

PONTIAC CITY COUNCIL

Kermit Williams, District 7
President
Randy Carter, District 4
President Pro Tem



Patrice Waterman, District 1
Don Woodward, District 2
Mary Pietila, District 3
Gloria Miller, District 5
Dr. Doris Taylor Burks, District 6

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."

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

FORMAL MEETING

March 5, 2019

6:00 P.M.

73rd Session of the 10th Council

Call to order

Invocation

Pledge of Allegiance

Roll Call

Authorization to Excuse Councilmembers

Amendments to and Approval of the Agenda

Approval of the Minutes

1. Meeting of February 26, 2019

Subcommittee Reports

2. Cable- February 21, 2019
3. Community Development- February 26, 2019
4. Law/50th District- February 26, 2019
5. Youth Recreation Special Committee- February 28, 2019

Special Presentations (Each presentation is limited to 10 minutes.)

6. Medical Marihuana Ordinance and Application Process Update
Presentation Presenter: Garland S. Doyle, Interim City Clerk
7. Planning Technical Review Report of Carter/City Council Medical Marihuana Zoning Ordinance with Amendment Approved by City Council on February. 5, 2019 for Consideration at the March 6 2019 Planning Commission Meeting.
Presentation Presenter: Vern Gustafsson, Planning Manager
8. Higher Learning Institute Regarding Job Training for the Cannabis Industry
Presentation Presenters: Chris Jackson, Sammie Rogers, Jessie Beld-Elliot and Robert Hynes
(This presentation was requested by Councilman Woodward.)

9. STEM Programing for Pontiac Recreation & Enrichment Center from Cranbrook Institute of Science through Grants and Collaboration from Williams International and the City of Pontiac.
Presentation Presenters: Mayor Deirdre Waterman and Mary Evans-Young, Entrepreneurs Squad Foundation.
10. Status Update: City-Wide Snow Removal Process & Funding Options.
Presentation Presenter: John Balint, DPW Director

Recognition of Elected Officials

Agenda Address

Agenda Items

City Council

11. Resolution on Property Transfer Affidavits. (This item was postponed from February 12, 2019.)

Controller

12. Resolution to Approve Mayor's Request to Amend the Youth Recreation in Accordance with the Williams International Education Funding for Fiscal Year 2018-2019.
(This item was postponed from February 12, 2019.)
13. Resolution to Approve the Rollover Budget Amendments from Fiscal Year 2017-2018 as requested by the Mayor and Department of Public Works as Detailed in the Attachment Labeled Exhibit A.
(This item was postponed from February 12, 2019.)

Communications from the Mayor

14. Monthly Check Register
(The City Council adopted a resolution on February 5, 2019 for the Mayor to provide the monthly check register for the prior month, to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month commencing with the March 5, 2019 Agenda. The City Clerk did not receive the check register for February 2019.)
15. Staff Changes Report
(The City Council adopted a resolution requesting that the Mayor provide census of employment changes, effective date, job title, hire date, and last day worked (if applicable) each month, to be included in the Pontiac City Council Agenda, the first meeting of each month commencing with the March 5, 2019 Agenda. The City Clerk did not receive the report.)
16. City Credit Card Statement
(The City Council adopted a resolution that the Mayor will provide the monthly credit card statements for the prior month to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda. The City Clerk did not receive the February 2019 statement.)

Communication from the City Attorney

17. Memorandum from City Attorney Addressing Complaint of Councilwoman Gloria Miller et. al. about City Attorney Failing to Inform the City Council that the Revised Carter/City Council Ordinance was not in Proper Form.

Public Comment

Mayor, Clerk and Council Closing Comments

Adjournment

MINUTES

February 26, 2019

**Official Proceedings
Pontiac City Council
72nd Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, February 26, 2019 at 6:00 p.m. by Council President Kermit Williams.

Call to Order

Roll Call

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

Members Absent: Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-55 **Excuse Councilman Don Woodward for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

19-56 **Motion to add the Revised Carter/Council Ordinance with the amendment that was moved by Councilwoman Taylor-Burks and seconded by Councilwoman Miller that was approved by City Council on February 5, 2019 to the agenda as a communication to the Planning Commission.** Moved by Councilperson Miller and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

19-57 **Approval of the Agenda as amended.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

No: None

Motion Carried.

