



**PONTIAC CITY COUNCIL  
FORMAL MEETING**

**January 25, 2018**

**6:00 p.m.**

**4<sup>th</sup> Session of the 10<sup>th</sup> Council**

*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."*

Call to order

Invocation

Pledge of Allegiance

Roll Call

Authorization to excuse councilmembers

Amendments to and approve the agenda

Approval of Minutes

1. Minutes of January 11, 2018.
2. Minutes of January 18, 2018.

Deputy Mayor Report or Departmental Head Report

Recognition of Elected Officials

Agenda Address

**Agenda Items for Council Consideration**

3. Adopt a 2018 Meeting Calendar.
4. Resolution to appoint Patrice Waterman to the GERS Board of Trustees.
5. Resolution for the Approval of the Waiver required for all Eligible Early Retirees. (Deferred from last week)
6. Resolution request to schedule a public hearing to consider amending Tax Increment Finance Authority (TIFA) district boundaries for parcel #64-14-34-380-043.
7. Resolution for a Zoning Map Amendment for PF 17-25 Parcel #64-14-378-012. (1023 E Walton Blvd.-Deferred from two weeks ago.)
8. Resolution for an Alley Vacation request submitted by Auch East Gateway, LLC, 65 University Dr. for PF 17-28 parcel #64-14-29-428-002; 64-14-29-428-007; and 64-14-428-008 lots 2, 3-7, 16 & 17, 8-15 of Assessor's Plat 121, a re-plat of Part of Chamberlin's Addition.
9. Resolution for a Street Vacation submitted by Tarlton R. Small, 315 Gallogly for PF 17-29 parcel #64-14-02-426-017, 64-14-02-426-016, 64-14-02-426-008, 64-14-07-426-007, 64-14-07-426-015, 64-14-07-428-001, 64-14-07-428-002, and 64-14-07-428-003. (New Haven Avenue between Telegraph Rd. & Charleston Ave and Charleston Ave. between New Haven Ave. & Trenton Ave).

Public Comment

Mayor, Clerk and Council Closing Comments

Adjournment

January 11, 2018

**Official Proceedings  
Pontiac City Council  
2<sup>nd</sup> Session of the Tenth Council**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, January 11, 2018 at 6:00 p.m. by President Kermit Williams.

Call to Order at 6:00 p.m.

Invocation – Pastor Matlock

Pledge of Allegiance

Roll Call

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

**18-10            Approval of the Agenda with changes to defer item #2 (waiver for eligible early retirees) for one week and add a Resolution for our Sister City 40<sup>th</sup> Anniversary.** Moved by Councilperson Woodward and supported by Councilperson Carter.

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

No: None

**Motion Carried.**

**18-11            Journal of January 4, 2018.** Moved by Councilperson Pietila and supported by Councilperson Woodward.

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

No: None

**Motion Carried.**

Deputy Mayor Report or Departmental Head Report – Deputy Mayor Jane Bais-DiSessa, Portia Field-Parks Manager

President Kermit Williams opened up Public Hearing regarding re-programming the 2016 Community Development Block Grant Funds to help Senior Citizens Programs at 6:19 p.m.

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

1. Mattie McKinney Hatchett 135 Perkins Street. She stated that she was glad to see this on the agenda. She made a call to OSHA because she has a deep concern about snow removal for our senior citizens. It was horrible after the last snow. She stopped by a senior's house and the sidewalk and steps were terrible. I hope some of this money be used to help our senior citizens with snow removal.
2. Sam Anderson Jr. 1091 Williamson Circle. He is on the Zoning Commission and Advisory Board for CDBG Funds in Oakland County. He stated that we have \$75,000 to use but they also have applications for senior to get their houses fix whether it be for sewers and so on. To qualify all

you need to do is have your taxes paid up and have some kind of equity in your home. If you do not qualify then they will work with you to qualify. The last meeting they had, he said they already spent \$475, 000 in Pontiac. There next meeting is on the 17<sup>th</sup> of this month and he has a business card for President Williams from Gordon Lambert, the head of CDBG so if he has any questions he can call him directly. The city has \$75,000 to use so please get those applications so you can use them.

3. Renee Beckley 95 Crescent Dr. Does this fund include things at the senior citizen buildings? If so, I have a concern about renting at night. Why do they have to pay for renting building for senior citizen activities? Why not use some of this money to take away some of those expenses for senior citizens. I am a member of the Bowen Center and every time they take a trip, they need an extra bus. So maybe you can spend sum of the money to buy a bus and make sure they have transportation whenever they go on trips.
4. Brad-CEO of Oakland Livingston Human Services 196 Cesar E. Chavez. He is here to talk about programs through OSHA. He operates chore programs for senior citizens including cutting grass and snow removal. We also have resources to advocate on seniors behalf. We have a grandparent raising grandchildren program and a senior home entry control program. These programs are funded by Triple A 1B for now, they cover Oakland and Livingston County but there are some programs already in place and will open the door for more programs in the City of Pontiac. He stated that they look forward to the opportunity to continue working with Pontiac. Oakland Livingston Human Services been around since 1964 and they have about 70 programs within the two counties they serve.
5. Kathalee James 1579 Marshbank. She supports the transfer of money to be used for senior citizens. She stated that she has a concern and a suggestion. We need to have some kind of program at both centers to identify our senior citizens. Statistic shows many of our seniors live alone. There are churches, individuals and the sun time bank who go out and visit senior citizens. She would like to have a few part time positions created to go out, visit and check on our senior citizens that live alone. The City of Pontiac should have some type of program to keep in touch with our senior citizens.
6. Billie Swazer 1619 Marshank. It was interesting to hear Brad talk about Oakland Livingston Human Services. She has a friend who live on Eckman in Pontiac that uses their services. Yes, they do cut your yard in the summer months and shelve snow in the winter months. I hope this money can be used to help them for a long time. Seasons come so you have to cut grass, rake the leaves and shelve snow but most senior citizens need help with these chores. I hope the city will use this money and go beyond what Oakland Livingston Human Services is already doing.

President Williams closed public hearing at 6:27 p.m.

Recognition of Elected Officials - Mike McGuiness – School Board Trustee

Agenda Address – Billie Swazer

#### **Original Minutes Regarding 18-12 and 18-13**

18-12            **Resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.** Moved by Councilperson Woodward and supported by Councilperson Carter. Motion by Councilperson Waterman to withdraw from voting on this item, Councilperson Woodward withdrew his motion and Councilperson Carter withdrew his support.

Ayes: Taylor-Burks, Waterman, Williams, Woodward, Carter, miller and Pietila  
No: None

**Motion Carried.**

18-13      **Motion to add language to reflect Council pay period change from monthly to bi-weekly at the end of the Resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

Whereas, the Local Officers Compensation Commission would like to express their appreciation to the Mayor and City Council for their public service to the City of Pontiac; and,

Whereas; the Local Officers Compensation Commission gathered comparable salaries from cities across the county and state, received a financial overview from the city's finance director and received feedback from a council person; and,

Whereas, the Local Officers Compensation Commission considered Pontiac's unique position as a strong mayoral form of government, as such their attention to cities in Michigan with similar structure, population size and land size, and

Whereas, each member of the Local Officers Compensation had various points of view, all of which were considered and discussed.

Now, Therefore, after consideration of the factors mentioned above, it is the recommendation of the LOCC that the salaries for the Mayor and City Council be set as follows: Mayor \$113,000 (13%) and City Council \$16,500 (10%) to be compensation bi-weekly.

Ayes: Woodward.

No: Williams, Carter, Miller, Pietila and Taylor-Burks.

Abstain: Waterman

**Resolution Failed.**

**Corrected Minutes Regarding 18-12 (a) and (b), and 18-13.**

18-12 (a)      **Resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.** Moved by Councilperson Woodward and supported by Councilperson Carter.

There were some discussion regarding the Local Officers Compensation Commission to increase salaries for Mayor and City Council.

Councilwoman Patrice Waterman stated she would abstain from voting on this matter because she is waiting on some information from the Legislator Coordinator.

