

APPROVED 10/21/15

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CITY OF PONTIAC

2

RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING

3

WEDNESDAY, SEPTEMBER 16, 2015

4

1:00 P.M.

5

6

Meeting before the RTAB Board at

7

47450 Woodward Avenue, 2nd Floor, Council

8

Chambers, Pontiac, Michigan 48342, on Wednesday,

9

September 16, 2015.

10

11

BOARD MEMBERS:

12

Edward Koryzno, Chairperson

13

Keith Sawdon, Member

14

Robert Burgess, Member

Louis Schimmel, Member

15

ALSO PRESENT:

16

Robert Widigan (Department of Treasury)

17

Joseph Sobota (City Administrator)..

Nevrus Nazarko (Director of Finance)

Mayor Deirdre Waterman (City of Pontiac)

18

MEMBERS OF THE PUBLIC ADDRESSING THE BOARD:

19

Billie Swazer

20

Doris Taylor Burks

21

Don Woodward

Denise Cobb

Mike McGuinness

22

REPORTED BY: Quentina R. Snowden, (CSR-5519)

23

Certified Shorthand Reporter,

24

Notary Public

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1 PONTIAC, MICHIGAN; WEDNESDAY, SEPTEMBER 16, 2015

2 1:03 P.M.

3 CHAIRPERSON KORYZNO: Good afternoon.
4 It's three minutes after 1:00, and I'll call the
5 Pontiac Receivership Transition Advisory Board to
6 order. Mr. Widigan, a roll call.

7 MR. WIDIGAN: Mr. Sawdon?

8 MEMBER SAWDON: Here.

9 MR. WIDIGAN: Mr. Burgess?

10 MEMBER BURGESS: Here.

11 MR. WIDIGAN: Mr. Schimmel?

12 MEMBER SCHIMMEL: Here.

13 MR. WIDIGAN: Mr. Koryzno?

14 CHAIRPERSON KORYZNO: Here.

15 MR. WIDIGAN: Quorum is present.

16 CHAIRPERSON KORYZNO: Thank you. I'll
17 remind the public that if you wish to speak during
18 the public comment portion of the meeting, it will
19 be necessary for you to be recognized, sign the
20 sign-up sheet on the table located at the rear of
21 the room with the agendas.

22 Next item is approval of agenda. I'll
23 entertain a motion to approve the agenda.

24 MEMBER SCHIMMEL: I'll move.

25 MEMBER SAWDON: Support.

1 CHAIRPERSON KORYZNO: Okay. Moved and
2 supported to approve the agenda. Moved by Schimmel,
3 supported by Sawdon.

4 I would like to amend the agenda, add
5 two amendments to the agenda. One is under Item 1,
6 under the Mayor's items, Deputy Mayor position, I'd
7 like to remove "information only" and make that an
8 action item.

9 And then the second item I wish to add
10 is consideration of hiring employees to perform
11 street sweeping. And that would be Item 10 under
12 the Administrator's Report.

13 Is the Board comfortable with the
14 addition of those two items?

15 MEMBER BURGESS: Yes.

16 CHAIRPERSON KORYZNO: All right. Then
17 all in favor of the agenda with the two amendments
18 say "aye."

19 (All ayes.)

20 CHAIRPERSON KORYZNO: Opposed, same
21 sign. The Board agenda is approved, as amended.

22 Next item is Item C, approval of the
23 minutes. I'll entertain a motion to approve the
24 RTAB minutes of August 19th, 2015 with noted
25 clarifications.

1 MEMBER BURGESS: Move to approve.

2 MEMBER SAWDON: Support.

3 CHAIRPERSON KORYZNO: It's been moved
4 and supported to approve the minutes. Any
5 discussion? Seeing none, all in favor of the motion
6 say "aye."

7 (All ayes.)

8 CHAIRPERSON KORYZNO: Opposed, same
9 sign. The motion is approved.

10 Item II is Old Business. (A)
11 Resolutions 15-228 and 15-229. Adoption of
12 Ordinance to permit the overpayment of COLA
13 benefits.

14 Mr. Sobota, can you provide the Board
15 with an update on this item, please.

16 MR. SOBOTA: Strange. I haven't
17 provided an update here -- here it is. The last
18 pack -- the last few pages of my report, I have
19 provided a copy of a letter that I received from the
20 attorney of the GERS Board, which indicates that the
21 GERS Board adopted a policy in regards to approval
22 of changes to pension benefits in respect to COLA
23 payments only. And that resolution was passed
24 unanimously by the Board on August 26th, 2015.

25 It appears as though, based on the

1 resolution, that there is a system of checks and
2 balances in place where at least decisions to
3 increase COLA will be presented to the GERS Board,
4 and actually will be taken on the public record.
5 There is also a review process in addition to GERS
6 staff, also reviewed by the attorney and the
7 actuary, with final action taken by the Board
8 through resolution.

9 So it appears as though most of the
10 internal control concerns that I had discussed in my
11 earlier report to the Board have been addressed.
12 Once again, it only is on point for that particular
13 issue. It doesn't speak to the future in the event
14 that these overpayments, if they're done in the
15 future, whether or not we're going to be going back
16 and seeking for permission after the fact.

17 CHAIRPERSON KORYZNO: Any questions
18 for Mr. Sobota from the Board? All right. Seeing
19 none, I'll entertain a motion.

20 MEMBER SAWDON: Motion to approve
21 15-228 and 15-229.

22 MEMBER BURGESS: Support.

23 CHAIRPERSON KORYZNO: Moved by Sawdon,
24 approved by Burgess to approve Resolutions 15-228
25 and 15-229. Further discussion? Seeing none, all

1 in favor of the motion say "aye."

2 (All ayes.)

3 CHAIRPERSON KORYZNO: Opposed, same
4 sign. The motion approved.

5 Item B, Resolution 15-249 appointment
6 of Sheldon Albritton to the GERS Board. Mr. Sobota.

7 MR. SOBOTA: Mr. Albritton is not
8 legally barred from serving. He meets all of the
9 criteria as established by State law and by
10 ordinance. He indicates his occupation is a
11 territory sales manager. And other organizations
12 that are pertinent include AGDC Section Leadership
13 Council Metro Team and Community Outreach Team.

14 CHAIRPERSON KORYZNO: Any questions
15 for Mr. Sobota from the Board? I'll entertain a
16 motion.

17 MEMBER SAWDON: Motion to approve.

18 MEMBER BURGESS: Support.

19 CHAIRPERSON KORYZNO: Moved by Sawdon,
20 supported by Burgess. Discussion? Seeing none, all
21 in favor of the motion say "aye."

22 (All ayes.)

23 CHAIRPERSON KORYZNO: Opposed, same
24 sign. The motion is approved.

25 Item III, New Business. Item (A)

1 approval of resolutions and ordinance for City
2 Council meetings.

3 Number 1, August 13th, 2015 regular
4 meeting. Entertain a motion to approve all
5 ordinances and resolutions from the August 13, 2015
6 regular City Council meeting with the exception of
7 Resolution 15-254 Randolph V City of Pontiac appeal.

8 MEMBER BURGESS: Move to approve.

9 MEMBER SCHIMMEL: Support.

10 CHAIRPERSON KORYZNO: Moved by
11 Burgess, supported by Schimmel. Mr. Widigan, could
12 you provide the update for the Board, please.

13 MR. WIDIGAN: Yeah. The Resolution
14 15-254, which is Randolph V Pontiac, was brought
15 forward to the Board at last month's meeting by Joe
16 Sobota in accordance with final order Section 1
17 (A)(t), which states that "The City administrator
18 shall complete decision-making authority on behalf
19 of the City subject to approval of the Board --"
20 which is the RTAB "-- on all matters of litigation
21 including the ability to settle or initiate
22 lawsuits."

23 And so the RTAB addressed this last
24 month, so that's why it's pulled separate this
25 month.

1 CHAIRPERSON KORYZNO: All right.

2 Thank you.

3 MEMBER SAWDON: Motion to approve.

4 MEMBER BURGESS: Support.

5 CHAIRPERSON KORYZNO: Moved by Sawdon,
6 supported by Burgess.

7 MEMBER SCHIMMEL: You know, I don't
8 think we really voted on the other one. I'm glad to
9 vote "yes" twice if you'd like.

10 CHAIRPERSON KORYZNO: A motion has
11 been moved. Moved and supported. So that is
12 correct.

13 So any further discussion on this?
14 Seeing none, all in favor of the motion say "aye."

15 (All ayes.)

16 CHAIRPERSON KORYZNO: Opposed, same
17 sign. The minutes of the August 13th, 2015 meeting
18 are approved with the exception of the Randolph V
19 Pontiac appeal.

