

**Official Proceedings  
Pontiac City Council  
261<sup>st</sup> Session of the Tenth Council**

**Call to order**

A Formal 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 9, 2021 at 6:00 p.m. by Council President Kermit Williams.

**Invocation** – Dr. Doris Taylor-Burks

**Pledge of Allegiance**

**Roll Call**

**Members Present** – Carter, Miller, Pietila, Taylor-Burks, Waterman and Williams

Mayor Waterman was present.

A quorum was announced.

**Excuse Councilmembers**

21-332           **Excuse Councilmember Megan Shramski for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried**

**Amendments to and Approval of the Agenda**

21-333           **Motion to remove item #3 (special presentation for the Youth Recreation and Enrichment Center (PYREC) fall programming, item #4 (resolution to approve option 1 for returning City Council Meetings to the City Hall Council Chambers, the cost for option 1 is \$26,141.18, item #5 (resolution to approve option 2 for returning City Council Meetings to the City Hall Council Chambers, the cost for option 2 is \$67,321.18, item #6 (resolution to approve option 3 for returning City Council Meetings to the City Hall Council Chambers, the cost for option 3 is \$212, 321.18 from the agenda. Move item #10 (resolution to approve budget amendment for fiscal year 2021-2022 to increase account 202-463-806-000 engineering services in the amount of \$1,040,000.00, item #11 (resolution to approve budget amendment for fiscal year 2021-2022 to increase account 101-447-806.000 engineering services in the amount of \$190,000.00, item #12 (resolution to approve the City Treasurer to spread \$25,569.17 of property assessment on the 2021 winter tax rolls as requested by the Water Resources Commissioner and Item #13 (resolution to approve the Clerk to publish notice of the proposed budget amendment for Fiscal Year 2021-2022 to allocate a total of \$81,213 to general fund account 101-266-959-003 Settlement Payments before item #2 (public safety subcommittee reports). Remove item #14 (resolution to approve the purchase of Microsoft Office 365 solution and associated costs not to exceed \$66,953.00), item #15 (resolution to approve the Medical Marihuana Commission rules), item #16 (memorandum on City Council adoption of the rules prior to the Medical Marihuana Commission approving them would be a violation of Ordinance 2357(B) City of Pontiac Medical Marihuana Facilities Ordinance approved by Pontiac voters), from the agenda and ad-on a resolution regarding the General Employees' Retirement System after item #13. Moved by Councilperson Waterman and second by Councilperson Pietila.**

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

No: None

**Motion Carried**

21-334 **Motion to approve the agenda as amended.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried**

### **Approval of Minutes**

21-335 **Motion to approve meeting minutes for November 4, 2021.** Moved by Councilperson Waterman and second by Councilperson Pietila.

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

No: None

**Motion Carried**

### **Subcommittee Report**

Received Public Safety Report – September 2021

### **Resolutions**

Finance

21-336 **Resolution to approve a budget amendment for fiscal year 2021-2022 to increase account 202-463-806-000 Engineering Services in the amount of \$1,050,000.00. (Five yes votes required to approve a budget amendment.)** Moved by Councilperson Waterman and second by Councilperson Pietila.

Whereas, the City of Pontiac timely approved the 2021-2022 budget on June 24, 2021 and;  
Whereas, the Administration has reviewed the Department of Public Works requirements for construction, preliminary engineering and construction engineering services for the fiscal year 2021-2022;  
and

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current fiscal year 2021-2022 for preliminary engineering and construction engineering services for Major Streets projects in the amount of \$1,050,000 to account 202-463-806-000.

Whereas, the increased appropriations will not cause the fund balance in the Major Streets and General Fund funds to go below the policy mandated threshold.

Now, Therefore, Be It Resolved, that the City Council hereby approves the appropriation amendment for the fiscal year 2021-2022 as requested by the Mayor and Department of Public Works for account 202-463-806-000 in the amount of \$1,050,000.

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

No: None

**Resolution Passed**

21-337 **Resolution to approve a budget amendment for fiscal year 2021-2022 to increase account 101-447-806-000 Engineering Services in the amount of \$190,000. (Five yes votes required to approve a budget amendment.)** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, the City of Pontiac timely approved the 2021-2022 budget on June 24, 2021 and;  
Whereas, the Administration has reviewed the Department of Public Works requirements for construction, preliminary engineering and construction engineering services for the fiscal year 2021-2022;  
and

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current fiscal year 2021-2022 for General Fund engineering services for CDBG projects in the amount of \$190,000 to account 101-447-806-000.

Whereas, the increased appropriations will not cause the fund balance in the Major Streets and General Fund funds to go below the policy mandated threshold.

Now, Therefore, Be It Resolved, that the City Council hereby approves the appropriation amendment for the fiscal year 2021-2022 as requested by the Mayor and Department of Public Works for account 101-447-806-000 in the amount of \$190,000.

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

No: None

**Resolution Passed**

21-338        **Resolution to approve the City Treasurer to spread \$25,569.17 of property assessment on the 2021 winter tax rolls as requested by the Water Resources Commissioner.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, the Water Resources Commissioner has notified the City of property assessments for nearly 6,980 parcels in the City of Pontiac that specifically benefited the property owner; and,

Whereas, the property assessments to the homeowners in their respective drain districts will have an average assessment between \$.07 to \$99.46 parcel, and;

Whereas, the City Council believes that it is the best interest of the City, that property owners who receive a direct benefit from the drain should pay for the benefit;

Now, therefore, Be It Resolved, that the Pontiac City Council direct that the City treasurer spread \$25,569.17 of property assessment on the 2021 winter tax rolls by director by the Water Resources Commissioner.