President Williams asked what the time line to vote on this matter.

Attorney Chubb and Deputy Mayor Jane stated that the Council have 30 days after it was submitted to the City Clerk. It was submitted on December 19, 2017 and placed on the agenda for December 21, 2017 Council Meeting.

The Mayor asked Council were they waiting on the Executive Staff or Attorney for that information.

Then, she asked what information is Council waiting on.

Councilwoman Waterman stated that they are waiting on an out source opinion regarding this matter.

There was a recommendation from the City Finance Director to change language in resolution to reflect salary change from monthly to bi-weekly.

The city Attorney recommended adoption of the change to bi-weekly in a separate resolution.

**Motion on the floor to go with the Finance Director to add language to reflect salary change from monthly to bi-weekly.** Don Woodward moved and Mary Pietila supported. Now there are two different motions on the floor. Council needs to go back and rescind move and support from previous action.

18-12 (b) **A motion to withdraw the 18-12 (a) motion.** Moved by Councilperson Woodward and supported by Councilperson Carter.

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

No: None

**Motion Carried.**

18-13 **Motion to add language to reflect Council pay period change from monthly to bi-weekly at the end of the Resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.** Moved by Councilperson Woodward and supported by Councilperson Pietila.

Whereas, the Local Officers Compensation Commission would like to express their appreciation to the Mayor and City Council for their public service to the City of Pontiac; and,

Whereas; the Local Officers Compensation Commission gathered comparable salaries from cities across the county and state, received a financial overview from the city's finance director and received feedback from a council person; and,

Whereas, the Local Officers Compensation Commission considered Pontiac's unique position as a strong mayoral form of government, as such their attention to cities in Michigan with similar structure, population size and land size, and

Whereas, each member of the Local Officers Compensation had various points of view, all of which were considered and discussed.

Now, Therefore, after consideration of the factors mentioned above, it is the recommendation of the LOCC that the salaries for the Mayor and City Council be set as follows: Mayor \$113,000 (13%) and City Council \$16,500 (10%) to change compensation from monthly to bi-weekly.

Ayes: Woodward.

No: Williams, Carter, Miller, Pietila and Taylor-Burks.

Abstain: Waterman

**Resolution Failed.**

18-14 **Resolution for a Zoning Map Amendment for PF 17-24 Parcel #64-14-31-235-019. (162 Seminole St.)** Moved by Councilperson Taylor-Burks and supported by Councilperson Woodward.

Whereas, The City has received an application for a Zoning Map Amendment for 162 Seminole, identified as parcel (64-14-31-235-019) from Reverend Douglass Jones. To rezone the lot in question from the current R-1 One Family Dwelling District zoning to P-1 Parking District.

Whereas, The Planning Department has reviewed the applicants rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance. The Planning Department has determined the aforementioned request and proposed intended use of the property comply with the City of Pontiac Zoning Ordinance.

Whereas, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments. The Zoning Map Amendment request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation.

Whereas, On December 6, 2017, A Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 162 Seminole from the current R-1 One Family Dwelling District zoning to P-1 Parking District.

Now Therefore, Be It Resolved, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment (PF-17-24) request for 162 Seminole, to amend the current zoning from R-1 One Family Dwelling District zoning to P-1 Parking District.

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

No: None

Abstain: Miller and Waterman

**Resolution Passed.**

**18-15      Defer for two weeks the Resolution for a Zoning Map Amendment for PF 17-25 parcel #64-14-10-378-012. (1023 E. Walton Blvd) Moved by Councilperson Miller and supported by Councilperson Taylor-Burks.**

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

No: None

**Motion Carried.**

**18-16      Resolution honoring our Sister City 40<sup>th</sup> Anniversary. (Ad-on) Moved by Councilperson Woodward and supported by Councilperson Taylor-Burks.**

WHEREAS, the Sister City Program, administered by Sister Cities International, was initiated by the Dwight David Eisenhower, President of the United States of America in 1956 to encourage greater friendship and understanding between the United States and other nations through direct and personal contact; and

WHEREAS, every Michigan Governor since George Romney has met with their Japanese counterpart here and abroad since 1968; and

WHEREAS, in August 1978 Mayor Wallace E. Holland and Mayor Takao Kasatsu entered in to a sister city agreement; and

WHEREAS, the mission of the sister city programs is to create bonds between individuals from cities across the world by creating cultural and educational exchanges; and

WHEREAS, the City of Pontiac is dedicated to pursuing regional, national, and international relationships which produce community benefit; and

WHEREAS, a sister city partnership facilitates a mutually beneficial relationship between two cities for the exchange of information, expertise, and culture; and

WHEREAS, the bridge of warmth and understanding exists between the two cities which has been nurtured by exchange visits; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the members of the Pontiac City Council commemorate the 40th Anniversary of the Sister City relationship with Kusatsu, Shiga Prefecture, Japan as we continue to learn as one.

AND BE IT FURTHER RESOLVED, that the Mayor and the members of the Pontiac City Council agree to rededicate their heartfelt appreciation and commitment to the Mayor of Kusatsu and the Kusatsu City Council and all other elected and appointed officials and citizens of our great sister city.

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

No: None

**Resolution Passed.**

January 11, 2018

There were 17 individuals who addressed the body during public comment.

Honorable Mayor Deirdre Waterman Reported.

Attorney Chubb, Councilwoman Patrice Waterman, Councilwoman Gloria Miller, Councilman Don Woodward, Councilwoman Mary Pietila, Pro-Tem Randy Carter and President Kermit Williams made closing comments. Acting Clerk Sheila Grandison had no closing comments.

**President Kermit Williams adjourned the meeting at 8:53 p.m.**

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SHEILA GRANDISON  
ACTING CITY CLERK



January 18, 2018

**Official Proceedings  
Pontiac City Council  
3<sup>rd</sup> Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, January 18, 2018 at 6:00 p.m. by President Kermit Williams.

Call to Order at 6:00 p.m.

Roll Call

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

Mayor Waterman was present.

Clerk announced a quorum.

18-17            **Excuse Councilperson Donald Woodward for personal reasons.** Moved by Councilperson Waterman and supported by Councilperson Pietila.

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

No: None

**Motion Carried.**

18-18            **Approval of the Agenda with changes to move item # 2 (waiver for early retirees) and item #3 (increase salaries for mayor and council) before public comment.** Moved by Councilperson Waterman and supported by Councilperson Pietila.

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

No: None

**Motion Carried.**

18-19            **Journal of January 11, 2018.** Moved by Councilperson Waterman and supported by Councilperson Pietila.

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

No: None

**Motion Carried.**

**Attorney Chubb asked President Williams to table the minutes from January 11, 2018 to get more clarification regarding the vote related to the salary increase for the Mayor and City Council.**

18-20            **Motion to table the minutes for 1 week of January 11, 2018.** Moved by Councilperson Pietila and supported by Councilperson Miller.

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

No: None

**Motion Carried.**

January 18, 2018

**18-21           Defer for 1 week the resolution for the approval of the waiver required for all eligible early retirees.** Moved by Councilperson Pietila and supported by Councilperson Waterman.

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

No: None

**Motion Carried.**

**18-22           Council rejects the resolution from the Local Officers Compensation Commission to increase salaries for Mayor and City Council.** Moved by Councilperson Pietila and supported by Councilperson Carter.

Whereas, the Local Officers Compensation Commission would like to express their appreciation to the Mayor and City Council for their public service to the City of Pontiac; and,

Whereas, the Local Officers Compensation Commission gathered comparable salaries from cities across the county and state, received a financial overview from the city's finance director and received feedback from a council person; and,

Whereas, the Local Officers Compensation Commission considered Pontiac's unique position as a strong mayoral form of government, as such their attention to cities in Michigan with similar structure, population size and land size; and,

Whereas, each member of the Local Officers Compensation Commission had various points of view, all of which were considered and discussed.

Now, Therefore, after consideration of the factors mentioned above, it is the recommendation of the LOCC that the salaries for the Mayor and City Council be set as follows: Mayor \$113,000 (13%) and City Council \$16,500 (10%).