20 Item 2, August 20, 2015 regular City
21 Council meeting minutes.

22 MEMBER SCHIMMEL: I'll move approval.

23 MEMBER BURGESS: Support.

24 CHAIRPERSON KORYZNO: Moved by
25 Schimmel, supported by Burgess. Discussion? Seeing

1 none, all in favor of the motion say "aye."

2 (All ayes.)

3 CHAIRPERSON KORYZNO: Opposed, same
4 sign. The August 20th, 2015 meeting minutes are
5 approved.

6 Item 3, the August 27th, 2015 regular
7 meeting minutes.

8 MEMBER SCHIMMEL: I'll move approval.

9 MEMBER SAWDON: Support.

10 CHAIRPERSON KORYZNO: Moved by
11 Schimmel, support by Sawdon. Discussion? Seeing
12 none, all in favor of the motion say "aye."

13 (All ayes.)

14 CHAIRPERSON KORYZNO: Opposed, same
15 sign. The August 27th, 2015 regular meeting minutes
16 are approved.

17 Item 4, September 3rd, 2015 regular
18 meeting minutes. Entertain a motion.

19 MEMBER SCHIMMEL: I'll move.

20 MEMBER BURGESS: Support.

21 CHAIRPERSON KORYZNO: Could you state
22 the motion, Mr. Schimmel, please.

23 MEMBER SCHIMMEL: Just as it reads
24 exactly on the piece of paper there, to approve the
25 regular meeting on September 3rd, 2015 with the

1 exception of 15-281, the EM order S-334 amendment.

2 CHAIRPERSON KORYZNO: Okay. Thank
3 you. So moved by Schimmel, supported by Burgess.
4 Discussion? Seeing none, all in favor of the motion
5 say "aye."

6 (All ayes.)

7 CHAIRPERSON KORYZNO: Opposed, same
8 sign. The motion is approved.

9 Item Resolution 15-281 EM order S-334
10 amendment. Mr. Sobota?

11 MR. SOBOTA: These are the fees,
12 correct?

13 CHAIRPERSON KORYZNO: I believe so.

14 MR. SOBOTA: The City Council, back in
15 June, adopted a budget with an assumption that the
16 business license fees and a portion of the
17 application fees for construction code permits would
18 be reduced.

19 Council has finally acted on that
20 recommendation. The contractor, Wade Trim, is in
21 support of the resolution. In terms of business
22 license fees, the City and Wade Trim have been
23 trying to work for the past four years to find a way
24 to reduce those fees. The business community is
25 anxiously awaiting the reduction of these fees, and

1 we are hoping to have an implementation date of --
2 what month are we in -- of October the 1st, so the
3 State Treasurer can task his approval by that time
4 as well.

5 Now, there's another part of that
6 resolution that Council adopted, which does not
7 require an amendment to an EM order, because those
8 fees have been previously set by City Council
9 resolution, and never confirmed or changed by EM
10 order. So it's a two-parter, actually.

11 CHAIRPERSON KORYZNO: Any questions
12 for Mr. Sobota?

13 MEMBER SAWDON: Motion to recommend to
14 the State Treasurer the amendment to order EM order
15 S-338 be scheduled.

16 MEMBER SCHIMMEL: I'll support.

17 MR. WIDIGAN: Mr. Chairman, I believe
18 it's a typo. It should be 330.

19 CHAIRPERSON KORYZNO: 330. The mover
20 and supporter --

21 MEMBER SAWDON: I'm okay with that
22 change.

23 CHAIRPERSON KORYZNO: All right.
24 Moved by Sawdon, supported by Schimmel to approve
25 amendment of EM order S-330. Discussion? Seeing

1 none, all in favor of the motion say "aye."

2 (All ayes.)

3 CHAIRPERSON KORYZNO: Opposed, same
4 sign. The motion is approved.

5 Item B, City Administrator items.

6 Item 1, Amendment of Order S-148. Mr. Sobota? And
7 I believe that's EM order S-148.

8 MR. SOBOTA: Yes, it is. The City
9 Clerk had advised me that after we elevated the
10 position of election specialist to full time, the
11 individual in question needed to access City Hall
12 after business hours and did not have a key or an
13 access card, to be specific.

14 So I agree that based on the duties
15 and responsibilities, that such a position does
16 require an access card to City Hall.

17 While reviewing the order, discovered
18 that the old position of treasury analyst was still
19 listed. Since that position has been eliminated,
20 that position can be removed from the order. And
21 then I've also recommended that the position of
22 Deputy Mayor also be granted an access card. So,
23 we're adding two, eliminating one for the
24 after-hours access to City Hall.

25 And I would also like to add that DPW

1 is presently in the process of conducting a security
2 review of the building and still have security
3 issues I had identified earlier in the year. They
4 have been mitigated somewhat, but they still exist.
5 So until such time that we have a system that we can
6 consider full-proof and secure, we do need to
7 maintain limited access to the building.

8 CHAIRPERSON KORYZNO: Any questions
9 from the Board for Mr. Sobota?

10 MEMBER BURGESS: What's the difference
11 in permission to an election specialist versus the
12 councilmen?

13 MR. SOBOTA: Council members -- and
14 I'm going to be speaking of the old council --
15 council members had habits of allowing residents
16 into the building. There were meetings that were
17 conducted in violation of the Open Meetings Act. So
18 at the time that the order was originally initiated,
19 it was done at that time.

20 Furthermore, we still have security
21 issues in the building, and I do not want to take
22 responsibility for having someone in the building
23 without the Sheriff's Office knowing about them,
24 that have a more -- a longer walk to get to their
25 offices on another level.

1 Presently, Council members do have
2 after-hours access to the building. They need to go
3 to the Sheriff's Office, and the Sheriff's Office
4 that way is aware when the person is here and when
5 they leave. So at least there's that extra
6 protection of safety to the members because their
7 offices are located on the second floor off to your
8 left, my right; whereas all of the other people have
9 after-hours access are generally first floor by the
10 front door, or have a -- what I'm going to call an
11 official business need to be in City Hall after
12 business hours because of the duties of their
13 position.

14 MEMBER BURGESS: Wouldn't the election
15 specialist have the same opportunity to go through
16 the parole -- I mean the patrol office?

17 MR. SOBOTA: The election specialist,
18 this is essentially mainly for election day, and
19 when City Hall is open for the public on the
20 Saturday before the election, that's when the issue
21 came up where the clerk -- or the deputy clerk
22 wasn't able to get here in time, the election
23 specialist was the first person.

24 CHAIRPERSON KORYZNO: Any more
25 questions, Mr. Burgess?

1 MEMBER BURGESS: My objection to the
2 Council members is that I considered it unsafe to
3 have someone in the building and patrol doesn't know
4 about that. And I have the same concern with the
5 election specialist or whomever.

6 MR. SOBOTA: I don't have any
7 objection to having the election specialist added to
8 the list to check in with the Sheriff's Office. I
9 know for the Treasurer's Office, when they have --
10 when those staff members need to come to the
11 building to respond to an alarm, they are required
12 to go to the Sheriff's Office.

13 So if the Board feels more comfortable
14 having the election specialist check in at the
15 Sheriff's Office, I have no objections to that.

16 CHAIRPERSON KORYZNO: Any further
17 questions? I'll entertain a motion.

18 MEMBER BURGESS: I move to deny S-148.

19 CHAIRPERSON KORYZNO: Is there
20 support?

21 MEMBER SAWDON: Well, we're looking at
22 two positions, right? Election specialist and
23 Deputy Mayor?

24 MR. SOBOTA: Correct. I was being a
25 little bit more proactive on the Deputy Mayor, and

1 advised the Mayor after we had talked about election
2 specialist, that, oh, by the way, when I was writing
3 the memo, I figured I better add the Deputy Mayor
4 because I knew that request was going to be coming
5 at some point in the near future, so she was
6 satisfied with that as well.

7 MEMBER SAWDON: If the Deputy Mayor
8 position moves forward later in the agenda, what
9 would be the start date, roughly?

10 MR. SOBOTA: I think about a month.

11 MEMBER SAWDON: Would it be in time
12 for another Board meeting, a TAB Board meeting?

13 MR. SOBOTA: I would say so.

14 MEMBER SAWDON: Thank you.

15 CHAIRPERSON KORYZNO: There's a
16 motion. Is there --

17 MEMBER SAWDON: Support.

18 CHAIRPERSON KORYZNO: Moved by
19 Burgess, support by Sawdon. Further discussion?
20 And again, the motion is to deny amendment of EM
21 order S-148. All in favor of the motion say "aye."