19-58 **Approve minutes of February 19, 2019.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: None

February 26, 2019

Motion Carried.

Ten (10) individuals addressed the body during public comment.

Presentations

Community Development Block Grant Yard Service for Senior Citizens Program with OLHSA– Jane Bais-DiSessa, Deputy Mayor, Eric Karfonta and Heather Zeiger– Health, Housing & Nutrition Director & Deputy Director.

Building Safety and Code Enforcement Investigation regarding News report of facility problems at North Hill Farms Apartments – Mike Wilson – Building Official, Chip Smith – Wade Trim and Patrick Brzozowski – Code Enforcement Supervisor.

Snow Emergency Report & Cost Estimate for Equipment and Labor Cost to Upgrade City Services (Comparable to Rochester Hills), John Balint – DPW Director.

19-59 **Suspend the Rules to vote on Item # 5. (Resolution for Mayor to Provide the City Council with a Monthly Report on City Personnel)** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

No: None

Motion Carried.

Council President Kermit Williams was absent during the vote.

19-60 **Suspend the Rules to vote on Item # 6 (Resolution for Mayor to Provide the City Council with Monthly Credit Card Statement) and Item #7 (Resolution adopting a Conflict of Interest Policy for the Review of Medical Marijuana Permit Applications).** Moved by Councilperson Taylor-Burks and second by Councilperson Carter.

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

No: None

Motion Carried.

19-61 **Resolution for Mayor to provide the City Council with a monthly Report on City Personnel.** Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

WHEREAS, in an effort to keep apprised of staffing and staffing changes, the Pontiac City Council believes it is in the best interest of the Council to be routinely informed of City of Pontiac employment and or vacancies.

February 26, 2019

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council requests that the Mayor provide census of employment changes, effective date, job title, hire date, and last day worked (if applicable) each month, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda.

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

No: None

Resolution Passed.

19-62 **Resolution for Mayor to Provide the City Council with Monthly Credit Card Statement.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

WHEREAS, Revenue and Expenditure reports are provided to the finance subcommittee monthly; and, **WHEREAS**, it is in the best interest of the Pontiac City Council body as a whole, to have an opportunity to address any issues or concerns that may arise as it relates to expenditures; and, **NOW, THEREFORE BE IT RESOLVED**, that the Mayor will provide the monthly credit card statements for the prior month, to the City Clerk, to be included in the Pontiac City Council Agenda, the first meeting of each month, commencing with the March 5, 2019 Agenda.

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

No: None

Resolution Passed.

Resolution Adopting a Conflict of Interest Policy for the Review of Medical Marihuana Permit Applications. Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

WHEREAS, the City of Pontiac has adopted Ordinance 2357B ("City of Pontiac Medical Marihuana Facilities Ordinance") ("Ordinance") to allow medical marihuana facilities to operate in the City of Pontiac;

WHEREAS, the City of Pontiac City Clerk is responsible for administering the medical marihuana facility permit application process pursuant to the Ordinance;

WHEREAS, upon receipt of a completed medical marihuana facility permit application ("Medical Marihuana Application") the City Clerk is responsible for forwarding the Medical Marihuana Application to the Fire, Building and Safety, and Planning Departments/Divisions, and the City Clerk may forward the Medical Marihuana Application or certain parts thereof to any other relevant department/division of the City (including contractors of the City) to review the Medical Marihuana Application for compliance with certain requirements of the Ordinance;

WHEREAS, any employees, agents or contractors in such departments or divisions asked to review a Medical Marihuana Application or any part thereof will be required to disclose any conflict of interest to the City Clerk in accordance with the conflict of interest policy in the form of Exhibit A attached hereto ("Conflict of Interest Policy");

NOW BE IT THEREFORE RESOLVED, that the City of Pontiac adopts the Conflict of Interest Policy in relation to the review of Medical Marihuana Applications.

February 26, 2019

Open Discussion/Debate regarding a Conflict of Interest Policy for the Review of Medical Marihuana Permit Applications.

19-63 **Motion to close the debate.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

19-64 **Motion to vote on the Resolution Adopting a Conflict of Interest Policy for the Review of Medical Marihuana Permit Applications.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

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

No: None

Resolution Passed.