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

No: Carter

Abstain: Waterman

Attorney Chubb stated the vote has to be 2/3 majority serving, not present. Council President called for another vote for clarity.

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

No: None

**Resolution Rejected.**

Councilwoman Patrice Waterman was excused from the meeting at 6:14 p.m.

There were 10 individuals who addressed the body during public comment.

**18-23           Resolution for Joyce Ann Allen.** Moved by Councilperson Taylor-Burks and supported by Councilperson Pietila.

Whereas, It is the sense of this legislative body to pay proper tribute to individuals of remarkable character and whose lives have been dedicated to uplifting and inspiring and empowering the community; and;

Whereas, it is feelings of the deepest regret that the Pontiac City Council mourns the passing of Joyce Ann Allen, a giving and loyal member of this community; and,

January 18, 2018

Whereas, Joyce Ann Allen was born on May 4, 1939 in Pontiac, Michigan to the union of Alfred Peaks and Frances Reed; and,

Whereas, Joyce Ann Allen graduated from Pontiac Central High School where she was recognized as an outstanding orator while on the speech and debate team; and,

Whereas, Joyce Ann Allen faithfully worked as an Outreach Specialist and was distinguished as a leading social worker for Oakland Livingston Human Services, formally known as Office of Economic Opportunity where she retired; and,

Whereas, Joyce Ann Allen selflessly dedicated countless hours to the community, she was instrumental in organizing and implementing the Toy Give Away, which for over 20 years provided parents and children with Christmas gifts, she served as a recruiter for Head Start and the Pontiac Business Institute, established a food commodity program at the Bloomfield Hills Townhouses, contacted and encouraged companies to donate gift cards for the elderly and the less fortunate during the holiday season and went door to door in the various neighborhoods enrolling children in the Summer Lunch Program; and,

Whereas, Joyce Ann Allen was always a sight for “sore eyes” and would in a time of need, write a poem in order to provide words of encouragement; and,

Whereas, Joyce Ann Allen served on the Pontiac Library Board, the Bloomfield Hills Cooperative Board and was a member of the Red Hatters Society; and

Whereas, Joyce Ann Allen was a devoted member of Macedonia Missionary Baptist Church which was founded by her grandfather, Rev. Ford B. Reed.

Now, Therefore Be It Resolved, that the Members of the Pontiac City Council and members of this great community will greatly miss Joyce Ann Allen, as her life was a portrait of service, a legacy that will long endure the passage of time and will remain as a comforting memory to all those whose lives she touched; we give our sincerest condolences to the family and friends of Joyce Ann Allen.

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

No: None

**Resolution Passed.**

**President Kermit Williams adjourned the meeting at 7:14 p.m.**

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SHEILA GRANDISON  
ACTING CITY CLERK

**COMMUNITY DEVELOPMENT SUB-COMMITTEE NOTES**  
**January 23, 2018**

In attendance:

Council members: Chairman Don Woodward, Gloria Miller and Mary Pietila

Deputy Mayor: Jane Bais-DiSessa

Wade Trim Director: Jeff Bowdell

Economic Development Director: Rachel J. Loughrin

Start time: 9:30 a.m.

**I. Businesses being conducted in residential areas**

- On Kinney, it appears that an automotive repair business is active in a residential neighborhood and in violation of the ordinance.
- On Blaine, it is alleged that a vacant lot is being used to conduct some type of business. There are five vehicles on the lot including a state vehicle.
- Across the street, there is a house that was demo'd, so the house was raised and it appears, that the property is being used for a heating and cooling business.

**II. CO-OPs**

- The issue discussed was homestead credits as it applies to CO-OPs.
- If tenants are having their units subsidized, that does not qualify as a CO-OP.
- If a building states it's a CO-OP and is not, there are various penalties such as tax violations etc.
- Consideration given to creating reporting requirements.

**III. Tree overgrowth and sidewalks**

- There are many trees extending over onto the sidewalks preventing residences from walking on the sidewalk.
- Owners will be ticketed as they are responsible for ensuring that the trees do not extend to the sidewalks.

**IV. Parking in the yard**

- The ordinance prevents parking in front yards (25ft from the porch) and on the sidewalk.
- Tickets will be issued, warnings given first.

**V. Economic Development**

- The Deputy Mayor indicates that the Executive is working on several projects in stages, that will be discussed at a later date.
- With respect to demo's, they are back on track and should be done in mid February.
- 501c(3)'s must register rental houses. There may be a reduction on the cost of the registration; however, there is still a fee.
- Special Event parking ordinance still needs to be reviewed by Mr. Bowdell.

Adjourned: 10:30 a.m.



The Pontiac City Council

Announces

### THE SCHEDULE OF MEETINGS OF THE PONTIAC CITY COUNCIL

To comply with the Michigan Open Meeting Act (MCL 15.265)

The Pontiac City Council will hold its regular meeting on Thursday evenings at 6:00 p.m. in the Council Chambers of City Hall 47450 Woodward Ave Pontiac, Michigan 48342 unless otherwise noted.

Internet website where meetings are posted [www.pontiac.mi.us](http://www.pontiac.mi.us)

**The dates are as follows:**

Thursday, January 4, 2018 6:00 p.m. Study Session  
Thursday, January 11, 2018 6:00 p.m. Formal Meeting  
Thursday, January 18, 2018 6:00 p.m. Study Session  
Thursday, January 25, 2018 6:00 p.m. Formal Meeting  
Thursday, February 1, 2018 6:00 p.m. Study Session  
Thursday, February 8, 2018 6:00 p.m. Formal Meeting  
Thursday, February 15, 2018 6:00 p.m. Study Session  
Thursday, February 22, 2018 6:00 p.m. Formal Meeting  
Thursday, March 1, 2018 6:00 p.m. Study Session  
Thursday, March 8, 2018 6:00 p.m. Formal Meeting  
Thursday, March 15, 2018 6:00 p.m. Study Session  
Thursday, March 22, 2018 6:00 p.m. Formal Meeting  
Thursday, March 29, 2018 Noon Study Session  
Thursday, April 5, 2018 6:00 p.m. Formal Meeting  
Thursday, April 12, 2018 6:00 p.m. Study Session  
Thursday, April 19, 2018 6:00 p.m. Formal Meeting  
Thursday, April 26, 2018 6:00 p.m. Study Session  
Thursday, May 3, 2018 6:00 p.m. Formal Meeting  
Thursday, May 10, 2018 6:00 p.m. Study Session  
Thursday, May 17, 2018 6:00 p.m. Formal Meeting  
Thursday, May 24, 2018 Noon Study Session  
Thursday, May 31, 2018 6:00 p.m. Formal Meeting  
Thursday, June 7, 2018 6:00 p.m. Study Session  
Thursday, June 14, 2018 6:00 p.m. Formal Meeting  
Thursday, June 21, 2018 6:00 p.m. Study Session  
Thursday, June 28, 2018 6:00 p.m. Formal Meeting  
Thursday, July 5, 2018 Noon Study Session  
Thursday, July 12, 2018 6:00 p.m. Formal Meeting  
Thursday, July 19, 2018 6:00 p.m. Study Session  
Thursday, July 26, 2018 6:00 p.m. Formal Meeting  
Thursday, August 2, 2018 6:00 p.m. Study Session  
Thursday, August 9, 2018 6:00 p.m. Formal Meeting  
Thursday, August 16, 2018 6:00 p.m. Study Session  
Thursday, August 23, 2018 6:00 p.m. Formal Meeting  
Thursday, August 30, 2018 6:00 Study Session  
Thursday, September 6, 2018 6:00 p.m. Formal Meeting  
Thursday, September 13, 2018 6:00 p.m. Study Session  
Thursday, September 20, 2018 6:00 p.m. Formal Meeting  
Thursday, September 27, 2018 6:00 p.m. Study Session  
Thursday, October 4, 2018 6:00 p.m. Formal Meeting  
Thursday, October 11, 2018 6:00 p.m. Study Session  
Thursday, October 18, 2018 6:00 p.m. Formal Meeting  
Thursday, October 25, 2018 6:00 p.m. Study Session  
Thursday, November 1, 2018 6:00 p.m. Formal Meeting  
Thursday, November 8, 2018 6:00 p.m. Study Session  
Thursday, November 15, 2018 6:00 p.m. Formal Meeting  
Monday, November 19, 2018 Noon Study Session  
Thursday, November 29, 2018 6:00 p.m. Formal Meeting  
Thursday, December 6, 2018 6:00 p.m. Study Session  
Thursday, December 13, 2018 6:00 p.m. Formal Meeting  
Thursday, December 20, 2018 Noon Study Session  
Thursday, December 27, 2018 Noon Formal Meeting