22 (All ayes.)

23 CHAIRPERSON KORYZNO: Opposed, same
24 sign. The motion is approved and amendment of EM
25 order S-148 has been denied.

1 Item 2 is Comcast versus the City of
2 Pontiac. Mr. Sobota, could you provide the Board
3 with an update on this item, please.

4 MR. SOBOTA: As you recall at the last
5 meeting, I received authorization to move ahead in
6 the Federal Court system with litigation along with
7 \$100,000 of potential costs to fight the dispute
8 that Comcast initiated with the City of Pontiac in
9 regards to the amount of pay fees charged to
10 customers.

11 City Council approved a two percent
12 rate. Comcast insisted that they're only required
13 to pay a one percent rate. They filed a complaint
14 before the Public Service Commission. They were not
15 injured in that they had not been implementing a two
16 percent rate.

17 They filed a complaint before the
18 Public Service Commission. I had a very difficult
19 time first getting, I guess you could say
20 "permission" from the Public Service Commission to
21 hire an attorney; in other words, they wanted to
22 schedule a meeting before I even had an attorney
23 secured. And then I had another difficulty in
24 getting the Public Service Commission to agree to
25 allow the City to have time to consult with the

1 attorney that we just hired before the meeting in an
2 informal mediation session.

3 So I was not very satisfied with the
4 direction that this case was going. It appeared as
5 though the decision had already been made. We did
6 have an informal mediation. I can say that the
7 event ended rather strangely. Found out afterwards
8 why it ended strangely. Apparently the message that
9 the City asked to be conveyed to Comcast was not
10 conveyed properly, which in turn I guess you could
11 say caused Comcast to walk out.

12 Comcast then filed a formal mediation
13 complaint a few weeks ago. The State has 120 days
14 to hear the case. They actually wanted me in
15 Lansing today for this, within a couple of weeks'
16 notice. They gave us an additional week. Filing is
17 due tomorrow, with the formal mediation scheduled
18 for a week from Wednesday. Once again, I am not
19 comfortable and neither is our attorney, based on
20 prior rulings from the Commission, that the City has
21 any chance of prevailing before the Public Service
22 Commission.

23 Comcast was fully aware of the City's
24 ability and authority to file legal action in
25 Federal Court. They even identified where they knew

1 that their case was weak in Federal Court. Since
2 the initial filings have been done with the State of
3 Michigan, Comcast has increased their position twice
4 for the City of Pontiac, going from one percent to
5 1.25 percent.

6 We're not going to win before the
7 Public Service Commission. It's going to be a waste
8 of money.

9 In terms of Federal Court, this could
10 be a very long and protracted legal battle, although
11 the last two and only two cases litigated with
12 Comcast in Federal Court have been successful for
13 the municipalities, and I believe that the City has
14 a very good chance of winning, the time that it
15 would take before the case comes for final closure,
16 and then if it's appealed to the Court of Appeals
17 and then to the Supreme Court, is probably too long.

18 So Comcast, late yesterday afternoon,
19 after close of business hours, has conveyed to the
20 City that they will -- they are willing to raise the
21 PEG fee to 1.25 percent with retroactivity back to
22 November of 2014. That would mean that the City of
23 Pontiac tends to gain an additional \$25,000 per year
24 in PEG fees, each year for the next ten years, for a
25 total of \$250,000, which can go a long way in

1 opening a public access studio in the City of
2 Pontiac, as has been requested by the City Council.
3 I believe that this is the best deal that we're
4 going to get. The Public Service Commission would
5 be under no legal requirements to award the City the
6 1.25 percent that Comcast is offering. I think they
7 would stick at the 1 percent. So based on the
8 information that I have today, and the chances of
9 prevailing with the Public Service Commission, I
10 think this is the best deal that the City of Pontiac
11 has, and it will put this issue to closure.

12 So I am recommending that this Board
13 accept the 1.25 percent with retroactivity to
14 November of 2014 settlement proposal. And I will
15 advise you that I did send an e-mail to City Council
16 and the Mayor earlier this morning, and I did hear a
17 response from one Council member who indicated that
18 he was satisfied with the results; hoped that we
19 could get more, but understands under the
20 circumstances this is the best that we're going to
21 get at the present time.

22 So my request is actually to approve a
23 settlement in the Comcast dispute for 1.25 percent
24 PEG fee with retroactivity to November of 2014.

25 CHAIRPERSON KORYZNO: Any questions

1 for Mr. Sobota from the Board?

2 MEMBER SCHIMMEL: I have just a
3 question about procedure. Would we not -- it has to
4 be approved by the City, right?

5 MR. SOBOTA: Actually by the Board.
6 Because under the order, the Board has final
7 authority in terms of all settlement, as Mr. Widigan
8 had expressed earlier. My obligation was to advise
9 Council, which I did.

10 MEMBER SCHIMMEL: So all you have to
11 do is advise Council?

12 MR. SOBOTA: Correct. If they
13 disagree, like they did with the Randolph case, I
14 can make a different recommendation to the Board and
15 the Board can act on my recommendation or choose to
16 accept Council's in this matter.

17 And the reason I would like action
18 today is it will prevent us from having to file our
19 paperwork tomorrow and then appear before the Public
20 Service Commission, incur all of those expenses next
21 week and however long that case goes.

22 MEMBER SCHIMMEL: Okay. I'll move to
23 approve.

24 CHAIRPERSON KORYZNO: Is there
25 support?

1 MEMBER SAWDON: Support.

2 CHAIRPERSON KORYZNO: Moved by
3 Schimmel, supported by Sawdon to approve the
4 settlement with Comcast for a PEG fee of 1.25
5 percent retroactive to 2014. Was there a month in
6 2014?

7 MR. SOBOTA: November.

8 CHAIRPERSON KORYZNO: November 2014.
9 Further discussion? Seeing none, all in favor of
10 the motion say "aye."

11 (All ayes.)

12 CHAIRPERSON KORYZNO: Opposed, same
13 sign. Motion is approved.

14 Item 3, Approval of Professional
15 Services Agreement with Atwell-DCR Services and
16 Construction LLC. Mr. Sobota.

17 MR. SOBOTA: The City had received an
18 FDCVT grant from the Treasury Department about a
19 year ago for the purpose of blight management. The
20 proposal is to hire Atwell-DCR, which has done very
21 similar work in the City of Detroit, for blight
22 management. This service was recommended at the
23 time of grant application, knowing that the
24 individual who had been performing a lot of the work
25 was moving on to employment with another employer.

1 So therefore, we had a need to fill.

2 We have negotiated a very good
3 agreement with Atwell to perform all of the work for
4 blight management, and we anticipate that this grant
5 will cover the administration for demolition
6 services that will exhaust all CDBG 2014 and 2015
7 grant dollars. So it is a lump sum proposal. And
8 that way, in the event if costs are higher or if we
9 were able -- or I'm sorry, if costs are lower and if
10 we have to tear down more houses, we have that
11 ability and the flexibility without worrying about
12 how we're going to pay the company on a
13 house-by-house basis.

14 So the Mayor and I are both fully in
15 support of this agreement, and Atwell is ready to go
16 possibly as early as this week.

17 CHAIRPERSON KORYZNO: Thank you. Any
18 questions from the Board for Mr. Sobota? Seeing
19 none, I'll entertain a motion.

20 MEMBER SAWDON: Motion to approve.

21 MEMBER SCHIMMEL: Support.

22 CHAIRPERSON KORYZNO: Moved by Sawdon,
23 support by Schimmel to approve. Further discussion?
24 Seeing none, all in favor of the motion say "aye."

25 (All ayes.)

1 CHAIRPERSON KORYZNO: Opposed, same
2 sign. The motion is approved.

3 Item 4, Approval of Oakland Brownfield
4 Consortium Grant application. Mr. Sobota?

5 MR. SOBOTA: About two years ago, the
6 City of Pontiac joined a coalition with other
7 communities in Oakland County to apply for the
8 Environmental Protection Agency Brownfield Coalition
9 Assessment Grant.

10 In 2013, this Board approved an
11 intergovernmental agreement under the Urban
12 Cooperation Act for the City to participate in this
13 particular grant.

14 The City received \$60,000, an earmark
15 in that grant, to perform phase one and phase two
16 environmental investigations for businesses that
17 were planning to open or had plans to open in
18 Pontiac. That grant resulted in the funding of
19 seven projects, creating a potential overall
20 investment of over \$58 million, and potentially
21 creating over 300 jobs in Pontiac. That grant has
22 been expended. So there is another grant
23 application that Oakland County would like to make
24 with the same Coalition. So this is a two-step
25 process.