Departmental Correspondence (Item 8)

Memorandum response from the City Attorney regarding Councilwoman Miller's request for a Memorandum from the City Attorney detailing all of the required steps for a Zoning Ordinance including the Technical Review by Planning.

Communication to the Planning Commission (Item 9 Ad-on)

Revised Carter/City Council Ordinance with the Amendment that was moved by Councilwoman Taylor-Burks and second by Councilperson Miller that was approved by the City Council on February 5, 2019 to be referred to the Planning Commission to be considered at its Meeting on March 6, 2019 at 6:30 p.m. The ordinance is attached as exhibit B.

President Kermit Williams adjourned the meeting at 8:14 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

EXHIBIT A



CITY OF PONTIAC

MEDICAL MARIHUANA PERMIT REVIEWER CONFLICT OF INTEREST POLICY

Purpose

The City of Pontiac (the "City") has approved an ordinance to allow medical marihuana facilities to operate in the City. After receipt of a completed application, the Pontiac City Clerk is responsible for forwarding the application to the Fire, Building and Safety, and Planning Departments/Divisions, and the Pontiac City Clerk may forward the application or certain parts thereof to any other relevant department/division of the City (including contractors of the City) to confirm compliance with certain requirements of the City of Pontiac Medical Marihuana Facilities Ordinance ("Ordinance").

The City provides this Conflict of Interest Policy to ensure that there is full disclosure in connection with approval/review of any medical marihuana facility permit application ("Medical Marihuana Application") or inspection of any proposed medical marihuana facility that may provide an economic or other personal benefit to an employee, agent or contractor, or to any person or entity with whom they are related or have a financial interest. This will help to ensure that decisions are based entirely on merit. This policy is intended to supplement but not replace any applicable City, state or federal laws relating to conflicts of interest.

Definitions

1. Interested Person. An "Interested Person" is an individual who is in a position to review, inspect and/or approve components of an applicant's Medical Marihuana Application or proposed medical marihuana facility on behalf of the Fire, Building and Safety, or Planning Departments/Divisions or any other relevant department/division of the City (including contractors of the City) tasked with reviewing, inspecting and/or approving any components of Medical Marihuana Applications or proposed medical marihuana facilities.
2. Family Member. A "Family Member" includes: the spouse of, or a brother, sister, in-law, ancestor (including parents and grandparents), child, grandchild or great grandchild of an Interested Person, or the spouse of any child, grandchild, or great grandchild of an Interested Person.
3. Financial Interest. An Interested Person has a "Financial Interest" if:
 - (a) such Interested Person, or any Family Member or Related Entity of such Interested Person, is directly or indirectly involved in any transaction or exchange with an entity or individual that has submitted or plans to submit a Medical Marihuana Application to operate a medical marihuana facility in the City (other than retail purchases of medical marihuana at a provisioning center in compliance with applicable laws); or
 - (b) such Interested Person, or any Family Member or Related Entity of such Interested Person, has a compensation arrangement or a potential compensation arrangement of any form, direct or indirect, with any entity or individual that has submitted or plans to submit a Medical Marihuana Application to operate a medical marihuana facility in the City.

4. Related Entity. A "Related Entity" means: any corporation, partnership, limited liability company, estate, trust or other entity or organization in which any Interested Person or any Family Member of such Interested Person, directly or indirectly, owns or controls or is negotiating to own or control (including through other entities or organizations) 1% or more of the voting power, 1% or more of the profits or economic interest or 1% or more of the ownership interest of such entity or organization.

Acceptance of Benefit

Employees, agents and contractors reviewing, inspecting and/or approving components of an applicant's Medical Marihuana Application or proposed medical marihuana facility (and their Family Members and Related Entities) shall not solicit, accept or retain any direct or indirect gift, gratuity, compensation, payment or other benefit (collectively, "Benefit") from any individual or entity operating or seeking to operate a medical marihuana facility in the City.

Procedures for Conflicts of Interest

1. Duty to Disclose. Each year, promptly after the release of the Medical Marihuana Application by the City Clerk and on each anniversary thereafter (and in any case prior to any review by such Interested Person of any Medical Marihuana Application), each Interested Person shall complete and submit to the City Clerk the Conflict of Interest Disclosure Statement/Affidavit For Medical Marihuana Facility Permit Applications attached hereto ("Conflict of Interest Disclosure Statement"). Even if an Interested Person has completed a Conflict of Interest Disclosure Statement, if the Interested Person receives a Medical Marihuana Application in which such Interested Person has a Financial Interest or other actual or potential conflict of interest, before such Interested Person may review the Medical Marihuana Application, such Interested Person shall disclose to the City Clerk the existence of such Financial Interest or conflict together with a statement of facts that describe and explain such Financial Interest or conflict.