The Pontiac City Council

Announces

### THE SCHEDULE OF MEETINGS OF THE PONTIAC CITY COUNCIL

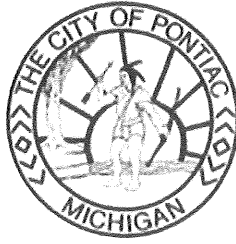
To comply with the Michigan Open Meeting Act (MCL 15.265)

The Pontiac City Council will hold its regular meeting on Tuesday evenings at 6:00 p.m. in the Council Chambers of City Hall 47450 Woodward Ave Pontiac, Michigan 48342 unless otherwise noted.

Internet website where meetings are posted [www.pontiac.mi.us](http://www.pontiac.mi.us)

**The dates are as follows:**

Tuesday, January 2, 2018 6:00 p.m. Study Session  
Tuesday, January 9, 2018 6:00 p.m. Formal Meeting  
Tuesday, January 16, 2018 6:00 p.m. Study Session  
Tuesday, January 23, 2018 6:00 p.m. Formal Meeting  
Tuesday, January 30, 2018 6:00 p.m. Study Session  
Tuesday, February 6, 2018 6:00 p.m. Formal Meeting  
Tuesday, February 13, 2018 6:00 p.m. Study Session  
Tuesday, February 20, 2018 6:00 p.m. Formal Meeting  
Tuesday, February 27, 2018 6:00 p.m. Study Session  
Tuesday, March 6, 2018 6:00 p.m. Formal Meeting  
Tuesday, March 13, 2018 6:00 p.m. Study Session  
Tuesday, March 20, 2018 6:00 p.m. Formal Meeting  
Tuesday, March 27, 2018 Noon Study Session  
Tuesday, April 3, 2018 6:00 p.m. Formal Meeting  
Tuesday, April 10, 2018 6:00 p.m. Study Session  
Tuesday, April 17, 2018 6:00 p.m. Formal Meeting  
Tuesday, April 24, 2018 6:00 p.m. Study Session  
Tuesday, May 1, 2018 6:00 p.m. Formal Meeting  
Tuesday, May 8, 2018 6:00 p.m. Study Session  
Tuesday, May 15, 2018 6:00 p.m. Formal Meeting  
Tuesday, May 22, 2018 6:00 p.m. Study Session  
Tuesday, May 29, 2018 6:00 p.m. Formal Meeting  
Tuesday, June 5, 2018 6:00 p.m. Study Session  
Tuesday, June 12, 2018 6:00 p.m. Formal Meeting  
Tuesday, June 19, 2018 6:00 p.m. Study Session  
Tuesday, June 26, 2018 6:00 p.m. Formal Meeting  
Tuesday, July 3, 2018 Noon Study Session  
Tuesday, July 10, 2018 6:00 p.m. Formal Meeting  
Tuesday, July 17, 2018 6:00 p.m. Study Session  
Tuesday, July 24, 2018 6:00 p.m. Formal Meeting  
Tuesday, July 31, 2018 6:00 p.m. Study Session  
Tuesday, August 7, 2018 6:00 p.m. Formal Meeting  
Tuesday, August 14, 2018 6:00 p.m. Study Session  
Tuesday, August 21, 2018 6:00 p.m. Formal Meeting  
Tuesday, August 28, 2018 6:00 Study Session  
Tuesday, September 4, 2018 6:00 p.m. Formal Meeting  
Tuesday, September 11, 2018 6:00 p.m. Study Session  
Tuesday, September 18, 2018 6:00 p.m. Formal Meeting  
Tuesday, September 25, 2018 6:00 p.m. Study Session  
Tuesday, October 2, 2018 6:00 p.m. Formal Meeting  
Tuesday, October 9, 2018 6:00 p.m. Study Session  
Tuesday, October 16, 2018 6:00 p.m. Formal Meeting  
Tuesday, October 23, 2018 6:00 p.m. Study Session  
Tuesday, November 6, 2018 6:00 p.m. Formal Meeting  
Tuesday, November 13, 2018 6:00 p.m. Study Session  
Tuesday, November 20, 2018 6:00 p.m. Formal Meeting  
Tuesday, November 27, 2018 6:00 p.m. Study Session  
Tuesday, December 4, 2018 6:00 p.m. Formal Meeting  
Tuesday, December 11, 2018 6:00 p.m. Study Session  
Tuesday, December 18, 2018 6:00 p.m. Formal Meeting  
Thursday, December 27, 2018 Noon Formal Meeting



**WHEREAS**, Section 3 of the General Employees Retirement System Ordinance requires the City Council to appoint a member of the City Council to the General Retirement Board; and

**WHEREAS**, Patrice Waterman has agreed to be re-appointed; and

**NOW THEREFORE, BE IT RESOLVED**, that the Tenth Pontiac City Council shall appoint Patrice Waterman as the City Council representative to the General Employee Retirement System Board of Trustees.



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

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

**FROM:** Mayor Deirdre Waterman

**DATE:** January 9, 2018

**RE:** Alternate Resolution for the Approval of the Waiver Required for all Eligible Early Retirees

At the January 4, 2018 Study Session of City Council, Agenda Item #10 was a Resolution for the Waiver Required for all Eligible Early Retirees. During discussion of this item, Councilman Williams suggested a revision in the Resolution, which the City Attorney affirmed would not change the intent of the Resolution nor affect the fiduciary interest of the City.

In response, the City Attorney has presented this Alternate Resolution for Council's consideration with the Indicated revisions made. The difference in the two (2) resolutions was the elimination of the partial sentence in the second "Whereas", striking the words "...because she determined that moving forward without the approval of the Waiver was not in the best interests of the City, ..."

We add this Alternate Resolution for Council's consideration.

Administration does concurs with making this revision and with Council's efforts to put this Resolution in place for the reasons that have been explained by our City Attorneys.

2018 JAN 9 PM 1:42



NEW



**CITY OF PONTIAC CITY COUNCIL**

**RESOLUTION APPROVING WAIVER FOR EARLY RETIREES**

AT A REGULAR meeting of the Pontiac City Council of the City of Pontiac, Michigan, held at Pontiac City Hall on December \_\_\_, 2017, the following resolution was offered by \_\_\_\_\_, at 7:30 p.m. and supported by \_\_\_\_\_.

**WHEREAS**, on December 21, 2017, the City Council of the City of Pontiac passed a resolution and Ordinance amendment affording certain early retirement benefits to 67 former City of Pontiac employees; and

**WHEREAS**, on December 28, 2017, the Mayor vetoed that Resolution pursuant to and consistent with the procedure set forth in Pontiac City Charter Provision 3.112(f); and

**WHEREAS**, on December 30, 2017, pursuant to Pontiac City Charter Provision 3.112(f), the City Council voted to override Mayor's veto the Mayor's Veto; and

**WHEREAS**, that resolution and Ordinance require any employees wishing to participate in the program to sign a waiver of any right to health care benefits until such time as they reach the age of 60;

**NOW THEREFORE, BE IT RESOLVED**, that the Pontiac City Council hereby approves the content and form of the waiver agreement as attached hereto as Exhibit A.