1 First, we approve the application.
2 And if the application is approved, then we will do
3 another Urban Cooperation Agreement probably in
4 March.

5 So my recommendation is to authorize
6 the approval of the grant application for the
7 Brownfield Coalition Assessment Grant, fiscal year
8 2016. There is no cost to the City, and there's no
9 administration on behalf of the City either.

10 MEMBER SAWDON: Motion to approve.

11 MEMBER BURGESS: Support.

12 CHAIRPERSON KORYZNO: Moved by Sawdon,
13 supported by Burgess. Further discussion? Seeing
14 none, all in favor of the motion say "aye."

15 (All ayes.)

16 CHAIRPERSON KORYZNO: Opposed, same
17 sign. The motion is approved.

18 Item 5, Financially Distressed Cities,
19 Villages and Townships Grants. Mr. Sobota.

20 MR. SOBOTA: The Mayor and I were in
21 discussions over possible eligible projects for the
22 current year grant application, and three were
23 identified. Two of the three are concentrating on
24 streetlights. The first one is about \$293,000 that
25 would be used to replace streetlights that have been

1 torn down, and to fix those lights that are in
2 constant need of repair on a regular basis. This
3 project was identified and estimated by the DPW
4 director. There is some conversion of lights in the
5 downtown to LED, as well. So that's the first
6 grant. We are prepared to supplement the project up
7 to \$100,000 in the next fiscal year, if necessary.

8 We anticipate a short-term annual
9 savings of about \$4,000 as a result of energy
10 savings from the conversion, and over five years
11 just under \$20,000.

12 The second application is to convert
13 the balance of the City-owned streetlights from
14 mercury vapor and high-pressure sodium to LED. The
15 estimated cost on that is approximately \$651,000.
16 If the City continues to own the streetlights, we
17 see a General Fund annual savings of \$69,750 for one
18 year, and over five years of \$348,000. So, this is
19 something that we also have planned in future years'
20 budgets, but if we can move it up, we'd be prepared
21 to do that.

22 And since we still had another million
23 dollars left for grant applications, the Mayor has
24 identified that we need funding to demolish
25 commercial buildings that are dangerous. So the

1 balance of the \$1,050,000 would be targeted to
2 demolish dangerous commercial buildings.

3 So those are the three grant
4 applications that we have identified. There is no
5 requirement for City match. We will have some
6 ability to match some of these funds, if necessary,
7 in '16, '17 fiscal year. So we're requesting
8 approval to apply; applications due October the
9 15th.

10 CHAIRPERSON KORYZNO: Questions for
11 Mr. Sobota?

12 MEMBER SAWDON: Motion to approve.

13 MEMBER SCHIMMEL: Support.

14 CHAIRPERSON KORYZNO: Moved by Sawdon,
15 support by Burgess. Further discussion? Seeing
16 none, all in favor of the motion say "aye."

17 (All ayes.)

18 CHAIRPERSON KORYZNO: Opposed, same
19 sign. The motion is approved.

20 Item 6, 2016 Childhood Obesity
21 Prevention Grant Application. Mr. Sobota.

22 MR. SOBOTA: The Mayor has presented a
23 proposed grant application from the U.S. Conference
24 of Mayors. What this grant would be used to do, is
25 to fund program expansions of the following

1 projects: To launch a Gleaners Community Fresh Food
2 Share Initiative, have bike racks, fix-it stations
3 and signage along the Flint River Trail, expand the
4 Healthy Bites Program in schools, develop
5 breastfeeding-friendly environments within community
6 agencies, work with schools to increase healthy
7 eating and physical activity, launch two additional
8 weekly produce markets that offer affordable fresh
9 produce and accept SNAP benefits, expand healthy
10 eating options in local churches and create a
11 non-motorized transportation plan to identify safe
12 and accessible walking and bike routes that connect
13 public parks and public transportation in
14 neighborhoods.

15 So, that is what the grant would be
16 used for, if it is obtained. I will say this, the
17 grant documentation is silent as to whether or not
18 the City will be required to do any sort of a match.
19 It doesn't say that we have to, so one would assume
20 that we don't. I'm sure they would indicate if
21 there was a match required. There's nothing in the
22 application that indicates how much the City is
23 willing to commit in additional funds to this. So I
24 think it's safe to assume, based on the information
25 we have available at this time, that this is simply

1 a grant to launch new programs or to expand current
2 programs that are administered by another agency on
3 behalf of the City.

4 So both the Mayor and I are
5 recommending approval of submission of this grant
6 application which is due Friday.

7 CHAIRPERSON KORYZNO: Any questions
8 for Mr. Sobota?

9 MEMBER BURGESS: Move to support --
10 approve.

11 MEMBER SAWDON: Support.

12 CHAIRPERSON KORYZNO: Moved by
13 Burgess, supported by Sawdon to approve the grant
14 application. Further discussion? Seeing none, all
15 in favor of the motion say "aye."

16 (All ayes.)

17 CHAIRPERSON KORYZNO: Opposed, same
18 sign. The motion is approved.

19 Item 7, Adoption of Ordinance to
20 authorize COLA Calculation for \$400 payment was
21 addressed in Old Business.

22 Item 8, Council Appointment to the
23 GERS Board was also addressed in Old Business.

24 Item 9, Adoption of Zoning Amendment
25 to Re-Zone 660 West Huron. No Board action is

1 required at this time.

2 Number 10 is the additional item, one
3 of the two additional amendments to the agenda,
4 which is consideration of hiring employees to
5 perform street sweeping. Mr. Sobota.

6 MR. SOBOTA: Per the Board's request,
7 the City Council has passed a resolution
8 directing -- it's a two-part resolution, actually,
9 directing that we, in Administration, prepare cost
10 studies and estimates on seasonal operations,
11 including but not limited to snow removal, street
12 patching, grass cutting and street sweeping; and
13 that that information be considered at the same time
14 that we are considering using private contractors.
15 So that's the first part of the resolution.

16 The second part of the resolution is
17 having the City essentially lease the equipment and
18 hire five employees to sweep all of the streets in
19 the City of Pontiac before the end of the year.

20 The DPW director, within I would say a
21 36-hour turnaround, performed diligently in
22 identifying all of the direct costs that could be
23 reasonably assumed for this particular process.
24 Those costs are estimated at a total of \$137,866.92
25 split between the major and the local street funds.

1 He also indicated that the bid that we
2 had received for street sweeping was averaging about
3 \$120,000 per sweep; however, both he and I agree
4 that it is not an apples-to-apples comparison,
5 because we were unable to identify what the
6 assumptions were by the private contractor in terms
7 of the amount of tonnage that would be disposed of
8 as a result of the street sweeping.

9 He has identified a company that would
10 be able to lease us the equipment that we do not
11 have in our possession. And those costs have been
12 provided. And he has also identified two former
13 Pontiac employees and one former Road Commission
14 employee at this time that the City could
15 potentially hire to perform this work. We are
16 looking for two additional employees. He does not
17 believe that we will have any difficulty in doing
18 that.

19 The only cost that was not identified,
20 and Council was advised, is that with the City
21 performing the work, the City assumes 100 percent
22 responsibility in the event of any litigation or
23 lawsuits from anything that could go wrong during
24 sweeping. And our exposure is \$250,000 per claim.
25 So that is costs that is a potential, not

1 necessarily realistic, but not notified in the
2 documentation.

3 The one concern that I have is the
4 actual motivation behind this particular resolution.
5 Both Mayor and the City Council have identified that
6 the goal is to improve workforce development in the
7 City, and to provide jobs to Pontiac residents so
8 that they can be trained and have potential for
9 employment in the future. Although that is
10 admirable, I don't believe that that is really the
11 job of the City, to provide jobs and training to
12 anyone. Our responsibility is to provide the best
13 service at the lowest cost to the taxpayers.

14 We are in a rather interesting dilemma
15 at this point, because the DPW director has provided
16 information that indicates that failure to sweep the
17 streets will put the City in violation of our MS4
18 permit. Because all of our storm drains, drain
19 directly into the Clinton River or other tributaries
20 of the State's water system, we could potentially be
21 subject to doing sampling of every stream, lake and
22 river in the City, have those samples tested, and in
23 the event there is any pollution, we would be
24 responsible for environmental cleanup. And in his
25 opinion, that delay is not worth the risk.

1 So that is the position that has been
2 presented. The same issue with street sweeping,
3 with the original bid, also relates with this one in
4 terms of the finances. With the major streets, we
5 have allocated in the Mayor's budget \$150,000 for
6 street sweeping. And this estimate is \$42,901. We
7 don't have a problem there.