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

No: None

**Resolution Passed**

21-339        **Resolution to approve the Clerk to publish notice of the proposed budget amendment for Fiscal year 2021-2022 to allocate a total of \$81,213 to general fund account 101-266-959-003 Settlement Payments. (The funds will be used for payments required under recently decided legal action brought by former city employees.)** Moved by Councilperson Waterman and second by Councilperson Pietila.

Now, Therefore Be It Resolved, that the Pontiac City Council hereby authorizes the City Clerk to publish the notice of the budget amendment to increase the appropriations for the current year 2021-2022 for Settlements Payments in the amount of \$81, 213 to account 101-266-959-003.

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

No: None

**Resolution Passed**

21-340           **Ad-on Resolution to request an actuary analysis to continue the \$400 supplemental pension payment for the Pontiac General Employees' Retirement System.** Moved by Councilperson Pietila and second by Councilperson Waterman.

Whereas, pursuant to provision 13, **Transition Period of the Settlement Agreement**, “the current stipend payment being paid to retirees under the GERS Plan will continue until, but not beyond, such time as the U.S. Internal Revenue Service has approved the new Plans”; and,  
Whereas, the retirees of the City of Pontiac General Employees' Retirement System currently receive a \$400 supplemental pension payment and this payment is set to expire on December 31, 2021; and,  
Whereas, the City Council in continuing to support the retirees and in facilitating being in compliance with the terms of the Settlement Agreement, seeks to determine the cost to continue the \$400 supplemental pension payment for one year; and,  
Whereas, it has been expressed, that the benefits from the new VEBA will commence in February of 2022; however, if for some reason the benefits do not begin in February 2022, the requested actuarial study will cover a term of one year; and,  
Whereas, MCL §38.1140h(5) requires that the Retirement System's actuary perform a supplemental actuarial analysis to determine the cost of any increase in pension benefit prior to adopting and implementing additional benefits; and,  
Whereas, MCL §38.1140h(5) provides that Retirement System assets may not be used for any actuarial expenses related to the supplemental actuarial analysis provided for under MCL §38.1140h(5), but instead requires that any supplemental actuarial analysis be paid for by the City.  
Now, Therefore, Be It Resolved, that the Pontiac City Council desires for the City to have a supplemental actuarial analysis performed; and,  
Be It Further Resolved, the General Employees' Retirement System Board of Trustees' is hereby directed to request the System's actuary perform a supplemental actuarial analysis to determine the cost of continuing the \$400 supplemental pension payment for one year along with a copy of this resolution and the City shall pay the cost to perform the supplemental actuarial analysis.

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

No: None

**Resolution Passed**

21-341           **Resolution to approve a contract between the City and International Construction to provide Demolition Services for CDBG Clearance and Demolition of Batch 17 Properties not to exceed \$175,000.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, the City of Pontiac is a sub-recipient to Oakland County for Community Development Block Grant (CDBG) Programs; and,  
Whereas, Clearance and Demolition is one of the programs for Program Years 2018 and 2019; with a combined balance of approximately \$781,099.87 in remaining funds, available for Batch 17 properties; and,  
Whereas, request for proposals for both Demolition and Asbestos Abatement were posted on both the City of Pontiac (COP) website and BidNet portal for prospective bidders to bid; and,  
Whereas, International Construction was the lowest of four (4) proposals submitted for \$175,000 for the properties; and  
Now, Therefore, Be It Resolved that the City Council in solidarity with the Mayor hereby authorizes and accepts the proposal to provide Demolition services.

Ayes: Pietila

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

**Resolution Failed**

21-342            **Resolution to approve the Michigan Department of Transportation (MDOT) Tunnel Inspection Agreement for the Phoenix Center Tunnel on Orchard Lake Road.** Moved y Councilperson Waterman and second by Councilperson Pietila.

Whereas, the City of Pontiac has received the tunnel inspection agreement from the Michigan Department of transportation (MDOT), and;

Whereas, The Department of Public Works, Engineering Division has reviewed the subject agreement, and;

Whereas, there is no cost to the City for the services provided by this agreement.

Now, Therefore, Be It Resolved, the Pontiac City Council authorizes the Mayor to sign the MDOT tunnel inspection agreement for inspection of the Phoenix Center tunnel on Orchard Lake Road.

Ayes: Taylor-Burks, Waterman, Williams and Pietila

No: Carter and Miller

**Resolution Passed**

**Public Comment**

Six (6) individuals addressed the body during public comment

**Mayor, Clerk and Council Closing Comments**

Mayor Waterman, Interim Clerk Doyle, Legislative Counsel Sharp, Councilwoman Waterman, Councilwoman Taylor-Burks, Councilwoman Pietila, Councilwoman Miller, Council President Pro-Tem Carter and Council President Williams made closing comments.

**Adjournment**

Council President Kermit Williams adjourned the meeting at 6:59 p.m.

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Garland Doyle  
Interim City Clerk