**PASSED AND APPROVED BY THE CITY COUNCIL**, Pontiac, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2018.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

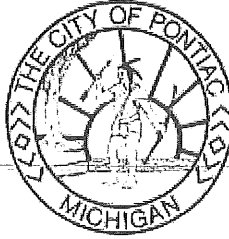
I, Sheila Grandison, Interim Clerk of the City of Pontiac, hereby certify that the above Resolution is a true copy and accurate copy of the Resolution passed by the City Council of the City of Pontiac on \_\_\_\_\_, 2018.

Dated: \_\_\_\_\_, 2018

---

SHEILA GRANDISON, Interim City Clerk

OLD



**CITY OF PONTIAC CITY COUNCIL**

**RESOLUTION APPROVING WAIVER FOR EARLY RETIREES**

AT A REGULAR meeting of the Pontiac City Council of the City of Pontiac, Michigan, held at Pontiac City Hall on December \_\_, 2017, the following resolution was offered by \_\_\_\_\_, at 7:30 p.m. and supported by \_\_\_\_\_.

**WHEREAS**, on December 21, 2017, the City Council of the City of Pontiac passed a resolution and Ordinance amendment affording certain early retirement benefits to 67 former City of Pontiac employees; and

**WHEREAS**, on December 28, 2017, the Mayor vetoed that Resolution pursuant to and consistent with the procedure set forth in Pontiac City Charter Provision 3.112(f) because she determined that moving forward without the approval of the Waiver was not in the best interests of the City; and

**WHEREAS**, on December 30, 2017, pursuant to Pontiac City Charter Provision 3.112(f), the City Council voted to override Mayor's veto the Mayor's Veto; and

**WHEREAS**, that resolution and Ordinance require any employees wishing to participate in the program to sign a waiver of any right to health care benefits until such time as they reach the age of 60;

**NOW THEREFORE, BE IT RESOLVED**, that the Pontiac City Council hereby approves the content and form of the waiver agreement as attached hereto as Exhibit A.

**PASSED AND APPROVED BY THE CITY COUNCIL**, Pontiac, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 201.

**AYES:** \_\_\_\_\_

NAYS: \_\_\_\_\_

I, Sheila Grandison, Interim Clerk of the City of Pontiac, hereby certify that the above Resolution is a true copy and accurate copy of the Resolution passed by the City Council of the City of Pontiac on \_\_\_\_\_, 2018.

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
SHEILA GRANDISON, Interim City Clerk

## EXHIBIT A

### GENERAL WAIVER AND RELEASE AGREEMENT

This General Waiver and Release Agreement ("Agreement") is entered by and among [Name of Retiree] and his/her spouse [Name of Spouse] (collectively referred to as "Retiree") and the City of Pontiac ("Pontiac"). Retiree enters into this Agreement on behalf of himself/herself/themselves, his/her/their heirs, successors, assigns, executors and representatives of any kind, if any.

In consideration of the terms, conditions and agreements hereinafter set forth, Retiree and PONTIAC agree as follows:

1. Consideration: PONTIAC agrees to provide the following to the Retiree:
  - a. Early Retirement pension benefits as set forth in Ordinance No. \_\_\_\_\_ (attached as Exhibit A).

Retiree agrees that he/she/they is/are not otherwise entitled to the Early Retirement Benefits described in Paragraph 1(a). Retiree agrees to accept this consideration as a complete compromise of any claim(s) for other retiree pension, medical, dental and vision insurance coverage and benefits.

2. Tax Treatment: Retiree agrees to pay all taxes which may be due in connection with the aforementioned consideration or any portion thereof in a timely manner. Retiree and his/her/their attorney understand that PONTIAC does not make any representations with regard to the tax consequences Retiree may incur with regard to the payments set forth above.

3. Releases: Retiree hereby releases and forever discharges PONTIAC and its past, present and future elected officials and emergency managers, its past and present plan sponsors, its benefit plans and programs (including but not limited to the General Employees Retirement System), and its past and present employees, directors, officers, agents, insurers, attorneys, plan administrators, claims administrators, executors, heirs, assigns and other representatives of any kind (referred to in this Agreement as "Released Parties") from any and all claims, demands, rights, liabilities, and causes of action of any kind or nature, known or unknown, arising prior to or through the date Retiree executes this Agreement, including but not limited to any claims, demands, rights, liabilities, grievances, and causes of action arising or having arisen out of or in connection with Retiree's former employment with any Released Party.

4. Scope of Release: The release by Retiree contained in Paragraph 3 above specifically includes, but is not limited to, a release of any and all claims pursuant to

federal and state wage payment laws; any and all federal, state and local fair employment laws including, but not limited to: the Elliott Larsen Civil Rights Act; Title VII of the Civil Rights Act of 1964; the Americans with Disabilities Act; the Age Discrimination in Employment Act of 1967 as amended; Executive Order 11246; the Rehabilitation Act of 1973; the Family and Medical Leave Act; the Fair Labor Standards Act; the Reconstruction Era Civil Rights Acts; the Civil Rights Act of 1991; state and federal family and/or medical leave acts; the Public Employment Relations Act; the Public Employee Retirement System Investment Act; the Consolidated Omnibus Budget Reconciliation Act of 1985; the Employee Retirement Income Security Act of 1974; the Labor Management Relations Act; any other federal, state or local laws or regulations of any kind, whether statutory or decisional; and any amendments to the foregoing statutes. The general release contained in this Agreement also includes, but is not limited to, a release by Retiree for any retiree health benefits except as outlined in Exhibit A, tort, breach of express or implied contract, defamation, misrepresentation, discharge against public policy, intentional infliction of emotional distress, conspiracy and retaliatory discharge claims. Retiree also agrees not to participate in or receive damages from any class action or collective action asserting any of the claims mentioned in this Paragraph, and to seek exclusion or opt-out from any certified class. This release covers both claims that Retiree knows about and those Retiree may not know about as well as both liquidated and unliquidated claims, up to and through the date of this Agreement. Retiree represents that he/she/they has/have not given or sold any portion of any claim discussed in this Agreement to anyone else. Retiree understands and agrees that, by signing this Release, retiree irrevocably waives any right or claim to PONTIAC-provided and/or PONTIAC-paid retiree health benefits up to the day the Retiree turns age sixty (60). Upon reaching age sixty (60), retiree may receive retiree health benefits if: (a) retiree is eligible for those benefits under the applicable labor agreement(s), summary plan description(s) and controlling plan documents; (b) retiree is otherwise not excluded from receiving those benefits; and (c) such retiree health benefits are subject to PONTIAC's right, if any, to modify, amend or terminate the benefits. Such retiree health care benefit shall be strictly guided by any settlement agreement reached in the litigation entitled, *City of Pontiac Retired Employees Association, et al. v. City of Pontiac, et. al.*, U.S. District Court Case No. 2:12-cv-12830.

5. No Admission of Liability: Retiree agrees that this Agreement and its proposal is not intended, and shall not be considered as an admission of any liability whatsoever by any of the Released Parties.

6. Capacity to Execute. Retiree represents that he/she/they has/have the capacity and authority to consent to the terms of this Agreement.

7. Severability: If any portion of this Agreement is found to be unenforceable, all parties desire that all other portions that can be separated from it, or appropriately limited in scope, shall remain fully valid and enforceable.

8. Entire Agreement: This Agreement constitutes and contains the entire agreement and understanding between the parties concerning the subject matter of this Agreement and supersedes all prior negotiations, agreements or understandings concerning any of the provisions of this Agreement. A photocopy of this Agreement as signed is effective as an original.

9. Retiree's Decision Whether To Sign Agreement: Retiree understands that he/she/they has/have the right under the Age Discrimination in Employment Act and the Older Workers Benefit Protection Act to consider this Agreement for forty-five (45) days, but that he/she/they can decide to sign this Agreement prior to the end of the forty-five (45) day period if he/she should so voluntarily choose. Retiree acknowledges that he/she/they was/were encouraged to consult with an attorney prior to signing this Agreement and, in fact, did consult an attorney. If Retiree decides to sign this agreement prior to the end of the forty-five (45) day period, such decision is knowing and voluntary and was not induced by PONTIAC, or any agent or employee of PONTIAC, through fraud, coercion, misrepresentation or a threat to withdraw or alter PONTIAC's offer, prior to the expiration of the forty-five (45) day time period.