8 However, on the local streets, the
9 estimated cost is \$94,965, and we have allocated
10 \$50,000 in our budget, meaning that there would be
11 another \$44,000 potentially that would need to be
12 shifted from another program in order to do the
13 street sweeping on the local streets.

14 So that is the information that I have
15 available. And the information that you were
16 provided today, is the same information that the
17 City Council was provided earlier by the DPW
18 director.

19 CHAIRPERSON KORYZNO: Questions for
20 Mr. Sobota? Mr. Sobota, do you have sufficient
21 funds in the major street fund to transfer to the
22 local street fund, or have you transferred the
23 maximum allowed?

24 MR. SOBOTA: Please refresh my memory.
25 Are we capped at 25 percent?

1 CHAIRPERSON KORYZNO: I believe so.

2 MR. SOBOTA: We do have the
3 flexibility to do a transfer from major into local
4 for that amount.

5 CHAIRPERSON KORYZNO: All right.
6 Second question. These would be permanent hires,
7 not temporary?

8 MR. SOBOTA: No, this would be a
9 temporary hire for reevaluation on a going forward
10 basis. The assumptions are made that these are all
11 part-time employees with no benefits.

12 MEMBER SAWDON: Could you repeat the
13 amount that the contractor would be for major local
14 roads?

15 MR. SOBOTA: If you took the number of
16 sweeps and divided the bid, it's about \$120,000 per
17 sweep. But it's not a fair comparison.

18 MEMBER SAWDON: Fair as in number of
19 streets covered?

20 MR. SOBOTA: No apples-to-apples in
21 terms of the contractor was bidding on -- and making
22 certain assumptions. We don't know the assumptions
23 that the contractor was making, especially in terms
24 of the tonnage of the material to be disposed of.

25 MEMBER SAWDON: And what's the

1 deadline to maintain our MS4?

2 MR. SOBOTA: We need to do something
3 by the end of the calendar year.

4 MEMBER SAWDON: And --

5 MR. SOBOTA: The process using two
6 sweepers is expected to take up to eight weeks. So
7 we're in September, give two weeks, it's all the
8 months of October and November.

9 CHAIRPERSON KORYZNO: So there is some
10 time-sensitivity to this issue?

11 MR. SOBOTA: Unless we have a Hawaii
12 December, we definitely have some time-sensitive
13 issues. Then again, if winter comes early, well, we
14 did something.

15 CHAIRPERSON KORYZNO: Mayor Waterman,
16 did you want to speak?

17 MAYOR WATERMAN: Yes. Yes, I would
18 like to lend some information to that. In all
19 deference to you, Mr. Burgess, who likes to hear
20 that the City Administrator and I agree on
21 everything, in this instance I would like to just
22 state one difference. As opposed to the fact that
23 this is just a workforce development issue, the City
24 Administrator stated, that is not the case for me.
25 The case for me, bottom line, is that we get the

1 streets swept in the City of Pontiac. That's what I
2 want, and that's what the citizens want in terms of
3 cleaning up the streets. We did not have the April
4 or spring street sweep, so this is the last
5 opportunity to get our streets swept for the year.

6 Workforce development is, of course,
7 important for me, that's high on my agenda. And to
8 the extent that this brings back in this capacity
9 and we could hire Pontiac workers, that's also
10 important, but it's really five seasonal workers
11 working 40 hours over 6 to 8 weeks.

12 So, you know, it's something to be
13 said for workforce development, but that's not the
14 way -- the criteria for which to make this decision.

15 For me, one of the things that is
16 important for getting our streets swept, is even
17 though there may be a difference in the amount for
18 the street sweeping if we had done the contract,
19 versus bringing it in-house and doing it, is a
20 difference of maybe \$12,000. But there's a \$25,000
21 fee out there if we don't comply. And it's also
22 protection for the City. You know, when we had the
23 big floods last year and all of the communities
24 south of us flooded, Pontiac did not flood and
25 people's basements did not flood because of the fact

1 that our storm drains had been cleaned, and we
2 didn't have that fall-out. So we need that to
3 happen this time too, this year. I was proud to say
4 we did have clean storm drains in Pontiac and we
5 want to continue to do that. Workforce development
6 is important too. The capacity to do that within
7 Pontiac's grounds is important as we begin to bring
8 that in. But more importantly, we just need the
9 function performed.

10 CHAIRPERSON KORYZNO: Mr. Schimmel.

11 MEMBER SCHIMMEL: Could both of you or
12 either of you tell me, you want the function
13 performed, as I assume all of us do. Is this
14 either/or? I mean, would it get performed either
15 way?

16 MAYOR WATERMAN: Well, there's been an
17 impasse for the past number of months. When the
18 street sweeping contract was first brought forward
19 to Council by our City Administrator, Council has
20 refused to -- I think they actually turned down the
21 street sweeping contract, and the contractors are no
22 longer available at this time to do another
23 contract, even if we wanted to do that, because
24 they're all out engaged right now, and probably not
25 willing to go back in at the same offer they had

1 given us before.

2 So we need to have it done, and we
3 could have the capacity to bring it in-house, as has
4 been outlined. And our DPW director is here to do
5 that. You know, he has been working on that for
6 about a month now to see how we could line up the
7 capacity to still do this using Pontiac employees
8 and bringing this in-house.

9 MEMBER SCHIMMEL: So, Mayor, at this
10 point there really is no choice, is there? I mean,
11 it's either this or the streets don't get swept.

12 MAYOR WATERMAN: It's limited at this
13 point, yes.

14 MEMBER SCHIMMEL: Thank you.

15 MEMBER SAWDON: Did we just start late
16 in the process and now we're up against the wall?

17 MAYOR WATERMAN: No. The street
18 sweeping contract was not voted on by Council,
19 because they wanted first to have some projections
20 of what it would be to bring it in-house. It's been
21 kind of -- those projections were never brought to
22 Council up until we enlisted the DPW director to do
23 that just within the past couple of weeks.

24 MEMBER SAWDON: And they requested
25 that back when, City Council?

1 MAYOR WATERMAN: A while.

2 MEMBER SAWDON: Thank you.

3 CHAIRPERSON KORYZNO: So, Mr. Sobota,
4 the motion by the Board would be to approve the
5 resolution approved by the City Council at their
6 meetings -- special meeting?

7 MR. SOBOTA: That's my understanding.

8 CHAIRPERSON KORYZNO: And do you have
9 that resolution number available?

10 MR. SOBOTA: No, I do not.

11 MEMBER SCHIMMEL: May I ask a
12 question?

13 CHAIRPERSON KORYZNO: Yes.

14 MEMBER SCHIMMEL: May I assume that
15 this is, at the moment, a one-time situation and
16 that this is going to be revisited next year?

17 MR. SOBOTA: Well, what the -- it's a
18 two-part resolution. So, the first part, as
19 identified, was --

20 CHAIRPERSON KORYZNO: Cost estimates.

21 MR. SOBOTA: -- to look at -- for
22 services in particular, I guess you could say every
23 time a contract comes up, to see what the
24 possibilities would be. And then the second part of
25 the resolution is to actually request the in-house

1 operation for immediate street sweeping.

2 Now, if the Board isn't comfortable
3 acting on this resolution today because of the
4 two-part nature of this and wants additional time to
5 examine that, what the Board can do under the final
6 order, is to authorize me to hire up to five
7 additional employees, part-time basis, and you can
8 put whatever limits you want on that, and also to
9 lease the street sweepers for an amount not to
10 exceed, let's say \$40,000 -- I forgot the loader --
11 \$45,000. And that would cover the lease of the
12 equipment that's needed, and then that would also
13 cover the cost of the -- authorize the hiring of the
14 personnel.

15 So those are two options that you
16 would have. The resolution number is 15.287.

17 CHAIRPERSON KORYZNO: All right.
18 Thank you. But because it's bifurcated, I think
19 your suggestion may be a better one.

20 But I'm confused because you said
21 authorize you to hire five people and lease the
22 necessary equipment on a total cost of \$45,000.

23 MR. SOBOTA: That's for the equipment
24 rental.

25 CHAIRPERSON KORYZNO: That's just the

1 equipment.

2 MR. SOBOTA: The equipment rental is
3 about 45.

4 CHAIRPERSON KORYZNO: Oh, okay. I
5 thought it was both.

6 MR. SOBOTA: No. Personnel costs are
7 \$20 an hour, five people at \$20 an hour, five days a
8 week, eight weeks maximum. And we know that we're
9 not going to use five people for eight weeks.