2. Reappointment. Upon receipt of the Interested Persons' disclosure of Financial Interest or other actual or potential conflict (or any other discovery of the same), the City Clerk shall report such Financial Interest or conflict to the respective head of the department or division and another employee, agent or contractor shall be assigned to the particular Medical Marihuana Application.

3. Violations.

(a) If the City Clerk or head of the respective department or division has reasonable cause to believe that an Interested Person has failed to disclose any actual or potential conflict of interest (including without limitation any Financial Interest) or has directly or indirectly solicited, accepted or retained a Benefit from any individual or entity operating or seeking to operate a medical marihuana facility in the City, the City Clerk or such department/division head shall inform the Interested Person of the basis for such belief and afford him/her an opportunity to explain the alleged failure to disclose or explain the improper Benefit.

(b) If, after hearing the response of the Interested Person and making such further investigation as may be warranted under the circumstances, the City Clerk or respective department/division head determines that the Interested Person has in fact failed to disclose an actual or potential conflict of interest or directly or indirectly solicited, accepted or retained a Benefit, the City Clerk or respective department/division head shall take appropriate disciplinary and corrective action, and may forward the matter to the appropriate law enforcement agency to investigate.

Approved by City of Pontiac:

Date

**CITY OF PONTIAC ("CITY")
CONFLICT OF INTEREST DISCLOSURE STATEMENT/AFFIDAVIT
FOR MEDICAL MARIHUANA FACILITY PERMIT APPLICATIONS**

Name: _____ (Interested Person)

1. As an Interested Person, please list any Related Entity (as defined in the City's Conflict of Interest Policy) that has or plans to submit an application to the City to operate a medical marihuana facility.

Entity	Percentage Interest	<u>Date</u> From	<u>(Yrs)</u> To	Person Involved (relationship)

2. As an Interested Person, please list any organization or entity (profit or nonprofit) that you or a Family Member (as defined in the City's Conflict of Interest Policy) or Related Entity currently (or plan to) serve as an employee, contractor, agent, manager, director, officer or similar position or receive or are entitled to any form of compensation, that has or plans to submit an application to the City to operate a medical marihuana facility.

Organization/Business	Position/Involvement	Person Involved (Relationship)

3. As an Interested Person, please list any other organization, entity, involvement, relationship, conditions or circumstances that place or may place you in a conflict or potential conflict regarding the review, inspection or approval of any medical marihuana facility permit application for the City, including without limitation any Financial Interest (as defined in the City's Conflict of Interest Policy).

Organization or Circumstance	Conflict or Potential Conflict

4. Neither myself nor any of my Family Members or Related Entities have solicited, accepted or retained any direct or indirect gift, gratuity, compensation, payment or other benefit from any individual or entity operating or seeking to operate a medical marihuana facility in the City.

Under penalties of perjury, I declare that: (i) I have completed this Disclosure Statement/Affidavit and that to the best of my knowledge and belief it is true, correct and complete; and (ii) I will update this Disclosure Statement/Affidavit within one (1) business day after any relevant circumstances change by notifying the City Clerk of such change.

Signature: _____

Date: _____

STATE OF _____)
)SS
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 201____, by _____.

_____, Notary Public
 _____ County, Michigan
 My commission expires: _____

CITY OF PONTIAC

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO INCLUDE USES OF MEDICAL MARIHUANA FACILITIES IN DESIGNATED OVERLAY DISTRICTS.

THE CITY OF PONTIAC ORDAINS:

Article 2 Chapters 1 and 2 Section 2.101 Table 1 and Section 2.203 Table 2 Zoning Districts is amended to added:

Abbreviation	General Zoning Districts	Abbreviation	Special Purpose Zoning Districts
To Remain The Same	To Remain The Same	--	--
		--	--
		MMOD	Medical Marihuana Overlay Districts

Amend Article 2 I Chapter 2 - Section 2.203 Table 2 (Uses Permitted By District). Not more than five (5) Medical Marihuana Provisioning Center Facilities are to be located in any one of the three MMOD overlay districts, described in Section 3.1106.