10. Retiree's Decision Whether To Revoke Agreement: Retiree understands and agrees that this Agreement is revocable by him/her/them for seven (7) days following the signing of this Agreement, and that this Agreement shall not become effective or enforceable until that revocation period has expired. Retiree understands and agrees that to revoke this Agreement, he/she must send, via certified mail, a written revocation, signed by herself/herself/themselves, to [Insert name and address of designated person to collect these], within seven (7) days of signing this Agreement. Retiree understands and agrees that this Agreement shall automatically become enforceable and effective on the eighth (8th) day after he/she signs this Agreement, so long as he/she/they has/have not revoked his/her/their signature in the manner prescribed herein. Should Retiree exercise his/her/their right to revoke the Age Discrimination in Employment Act waiver within the seven (7) day period following his/her/their signature of this Agreement, he/she/they understands and agrees that he/she/they will not be eligible to receive the Consideration set forth in Paragraph 1, above. If either signatory to this Agreement revokes their Age Discrimination in Employment Act, neither signatory is entitled to the Consideration set forth in Paragraph 1, above.

**CAREFULLY READ BEFORE – THIS IS A RELEASE**

IN WITNESS WHEREOF, [Name of Retiree] and his/her spouse [Name of Spouse] execute(s) this Agreement knowingly and voluntarily on the date written below.

\_\_\_\_\_  
[Name of Retiree]

Date: \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission expires:

\_\_\_\_\_  
[Name of Spouse]

Date: \_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission expires:



# Memorandum

To: Honorable Mayor, Council President and City Council Members

From: Garland S. Doyle, M.P.A., CNP, Deputy Director, Community Development Department

Thru: Jane Bais-DiSessa, Deputy Mayor

Date: January 22, 2018

Re: Amendment of Tax Increment Finance Authority (TIFA) district boundaries (legal descriptions)

Cc: Rachel Loughrin, Economic Development Director

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The Community Development Department has been informed by the Oakland County Equalization Office that parcel 14-34-380-043 has to be removed from TIFA District 2. This parcel was inadvertently not included when the United Shore Redevelopment Brownfield Plan was approved by City Council in December 2017. The reason was the parcel was not assigned a parcel number until after the TIFA district was approved. Therefore, the parcel did not register as a part of the TIFA district.

The process to remove a parcel from a TIFA district is the same as creating a TIFA district, and governed by MCL 125.1803. First, the City Council must pass a resolution of intent to amend the boundaries and in that resolution set a date for a public hearing with notice published twice in the newspaper of general circulation not less than 20 days and not more than 40 days before the date of the hearing. In addition, notice must be mailed to the property taxpayer of record in the affected area, and the notice of the hearing must be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the amendment were approved. The notice shall state the date, time, and place of the hearing, and shall describe the boundaries of the proposed district. At the hearing, a citizen, taxpayer, or the property owner of the City has the right to be heard about this matter. After the hearing, if the City Council intends to proceed with the amendment, the City Council shall adopt, by majority vote of its members a resolution designation the boundaries as amended. Such resolution is subject to the veto process established by the city charter. Upon final approval, the resolution is to be filed with the secretary of state and published at least once in a resolution of general circulation.

I have attached a map of the subject parcel.

The developer is working on a tight schedule, so Council action is request as follows:

1. At the Council meeting on January 25, 2018, adopt the attached resolution setting the date and time of the required public hearing, for March 1, 2018.
2. The City Clerk is to publish the notice of public hearing to appear on January 29 and 30, 2018 in the Oakland Press.
3. The City Council holds the public hearing as part of the meeting on Thursday, March 1, 2018 and votes on the resolution amending the district boundaries after the hearing.

If Council concurs, please pass the following resolution:

*Whereas, the City of Pontiac has received a request to establish a brownfield district within the existing TIFA district; and,*

*Whereas, in order for the brownfield district to be established, the parcel must either be removed from the TIFA district or the district must be removed from the TIFA development plan: and,*

*Therefore, be it resolved that the Pontiac City Council shall hold a public hearing during its regular scheduled City Council meeting at 6:00 P.M. on Thursday, March 1, 2018 in Pontiac City Hall, City Council Chambers, 47450 Woodward Ave., for the purpose of receiving public comment on the proposal to remove from the boundaries of the Tax Increment Finance Authority parcel 14-34-380-043..*

Parcel 14-34-380-043

T3N, R10E, SEC 34 OAKLAWN FARMS SUB PART OF VAC BRADFORD AVE DESC AS BEG AT PT DIST S 87-21-04 E 1678.86 FT & N 00-31-33 E 59.28 FT FROM SW SEC COR, TH N 00-31-33 E 328.80 FT, TH ALG CURVE TO LEFT, RAD 330 FT, CHORD BEARS N 16-30-08 E 181.66 FT, DIST OF 184.03 FT, TH S 00-31-33 W 504.53 FT, TH N 88-13-17 W 50.01 FT TO BEG 9-24-07 FR RD

# Resolution

PF 17-25 - Zoning Map Amendment  
Address: 1023 E. Walton  
Parcel: 64-14-10-378-012

*Whereas*, The City has received an application for a Zoning Map Amendment for 1023 E. Walton, identified as parcel (64-14-10-378-012) from Bloomfield Alliance LLC. The applicant's petition is for the rezoning of four parcels adjacent and the land area of the petition (PF 17-25) that includes parcels (64-14-10-378-012/013/018/019).

*Whereas*, The Planning Department has reviewed the applicants rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance. The Planning Department has determined the aforementioned request and proposed intended use of the property to comply with the City of Pontiac Zoning Ordinance.

*Whereas*, In accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments. The Zoning Map Amendment request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation.

*Whereas*, On December 6, 2017, A Public Hearing was held, and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 1023 E. Walton approving the change from the current R-1 One Family Dwelling District zoning to C-1 Local Business.

*Now Therefore, Be It Resolved*, That the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment (PF-17-25) request for 1023 E. Walton, to amending the current zoning from R- One Family Dwelling District zoning to C-1 Local Business.

## Analysis

The applicant has submitted an application to rezone approximately 2.89 acres of land located at the northwest corner of E. Walton Boulevard and Giddings Road from R-1, One-Family Residential District to C-1, Local Business District. According to the completed Application for Zoning Map Amendment, the applicant indicates his intent to construct an approximately 23,000 square feet, one-story medical office building on the site with supporting components (pharmacy with drive-through lane, coffee shop/restaurant, etc.).

The adjoining Carnival Market Plaza property is planned for Neighborhood Commercial. This land planning designation is intended to provide locations for neighborhood-scale shopping centers which serve the day-to-day shopping needs of nearby residents. Thus, the existing use is consistent with the planned future use of the property. Similarly, the future land use planning category for the land occupied by the Auburn Village Townhomes and Auburn Heights Apartments (Urban Multiple Family) is consistent with its current use,

Section 6.804 of the Zoning Ordinance outlines the criteria for zoning map amendments. These 10 criteria are not binding, and both the Planning Commission and City Council may consider other factors, which are not included within the listed criteria. The proposed rezoning request meets the following criteria outlined in Section 6.804:

- The proposed rezoning to C-1 Local Business is compatible with the site's physical, geological, hydrological and other environmental features.
- The subject site's corner location with frontage along a major thoroughfare make it better suited to C-1 District development than detached single-family homes.
- C-1 District development is compatible with the area development pattern. A shopping center is located to its east. Higher density housing is nearby. An institutional use (the Notre Dame Marist Academy – Lower Division) is located to its south.
- The applicant has not provided any market data evidence that concludes additional retail facilities can be supported at this location without negatively affecting surrounding businesses. However, the apparent success and full occupancy status of neighboring Carnival Market Plaza strongly suggests there is market demand for additional neighborhood-oriented retail, office, and/or personal service uses here.
- C-1 District zoning at this location is consistent with the City's overriding development objective contained in the Master Plan – to attract new office, retail, commercial and mixed-use development/redevelopment to the City.