10 CHAIRPERSON KORYZNO: So then, the
11 motion would be to approve the City Administrator to
12 hire five part-time employees and lease street
13 sweeping equipment at a cost not to exceed \$45,000
14 for the equipment.

15 MR. SOBOTA: For the equipment and
16 then the --

17 CHAIRPERSON KORYZNO: For an
18 eight-week period.

19 MR. SOBOTA: For an eight-week period.
20 And to hire the employees at a rate of \$20 an hour
21 for up to eight weeks.

22 CHAIRPERSON KORYZNO: Now, will this
23 require a recommendation to the Treasurer as well?

24 MR. SOBOTA: No. There is nothing
25 that this action would take that would go against

1 any official EM order.

2 CHAIRPERSON KORYZNO: All right. So I
3 will entertain a motion to approve the City
4 Administrator -- allowing the City Administrator to
5 hire five part-time employees for an eight-week
6 period at a rate of \$20 per hour, and also allow him
7 to lease street sweeping equipment at a cost of not
8 to exceed \$45,000.

9 MEMBER BURGESS: I move to approve.

10 MEMBER SCHIMMEL: I support.

11 CHAIRPERSON KORYZNO: Moved by
12 Burgess, supported by Schimmel.

13 MEMBER SAWDON: Can I make a motion
14 to -- can I recommend an amendment to that motion?
15 I think what we're missing also is disposal cost.
16 So I think what I'd like to do is amend the
17 resolution to read to authorize the City
18 Administrator, for the 2015 season, to hire five
19 additional employees at \$20 an hour part-time, and
20 that we authorize up to 138,000 which would include
21 disposal costs and rental of equipment.

22 MEMBER SCHIMMEL: I'll withdraw my
23 motion and all of that just to have that be a nice,
24 new, fresh motion as he made it, if that will help.

25 CHAIRPERSON KORYZNO: What's that

1 dollar amount?

2 MEMBER SAWDON: \$138,000, which was
3 the estimate.

4 CHAIRPERSON KORYZNO: Mr. Burgess,
5 would you.

6 MEMBER BURGESS: Yes, I'll withdraw
7 my --

8 CHAIRPERSON KORYZNO: Is there support
9 for Mr. Sawdon's motion?

10 MEMBER SCHIMMEL: I support.

11 CHAIRPERSON KORYZNO: Moved by Sawdon,
12 supported by Schimmel, to approve allowing the City
13 Administrator, for the 2015 season, to hire five
14 part-time employees and lease the necessary street
15 sweeping equipment at a cost not to exceed \$138,000.

16 MEMBER SAWDON: That's correct.

17 CHAIRPERSON KORYZNO: All right.
18 Further discussion? Seeing none, all in favor of
19 the motion say "aye."

20 (All ayes.)

21 CHAIRPERSON KORYZNO: Opposed, same
22 sign. The motion is approved. Next item, Item C,
23 Mayor's Items. Deputy Mayor Position. Mayor
24 Waterman.

25 Thank you, Mr. Sobota.

1 MAYOR WATERMAN: I am very pleased to
2 present to this Board for their consideration,
3 finally, a candidate for deputy mayor for the City
4 of Pontiac. Her name is Jane Bais-DiSessa. She
5 comes with the highest qualifications. Her bio is
6 in front of you right now.

7 To let you know where this process has
8 gone, of course you've been aware of the pretty
9 long, convoluted process not only to rewrite this
10 position for the City of Pontiac, but also to do the
11 search to find someone of the caliber and
12 qualifications that we have rewritten for this
13 position. And I'm very proud to say that Jane
14 Bais-DiSessa certainly represents the highest of
15 those criteria.

16 As you see from the bio in front of
17 you, she is currently serving as the City Manager
18 for Berkley, Michigan. She has been there for
19 14 years. And she has previously served in an
20 administrative capacity also in Franklin Village,
21 Oakland Woods -- Grosse Pointe Woods, rather, as
22 well as in Holly, Michigan. She hails from San
23 Antonio, Texas. And in addition to her background
24 of course, in all of these positions in terms of
25 municipal finance and administrative capacity, she

1 also brings another capacity, she's also very highly
2 regarded in her own professional circles. And
3 that's all before you, I won't belabor that. But I
4 would be very much happy to bring her to the City of
5 Pontiac.

6 In addition to that, she's bilingual,
7 and has agreed to help me with my Spanish, amongst
8 other things. But she has already gone through the
9 process in terms of selection. I did present her to
10 City Council, and they did vote to affirm my
11 nomination Monday, and it is now before you for your
12 affirmation. I look very much forward to bringing
13 her to the City of Pontiac to work with me as a
14 team, to work with the revitalization of Pontiac, as
15 well as with reviving some of the home rule
16 capabilities of this City. And that is before you
17 now.

18 CHAIRPERSON KORYZNO: Okay. Thank
19 you.

20 MAYOR WATERMAN: If you want, also,
21 there are a few other items I can bring just in
22 terms of the Mayor's report, the things that
23 particularly you want me to report on, one of which
24 is the whole Phoenix Center litigation. Of course I
25 don't discuss that --

1 CHAIRPERSON KORYZNO: Mayor, let me
2 interrupt you.

3 MAYOR WATERMAN: Want me to do that?

4 CHAIRPERSON KORYZNO: Let us take
5 action on this.

6 MAYOR WATERMAN: Action on this?
7 Okay. Then I can go forward. I just didn't see
8 another point on the agenda where there was a
9 Mayor's report.

10 CHAIRPERSON KORYZNO: We'll keep you
11 up there for a minute.

12 MAYOR WATERMAN: Okay. Great.

13 MR. SOBOTA: Mr. Chairman, if I may?

14 CHAIRPERSON KORYZNO: Yes, Mr. Sobota.

15 MR. SOBOTA: Mr. Widigan asked me to
16 convey the official action of Council. I also
17 indicated that there would need to be a change in
18 the salary amount authorized as well for this
19 position, because there's a change from what the
20 Board had previously approved.

21 CHAIRPERSON KORYZNO: I was going to
22 ask about approval of the contract.

23 MR. SOBOTA: I don't have a contract,
24 but we do have a salary, so --

25 CHAIRPERSON KORYZNO: All right.

1 Thank you. And that amount is?

2 MAYOR WATERMAN: That is correct. The
3 amount is \$107,000.

4 CHAIRPERSON KORYZNO: 107.

5 MAYOR WATERMAN: With the benefits
6 that have already been approved and written into
7 this approval.

8 CHAIRPERSON KORYZNO: Are there any
9 questions for Mayor Waterman from the Board? If
10 not, I'll entertain a motion to approve hiring Jane
11 Bais-DiSessa as Deputy Mayor of the City of Pontiac
12 in the amount of \$107,000 and appropriate benefits.

13 MEMBER SCHIMMEL: I will move.

14 CHAIRPERSON KORYZNO: Approval?

15 MEMBER BURGESS: Support.

16 CHAIRPERSON KORYZNO: Moved by
17 Schimmel, support by Burgess. Further discussion?
18 Seeing none, all in favor of the motion say "aye."

19 (All ayes.)

20 CHAIRPERSON KORYZNO: Opposed, same
21 sign. Motion is approved. Congratulations. Mayor,
22 now you may continue with your --

23 MAYOR WATERMAN: All right. Well, let
24 me take a big, deep breath. That is wonderful. I
25 do also commend Council for standing behind this

1 nomination. I know this is a different tenor to
2 take in this position for Council. I know a number
3 of them had to stand strong in terms of standing
4 behind this, because it is new for the City of
5 Pontiac, and any new change comes hard. And I know
6 a number of them were under pressure particularly
7 with the salary that was considered here. But this
8 is a salary, which for this caliber, as you well
9 know, gentlemen, from your experience, municipal
10 experience, is very reasonable for this person.
11 It's only because Jane Bais-DiSessa wanted to come
12 to Pontiac and to work on the agenda that she was
13 willing to come at really a little less than she's
14 getting at Berkley, and I do thank her for that.

15 So the fact that it's more than the
16 Mayor makes, hey, I just tell them, "Well, I made my
17 peace with that, and it's not so much we're paying
18 her too much, we're maybe paying the Mayor too
19 little." So let's just get that point in.

20 But moving on, some of you received
21 this in the e-mails. And this is a flyer, and you
22 have a copy up here, TAB Board members, entitled
23 "Future." And it's an open house at Ottawa Towers.
24 And it talks about a seminar that goes on from 10 to
25 1 this coming Saturday, which talks about the future

1 of work and play in the City of Pontiac. And it
2 mentions a number of factors including making Ottawa
3 Towers an innovation zone and having a STEAM school
4 brought to Pontiac, and also the future of the eight
5 schools that were bought by the owners of Ottawa
6 Towers that were vacant schools in the City of
7 Pontiac.

