 • E: purchasing@pontiac.mi.us

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### **Competitive Bid Process Summary**

#### **Name of Solicitation Senior Center Improvements RFP – 23-751-001**

The City of Pontiac and Architectural firm Hubbell, Roth & Clark, Inc. conducted a second competitive bid process for improvements to the Senior Centers. Purchasing facilitated the bid process again to cure the bid protest for proposed costs due to changes in the design of the Senior Center Improvements. The second RFP was posted on 10/5/2022 to BidNet and the City of Pontiac's Purchasing web page; the closing date for the solicitation process was 10/28/2022 at 2 pm EST. A total of 37 organizations requested the RFP documents; 31 firms out of the 37 are either headquartered or have a location in Michigan. A total of three firms submitted a sealed bid in response to the solicitation. Please refer to the attached Exhibit A for the results.

Interim Director of Public Works Allen Cooley, III and Architectural firm Hubbell, Roth & Clark, Inc. recommends the following bid alternate:

- Bid Alternate A for touchless faucets. The additional cost will be **\$6,000**. Batteries will need to be changed regularly.

Based on CDBG requirements, the bid award must go to the lowest bidder. The lowest bidder is PDSI Contractors, with a total bid of **\$634,366**, which does not include the bid alternates. The Senior Center Improvement Project is a Federally Funded! The Contractor and Subcontractors on this project must comply with HUD contract provisions 24 CFR part 85.36(i), the Davis-Bacon Act. Nondiscrimination, Equal Employment Opportunity, Affirmative Action, Section 3 requirements, Anti-Kickback Act, Federal Occupational Safety and Health Act, and Department of Labor Standards and Regulations as set forth in the Contract Bid Documents. Bids will be awarded to the lowest responsible bidder. This municipality is an equal opportunity employer, businesses owned by women or minorities are strongly encouraged to bid.



**PURCHASING DEPARTMENT**

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The contractor awarded the bid must spend \$90,000 due to the funding time constraints of the NextFifty grant no later than December 31, 2022.

Finance Department  
Purchasing Division

*Alicia R. Martin*

Date 11/15/2022

Alicia Martin, Purchasing Manager

Department of Public Works (DPW)

*Allen H Cooley III*

Allen H Cooley III (Nov 15, 2022 12:32 EST)

Date 11/15/2022

Allen Cooley, Interim Director of DPW

## AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the City of Pontiac, Oakland County, Michigan, party of the first part, hereafter called the City, and **PDSI Contractors, City of Pontiac, Oakland County**, Michigan, party of the second part, hereinafter called the Contractor:

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR shall commence and complete the construction of:

**Senior Center Improvements to Robert Bowens and Ruth Peterson**

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in full conformance with the Contract Documents as enumerated in Article 6 of this Agreement.

2. The CONTRACTOR shall furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the PROJECT described herein, excepting those things which are specifically stipulated in the contract documents to be furnished or done by the City.

3. The CONTRACTOR shall commence the work required by the CONTRACT DOCUMENTS on or before the date stipulated in the NOTICE TO PROCEED and will complete the project based on the dates established in the PROGRESS CLAUSE special provision, unless the date for completion is extended otherwise by the CONTRACT DOCUMENTS. Time shall be considered to be of the essence of this Contract.

4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the contract price of:

**Six hundred thirty four thousand three hundred sixty six and 00/100 dollars (\$634,366.00)**

unless the contract price is duly changed by the contract documents.

5. The CITY shall pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

6. The term "CONTRACT DOCUMENTS" means and includes the following:

- A. AGREEMENT
- B. BID BOND
- C. PERFORMANCE BOND
- D. LABOR AND MATERIAL BOND

- E. MAINTENANCE BOND
- F. CHANGE ORDER (Pursuant to General Conditions, Section 9)
- G. ADDENDA:
  - No.   1  , dated May 2, 2022
  - No.   2  , dated September 29, 2022
  - No.   3  , dated October 14, 2022
  - No.   4  , dated October 25, 2022
- H. ADVERTISEMENT
- I. INSTRUCTIONS TO BIDDERS
- J. BIDDER'S PROPOSAL (Incl. final Compliance Plan as accepted by OWNER)
- K. GENERAL CONDITIONS (Incl. SUPPLEMENTAL GENERAL CONDITIONS and SPECIAL CONDITIONS (if any))
- L. SPECIFICATIONS (Incl. SUPPLEMENTAL SPECIFICATIONS and SPECIAL PROVISIONS (if any))
- M. PLANS (As listed in Schedule of Drawings)
- N. NOTICE OF AWARD
- O. NOTICE TO PROCEED

This agreement, together with other documents enumerated in this ARTICLE 6, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 6 shall govern, except as otherwise specifically stated.

7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in four (4) copies, each of which shall be deemed an original, on the date first above written.

**CONTRACT AGREEMENT BETWEEN THE CITY OF PONTIAC  
AND CONTRACTOR**

**Senior Center Improvements to Robert Bowens and Ruth Peterson**

**CONTRACTOR: PDSI Contractors**

In witness whereof, the parties have executed this agreement the day and year last written below.

WITNESSES:

1) \_\_\_\_\_ By: \_\_\_\_\_  
2) \_\_\_\_\_ Its: \_\_\_\_\_

**CITY OF PONTIAC**

WITNESSES:

OFFICE OF THE MAYOR

1) \_\_\_\_\_ By: \_\_\_\_\_  
2) \_\_\_\_\_ Its: Mayor \_\_\_\_\_  
Tim Greimel Date

Approved as to form:

By: \_\_\_\_\_  
\_\_\_\_\_, City Attorney

## CERTIFICATIONS

### IF A CORPORATION

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the corporation named as Contractor herein; that \_\_\_\_\_, who signed this Agreement on behalf of the Contractor, was then \_\_\_\_\_ of said corporation; that said Agreement was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.\*

\_\_\_\_\_  
Corporate Seal

\_\_\_\_\_  
Signature

\* Attach copy of corporate resolution verifying authorization of individuals named above.

### IF A PARTNERSHIP

I, \_\_\_\_\_, certify that I am a partner in the partnership named as Contractor herein, and that I have authority to sign for and on behalf of this partnership consisting of the following partners:

NAME AND ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

### IF A SOLE PROPRIETORSHIP

I, \_\_\_\_\_, certify that I am the sole owner and proprietor.

\_\_\_\_\_  
Signature