[illegible]

BE IT FURTHER RESOLVED, that a permanent easement is hereby reserved over and across the entire parcel for the benefit of the Augusta Drain Drainage District for the operation and maintenance of the Augusta Drain and any other necessary utility easements.

## Analysis

The applicant is seeking to vacate alley that traverses parcel commonly known as 65 University Drive, Parcel ID # 14-29-428-002, which also includes 14-29-284-007 and 14-29-284-008.

The City of Pontiac's 2014 Master Plan Future Land Use map illustrates Downtown land uses for all adjoining properties to the north, south, and west. Across Northbound Woodward Avenue to the east, the Master Plan calls for Traditional Neighborhood Residential Land Use category. This land use lies east of Northbound Woodward Avenue which is a State Trunkline, and Northbound Woodward Avenue has an approximate 110-foot wide right-of-way which acts as a significant and sufficient separation between the two uses. The Master Plan's General Development Standards permit single use office and commercial developments for the Downtown district. The elimination of a no-longer necessary service alley to create a larger development parcel is consistent with the goals of the Master Plan.

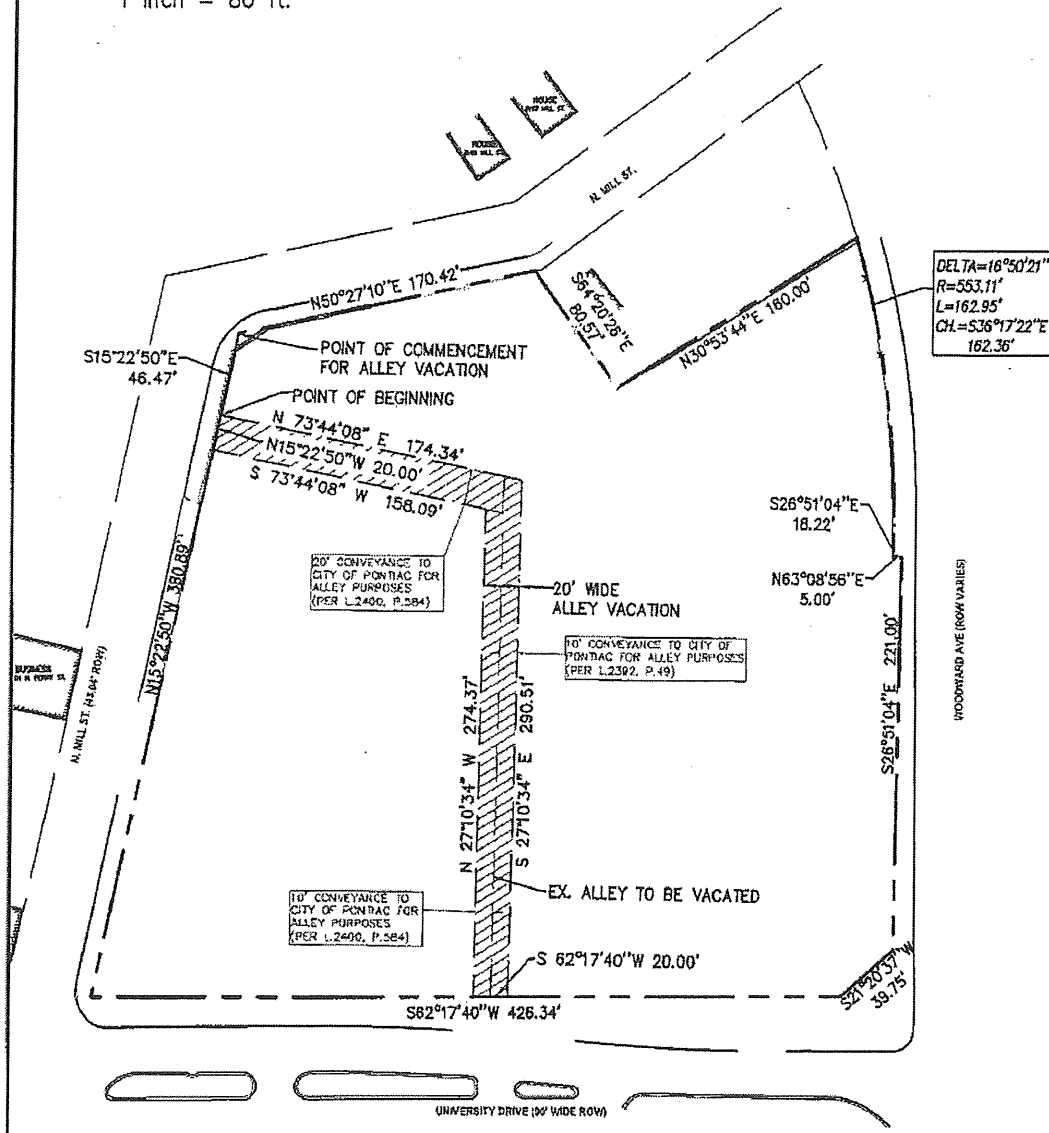
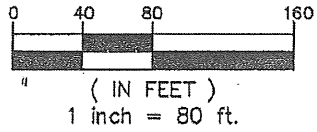
The Planning Staff findings per this request were:

- The subject alley is 20 feet wide. The north south portion of the alley was conveyed by the parcels along both N. Mill Street and Northbound Woodward Avenue while the east west segment was contributed by a single donor parcel. With all of the property under the ownership of a single entity, all of the alley property would revert to Auch East Gateway, LLC.
- The alley does not appear to be required by any adjacent commercial property owners for access to their properties.
- The storm water drainage easement for the Augusta Drain and any other necessary utility easement should be retained.
- Vacation of this alley will allow for the consolidation of the parcel and remove alley easement that is no longer necessary which impacts the redevelopment potential of the site.
- The property owner should complete the steps necessary to have all three parcels legally combined into single parcel and record the combined parcel with the Oakland County Register of Deeds.