8 Now, I had a number of calls asking me
9 did I know anything about this. I do not. And I do
10 want to do that disclaimer. I had no part in
11 applying this. I don't know who the Monica is who
12 staged this. I had no idea, anything to talk about
13 in terms of STEAM schools.

14 So just to clarify that, I wanted to
15 put that out. I had no part in planning this. I
16 don't really know what the agenda is. I won't even
17 be here. I will be at the MML conference. So it
18 will be interesting to see what this discussion is
19 about. Certainly we're interested in anybody who
20 wants to utilize the creative ideas, particularly
21 for use of our structures that need to be rehabbed.
22 So anybody who is there, please bring back
23 information. But this is not me. I did get a very
24 irate call from this school superintendent wanting
25 to know if I had been behind this, and I said "In no

1 way." So I don't know, and I just want to make sure
2 everybody is clear on that focus.

3 What is going on with Phoenix Center,
4 as I've said, it's in litigation right now so I
5 don't talk about much in open session, but I do keep
6 Treasury advised on the movement forward in that
7 regard.

8 As far as the other mediation
9 regarding the GERS settlement, I'm hopeful that we
10 will have another meeting, and I'll leave that
11 alone. The appeal of the City to see whether the
12 Supreme Court would take the case that had been
13 decided by the Michigan Court of Appeals regarding
14 the \$3.4 million payment to the police and fire
15 VEBA, which was due in 2012, we still don't know if
16 the Supreme Court is going to take that appeal, and
17 it may be, according to the attorneys who are
18 working with that, it may be some months before we
19 even know what the status of that is.

20 And then blight management. I'll just
21 touch on a couple of these things pretty briefly
22 here with the time. Blight management, the contract
23 that you have considered and approved, that will
24 certainly help us to continue forward and continue
25 the movement with blight removal in Pontiac.

1 One thing that the Administrator said
2 I wanted to catch, this blight management contract,
3 this company will not do all of the work concerned
4 with blight. We are still, as a City, bound of
5 certain functions of Oakland County, they hold our
6 feet over the fire to make sure we were going to
7 continue to do that as a City. Number one, we still
8 have to do the contracting process. Oakland County,
9 because they are the administrators and fiduciaries
10 of these HUD funds, wanted to make sure we were
11 doing that, as well as some of the functions of --
12 the labor functions associated with getting the
13 process started. But because we have no person in
14 this position right now, as I've told you about,
15 we're trying to eek along until we can get this
16 management contract in place to make sure we're
17 staying on a time frame, to make sure we are
18 utilizing these funds on a timely basis, as Oakland
19 County is making sure that we want to do.

20 So that is just that correction. And
21 you also talked about the access after hours for
22 certain people in the City. I just wanted to add to
23 that, that we are working on a revised security
24 system for the building, City Hall. I am very
25 attune to the need for security controls within the

1 building. There are a number of employees and I
2 have had an experience with after hours. So we
3 don't want that to be at risk -- anybody to be at
4 risk here. So it's important to rethink that. The
5 system that our DPW director is working on will
6 allow there to be modification either through buzzer
7 or through card access that will notify and be
8 recorded at the Sheriff's Department. So that may
9 alleviate the need for people to go physically and
10 get a key. But we do want to make sure we have a
11 security system that is top-notch and that puts
12 nobody at risk, either property or life.

13 So, that is forthcoming, and I think
14 when we get that in, as well as anybody who would
15 have access to that system would have to sign off on
16 being weary and abiding by the security controls and
17 protocols that we put in place. So that issue will
18 come up as that system is investigated and we would
19 get the implementation of that.

20 And that concludes my report.

21 CHAIRPERSON KORYZNO: Thank you,
22 Mayor. Next item is Non-Action Items, Financial
23 Report for August 2015. Mr. Nazarko.

24 MR. NAZARKO: Good afternoon, Mr.
25 Chair and Board.

1 CHAIRPERSON KORYZNO: Good afternoon.

2 MR. NAZARKO: As I begin to read my
3 50 pages' worth of report -- I'm just kidding.

4 The only item that I would like to add
5 in addition to the report is that, yesterday, for
6 the first time, we invested in a bond. We decided
7 to buy a bond in the Allendale Public School
8 District. Three-year bond -- actually not even
9 three years. It's 2 years 7 months' maturity date.
10 1.8 coupon, 1.2 APY, and I'm happy, again, we are in
11 our quest to diversify and maximize our investment
12 earnings. This was the right step that we have been
13 preparing for a while. We looked at various bonds,
14 because this not just only meets our investment
15 ordinance requirements, which investment grade and
16 this as well above the investment grade, but
17 maturity as well. So we had the money aside to
18 invest, and this is going to add already to our
19 healthy earnings on our investments. We have
20 already now five institutions that we are
21 diversified and earning money, and a lot more than
22 what was last year, which was zero.

23 So that concludes my reports, unless
24 you have any questions.

25 CHAIRPERSON KORYZNO: Any questions

1 for Mr. Nazarko? Thank you.

2 Mr. Sobota, do you have anything to
3 report to the Board on?

4 MR. SOBOTA: I was approached by one
5 of the employees who has requested that the City
6 reexamine its cell phone policy. As you are aware,
7 the City does not issue cell phones, nor do we
8 reimburse employees for personal use of cell phones.

9 I advised the employee that this issue
10 would need State Treasurer approval, as it requires
11 an EM order amendment.

12 So yesterday, I think I started a
13 little hornet's nest out amongst the Oakland County
14 City Manager's Association. I sent a survey to my
15 colleagues to ask them three simple questions:
16 Number one, do you issue cell phones to your
17 employees? Number two, if so, how do you handle
18 personal calls? And number three, if you don't
19 issue cell phones, do you have a stipend that is
20 paid?

21 I will say this, I've had some
22 interesting questions and comments because I guess
23 people haven't looked at their cell phone policy in
24 a while. But my intention is to provide just the
25 Oakland County scope of cell phone policies and make

1 a recommendation to the Board next month to then be
2 presented to the State Treasurer.

3 Is there any other information that
4 the Board believes would be helpful in evaluating as
5 to whether or not we wish to change our cell phone
6 policy other than finding out what our neighbors are
7 doing?

8 CHAIRPERSON KORYZNO: Mr. Schimmel?

9 MEMBER SCHIMMEL: One, two and three.
10 Joe, again, number one was?

11 MR. SOBOTA: Do you issue cell phones
12 to your employees, yes or no? Number two, if you
13 do, how do you handle personal calls? And then
14 number three, if you don't issue cell phones, do you
15 offer a stipend?

16 MEMBER SCHIMMEL: So your question is,
17 is there anything further we need to know?

18 MR. SOBOTA: Exactly. Or if you want
19 me to spread the survey out amongst the State,
20 Michigan Local Government Management Association,
21 will I have enough information to provide you in
22 terms of --

23 MEMBER SCHIMMEL: I can give you the
24 answer to one, two and three, but I won't go there.
25 And the other is, no, I think that -- I'm speaking

1 for me. Let the others speak for themselves. But
2 that sounds good to me, to keep it to Oakland
3 County. Let's see what our neighbors are doing.

4 CHAIRPERSON KORYZNO: I agree with Mr.
5 Schimmel. Board members?

6 MR. SOBOTA: Okay. Then I'm shorter
7 than Mr. Nazarko today. That concludes my report.

8 CHAIRPERSON KORYZNO: All right.
9 Thank you, Mr. Sobota.

10 Next item on the agenda is Public
11 Comment. Per Board rules, you'll have two minutes
12 for comments, and Mr. Widigan will call your name
13 and at that time please approach the podium and
14 state your name for the record.

15 MR. WIDIGAN: Billie Swazer.

16 MS. SWAZER: Hi. As you know, I'm
17 Billie Swazer. I had a whole list of stuff to say
18 to you, but since you have passed --

19 CHAIRPERSON KORYZNO: Hold on, Ms.
20 Swazer. I missed the last meeting, so I forgot how
21 to operate this.

22 MS. SWAZER: I'm not going to be that
23 long, so you can save it for the next person.

24 I just want to say thank you for
25 passing 15-228 and 15-229, as well as 15-249. The

1 retirees would appreciate it. It's a relief. Maybe
2 I can sleep at night now. Thank you.