# EXHIBIT

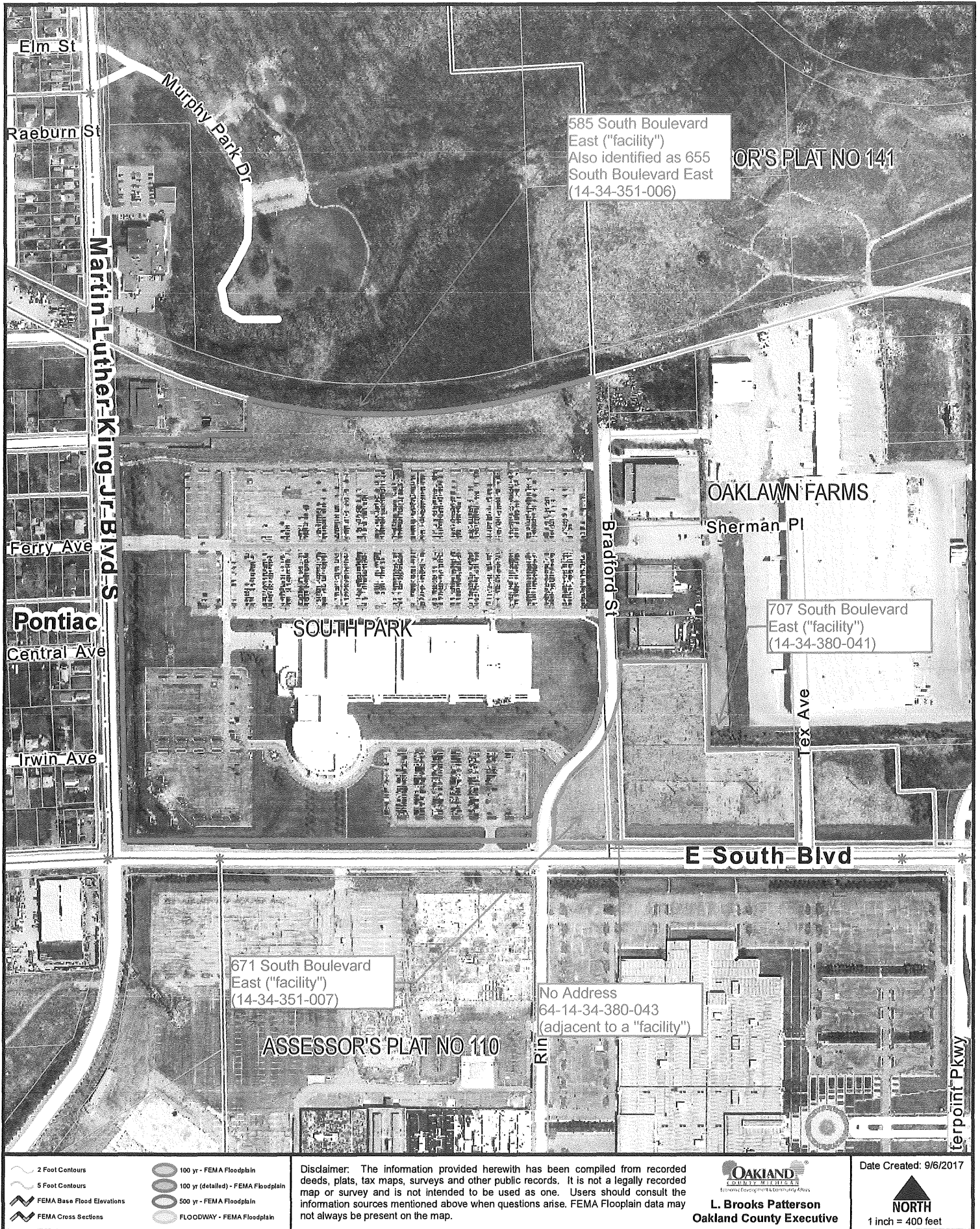
EXHIBIT 'A'  
PAGE 1 OF 2

## GRAPHIC SCALE





# Assessors Map



# Resolution

PF 17-29 – Street Vacation

Address: New Haven Avenue between Telegraph Road and Charleston Avenue and Charleston Avenue between New Haven Avenue and Trenton Avenue

Parcels: New Haven Avenue between Telegraph Road and Charleston Avenue and Charleston Avenue between New Haven Avenue and Trenton Avenue, abutting Parcel ID Numbers 14-02-426-017, 14-02-426-016, 14-02-426-008, 14-07-426-007, 14-07-426-015, 14-07-428-001, 14-07-428-002, and 14-07-428-003

*Whereas*, The City is in receipt of street vacation request submitted by Tarlton R. Small, 315 Gallogly, Pontiac, MI 48326 for vacation of New Haven Avenue between Telegraph Road and Charleston Avenue and Charleston Avenue between New Haven Avenue and Trenton Avenue; and

*Whereas*, The Pontiac Planning Commission held a Public Hearing on Tuesday January 3, 2018 in regards to the street vacation request; and

*Whereas*, The Pontiac Planning Commission has found that the subject street is not required to remain for the access to the adjoining properties and the closure is in accordance with the City's 2014 Master Plan; and

*Whereas*, The Pontiac Planning Commission recommends City Council approve the requested street right-of-way vacation; and

NOW, THEREFORE BE IT RESOLVED, that the vacation of two streets - New Haven Avenue between Telegraph Road and Charleston Avenue and Charleston Avenue between New Haven Avenue and Trenton Avenue, abutting Parcel Identification Numbered parcels 14-02-426-017, 14-02-426-016, 14-02-426-008, 14-07-426-007, 14-07-426-015, 14-07-428-001, 14-07-428-002, and 14-07-428-003 is hereby approved by the City Council on January X, 2018; and

BE IT FURTHER RESOLVED that a permanent easement is hereby reserved over and across the entire street vacations for the benefit of the County of Oakland for the operation and maintenance of the water supply system, sanitary sewer system, and any other necessary utility easements.

611631

## Analysis

The applicant and his neighbors are seeking to vacate the following street right-of-way as described as New Haven Avenue between Telegraph Road and Charleston Avenue and Charleston Avenue between New Haven Avenue and Trenton Avenue, abutting Parcel ID Numbers 14-02-426-017, 14-02-426-016, 14-02-426-008, 14-07-426-007, 14-07-426-015, 14-07-428-001, 14-07-428-002, and 14-07-428-003.

The City of Pontiac's 2014 Master Plan Future Land Use map illustrates Suburban Residential land uses for the adjoining properties to the north and west of the proposed street vacations. To the south and east of the proposed vacated streets, the Master Plan identifies Traditional Neighborhood Residential. Within the Entrepreneurial Districts section of the plan, Goal #6 - Vacant Residential and Commercial Property identifies the goal to eliminate uncared-for lots. This vacation will address this goal by removing an impediment to three property owners combining and maintaining property that has never been developed, and became unlikely to be developed with the construction of the Seville Pointe Apartments to the east of Telegraph Road. This vacation will also connect the wetlands area south of the unimproved New Haven Avenue to large lot residential properties to the north. Any future development of these parcels is unlikely as it would likely require a wetlands permit from the Michigan Department of Environmental Quality.

The Planning Staff findings per this request were:

- The subject roadways for vacation are 30 feet wide, have not been improved since the land was originally platted, and unlikely to be improved.
- With the recent acquisition of Parcel ID #s 14-07-428-001; 14-07-428-002; and 14-07-428-003 by applicant and his neighbors, there appears to be no need to retain either of these rights-of-way for property access.
- All adjacent property owners have signed the street vacation petition.
- Consolidation of these properties south of the unimproved New Haven Avenue right-of-way will ensure that these properties are properly maintained by their property owners.
- Vacation of these unimproved roads will allow for the consolidation of three parcels south of New Haven Avenue with three parcels to the north of unimproved road right-of-way, thus eliminating orphaned parcels.
- With the three parcels south of New Haven Avenue being incorporated into Suburban Residential parcels north of the road right-of-way, it would be appropriate for the Planning Commission to consider amending the Future Land Use Map to incorporate these new parcels into the less intensive Suburban Residential Land Use category of their prospective principal parcels. This change does not need to occur immediately, but it should be considered the next time the Future Land Use Map is to be amended.
- All three property owners should complete the steps necessary to have their primary residential parcels combined with the orphan parcels south of New Haven Avenue, as illustrated in their application for street vacation. This process would conclude with these newly shaped parcels being recorded at the Oakland County Register of Deeds after the street vacation process is completed.







# Application for Vacation or Closure of Street, Alley or Easement

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.7800

F: 248.758.2827

Property/Project Address: 315 Gallogly Road

Sidwell Number: \_\_\_\_\_

Office Use Only

PF Number: 17 29

Date: 12/12/2017

Instructions: Applications for vacation or closure of street, alley, easement or Public right-of-way shall be filed with the Office of Land Use and Strategic Planning along with a \$1,500.00 fee and a copy of the deed requested for vacation at least 30 days before the regularly scheduled Planning Commission Meeting. Applications shall be signed by property owners showing the street or alley requested for vacation where possible. Incomplete applications will delay the review process. Recommendations of the Planning Commission will be forwarded to the City Council for final action.

**Applicant (please print or type)**

Name	Tarlton R. Small		
Address	315 Gallogly Road		
City	Pontiac		
State	Michigan		
Zip Code	48326		
Telephone	Home 248 334-9169	Cell 248 736-4292	Fax
E-Mail	tarltonsmall@att.net		

The subject property is legally described as follows (include sidwell numbers):

I (We) the undersigned, do hereby respectfully petition the City of Pontiac for vacation of the Right-of-Way or Easement described above (attach additional sheet if necessary):

Name	Street & Number	Lot No. & Subdivision	Signature
Tarlton R. Small	315 Gallogly Rd	14-07-426-017	<i>Tarlton R. Small</i>
Brad Hibbard	361 Gallogly Rd	14-07-426-016	<i>Brad Hibbard</i>
James Garza	365 Gallogly Rd	14-07-426-008	<i>James Garza</i>
Gerry Compagno	100 Newark	14-07-426-005	<i>Gerry Compagno</i>