3 CHAIRPERSON KORYZNO: Thank you, Ms.
4 Swazer.

5 MEMBER SCHIMMEL: Would you have Mr.
6 Burgess show him how to do that.

7 CHAIRPERSON KORYZNO: Okay. Mr.
8 Widigan.

9 MR. WIDIGAN: Robert Best.

10 CHAIRPERSON KORYZNO: Say the name
11 again. He's gone? Okay.

12 MR. WIDIGAN: Denise Cobb.

13 CHAIRPERSON KORYZNO: Good afternoon.

14 MS. COBB: Good afternoon. My name is
15 Denise Cobb. When I talked to my neighbors on my
16 street, and other people in the communities in
17 Pontiac, other citizens and residents, they don't
18 feel like they're being helped. I know what it's
19 like to be helped. When I walked to my first job
20 and came to this building, I was helped by a lot of
21 people. In 1976, first lady I saw was Lori Allen.
22 That was a long time ago.

23 As far as street sweeping, we want our
24 streets plowed in the winter. We can't get off our
25 street. I brought this up the last time. There's

1 parking on both sides of our street, and this is how
2 I got to meet a lot of my neighbors. This is kind
3 of a -- miscellaneous, you know, comments because I
4 talked to different people and they just kind of
5 throw things at me. We have kids on school buses
6 that are getting stuck in the snow, which is
7 dangerous. I also brought up there's the
8 intersection Elizabeth Lake, State, Johnson, that
9 area is just -- needs to be -- the streets should be
10 painted. The sign is misleading.

11 You know, when I'm being helped, I'm
12 looking for a result. I don't feel results are
13 being helped. Even when I have to call and talk to
14 people in Oakland County, it seems -- the consistent
15 (sic) seems to be that we can talk to Pontiac
16 citizens any old kind of way because we're nothing.
17 We're not being respected. And these are things
18 that I talk to other citizens about.

19 And I made a few little miscellaneous
20 notes here, because there's really no rhyme or
21 reason. I mean, if you're going to help me, don't
22 have me stand on a chair and kick it from under me
23 with the rope around my neck and tell me "Oh, I'm
24 going to help you. I'm going to pick the chair up
25 for you." You know, this is not helping us.

1 Also, there's signs in Pontiac.
2 There's areas in Pontiac, Liberty Street by the
3 Seminole Hills Apartments, there's no signage there
4 by that abandoned apartment building. We don't feel
5 like we're being helped when we can't even come to
6 our City Hall and pay our bills, and go into other
7 buildings. Is that really helping going to liquor
8 stores? Is that really helping us pay our bills
9 inside the street and you can't get off your street
10 in the winter? Thank you. I've got more.

11 CHAIRPERSON KORYZNO: You're welcome.

12 MS. COBB: Thank you.

13 CHAIRPERSON KORYZNO: Thank you.

14 MR. WIDIGAN: Doris Taylor Burks.

15 MS. TAYLOR BURKS: Good evening --
16 afternoon.

17 CHAIRPERSON KORYZNO: Good afternoon.

18 MS. TAYLOR BURKS: I'm Councilwoman
19 Doris Taylor Burks representing District 6. And
20 well now I'm here to say thank you for your vote on
21 the street sweeping, because our words were totally
22 twisted. Today, I'm glad that I came so that the
23 truth was finally wiggled out, because we know what
24 we said at the Council meeting, and what we voted
25 for. And I want to say thank you for -- for

1 listening, and for voting so that our streets can
2 get swept and the signage can get on the streets.
3 And thank Mr. King for his hard work and for
4 listening to us in our Subcommittee meeting, and the
5 fact that they are willing to look at some of our
6 citizens that are -- that once work here and now
7 they are retired, and they can come back and be a
8 help to us. Thank you very much.

9 CHAIRPERSON KORYZNO: Thank you very
10 much, Council member Taylor Burks.

11 MR. WIDIGAN: Don Woodward.

12 MR. WOODWARD: Thank you for the
13 privilege to be able to address you. I also want to
14 thank you for helping us with the street sweeping.
15 It will be only a one-time deal. It kind of is a
16 stopgap measure. We certainly will address this and
17 try to get our ducks in a row before April. I'm not
18 going to point any fingers. We just didn't get all
19 of the information, and we felt to be good stewards,
20 we needed to have the complete information. So
21 that's why it drug on so long. But thank you for
22 that. And I'll pay for my own cell phone. Thank
23 you.

24 CHAIRPERSON KORYZNO: Thank you,
25 Council member.

1 MR. WIDIGAN: Mike McGuinness.

2 CHAIRPERSON KORYZNO: Good afternoon.

3 MR. MCGUINNESS: Good afternoon. Mike
4 McGuinness. I'm a resident of our City. I wanted
5 to point out when we were having a conversation
6 about street sweeping, which is a critically
7 important City service that us residents have been
8 calling for many months, Mr. King did a very
9 thorough job and a great presentation to the City
10 Council, it was an excellent exchange of
11 information, and he pointed out that the \$138,000
12 figure is the worst case scenario; if it was
13 excessively raining, if it had to go the full
14 eight-week period. And so I'm mildly frustrated
15 that that wasn't communicated, conveyed when this
16 very important decision, almost at the last possible
17 moment, is before you; because if it was pushed back
18 to next months' TAB Board meeting, it might have
19 been for naught. It was very helpful, the
20 information he presented to City Council and the
21 questions that the Mayor and Council asked that came
22 to the conclusion that, by far, it was the more
23 cost-effective solution and would, by and far, lead
24 to a stronger City service being delivered to us
25 residents. It's something that -- in every part of

1 the City, we have a very unique topography with
2 sometimes hilly neighborhoods, it's very critically
3 important, and it can have very disastrous
4 consequences not only with what the Environmental
5 Protection Agency or the State might fine us with if
6 we didn't sweep the streets, but also just the
7 day-to-day inconvenience and the severe consequences
8 that could happen for taxpayers and residents.

9 So I'm disappointed that that
10 information wasn't fully conveyed and wasn't a good
11 representation about what a solid choice -- policy
12 choice that was before you. So thank you for
13 ultimately approving that and providing that service
14 to the residents. Obviously we're doing a bang up
15 job paying our taxes. We're helping the City take
16 the express train to a stronger financial situation
17 by a higher rate of payment both for property and
18 income taxes. So at the very least, having
19 passable, clean streets is just a bare requirement
20 and necessity for our City to live in. Thank you.

21 CHAIRPERSON KORYZNO: Thank you, Mr.
22 McGuinness.

23 MR. WIDIGAN: That's it for public
24 comment.

25 CHAIRPERSON KORYZNO: All right. Next

1 item on the agenda is Board Comment. Any comment
2 from the Board members? Mr. Burgess?

3 MEMBER BURGESS: I'm happy to continue
4 to see the cooperation between the Mayor and the
5 City Manager. We don't require that you agree on
6 everything. We do like to see you discussing all of
7 the items. And I think we have seen that, the last
8 three times. So very good.

9 CHAIRPERSON KORYZNO: Any other
10 comments? Mr. Schimmel?

11 MEMBER SCHIMMEL: Two very quick ones.
12 I just want to compliment the Mayor on her hire of a
13 deputy and bringing in a professional manager-type
14 person. I think that's really a great thing. And I
15 also want to compliment Mr. Nazarko on his
16 investment thing. He's been sort of plugging away
17 at that, and we've been listening to it, but it's
18 really nice to see it turn into something producing
19 more dollars for the City. That's all I have.

20 CHAIRPERSON KORYZNO: All right. I
21 would say I would like to congratulate the Mayor as
22 well on the hire of Ms. Bais-DiSessa. I've known
23 her for over 20 years and she's an ultimate
24 professional.

25 Seeing no further comments, entertain

1 a motion to adjourn.

2 MEMBER SAWDON: So moved.

3 MR. SCHIMMEL: Support.

4 CHAIRPERSON KORYZNO: Moved by Sawdon,
5 supported by Schimmel. All in favor of the motion,
6 say "aye."

7 (All ayes.)

8 CHAIRPERSON KORYZNO: The Pontiac
9 Receivership Transition Advisory Board is adjourned
10 at 2:19 p.m. Thank you.

11 (Proceedings concluded at or about the
12 hour of 2:19 p.m.)

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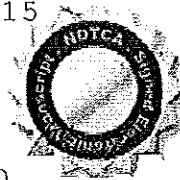
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C E R T I F I C A T E

I, Quentina Rochelle Snowden, do hereby certify that I have recorded stenographically the proceedings had and public comment taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (67) pages, is a true and correct transcript of my said stenographic notes.

Dated: September 25, 2015



Quentina R. Snowden

Quentina R. Snowden, CSR-5519

Notary Public, Genesee County, Michigan

My commission expires: 1/4/2018