Commercial, Office, and Service Uses											
Residential Districts				Commercial Districts				Industrial Districts			Development Standards
R-1	R-2	R-3	C-0	C-1	C-2	C-3	C-4	M-1	M-2	IP-1	
											Subject to Article 3, Chapter 11, Section 3.1101- 3.1111
											Subject to Article 3, Chapter 11, Section 3.1101- 3.1111
											Subject to Article 3, Chapter 11, Section 3.1101- 3.1111
											Subject to Article 3, Chapter 11, Section 3.1101- 3.1111
											Subject to Article 3, Chapter 11, Section 3.1101- 3.1111

- Principal Permitted Uses

Article 2 Chapter 5 - Development Standards for Specific Uses is amended to add Sections 2.544, 2.545, 2.546, 2.547, and 2.548 as follows:

Section 2.544 - Medical Marihuana Grower Facilities

Grower means a commercial entity that cultivates, dries, trims, or cures and packages marihuana for sale to a Processor or Provisioning Center, as defined in the Medical Marihuana Facility Licensing Act ("MMFLA"). As used in this ordinance, Grower shall include Class A Growers, Class B Growers, and Class C Growers.

1. Class A Grower means a grower licensed to grow not more than 500 marihuana plants.
2. Class B Grower means a grower licensed to grow not more than 1,000 marihuana plants.
3. Class C Grower means a grower licensed to grow not more than 1,500 marihuana plants.

A. General Provisions

1. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of Medical Marihuana Grower Facility, and a sign shall be posted on the premises of each facility indicating that consumption is prohibited on the premises.
2. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.
3. All activity related to the Medical Marihuana growing shall be done indoors.
4. Any Medical Marihuana Grower Facility shall maintain a log book and/or database identifying by date the amount of Medical Marihuana and the number of Medical Marihuana plants on the premises which shall not exceed the amount permitted under the Grower license issued by the State of Michigan. This log shall be available to law enforcement personnel to confirm that the Medical Marihuana Grower does not have more Medical Marihuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of Medical Marihuana at the Facility.
5. The Medical Marihuana Grower Facility shall, at all times, comply with the MMFLA and the rules and regulations of the Department of Licensing and Regulatory Affairs – Bureau of Marihuana Regulations ("LARA"), as amended from time to time.

B. Security

1. Medical Marihuana Grower Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the Oakland County Sheriff Department.

2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Grower while the Medical Marihuana Facility is not in operation shall be secured in a safe permanently affixed to the premises.

C. Space Separation

1. Unless permitted by the MMFLA, public areas of the Medical Marihuana Grower Facility must be separated from restricted or non-public areas of the Grower Facility by a permanent barrier.

2. Unless permitted by the MMMA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. Medical Marihuana Grower Facilities shall be free from Infestation by insects, rodents, birds, or vermin or any kind.

2. Medical Marihuana Grower Facilities shall produce no products other than useable Medical Marihuana intended for human consumption.

3. No Medical Marihuana Grower shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Grower is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Grower Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.

2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.

3. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the local Fire Department to ensure compliance with the Michigan Fire Protection Code.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with State and local laws and regulations.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Grower shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Co-Location

1. There shall be no other accessory uses permitted within the same facility other than those associated with a Processor and Provisioning Center.
2. Multiple Class C licenses may be stacked in the same facility as defined by the MMFLA, and shall only be considered as one facility for the purposes of this subsection, provided that a separate application fee is paid for each Class C license.

I. Building Design

1. Floors, walls, and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures, and other facilities shall be maintained in a sanitary condition.
3. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located.

Section 2.545 - Medical Marihuana Processor

Processor means a commercial entity that purchases marihuana from a grower and that extracts resin from the marihuana or creates a Marihuana-infused product for sale and transfer in package form to a Provisioning Center.

A. General Provisions

1. The Processor shall comply at all times and in all circumstances with the MM FLA, and the general rules of LARA, as they may be amended from time to time.
2. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of Medical Marihuana Processor, and a sign shall be posted on the premises of each Medical Marihuana Processor indicating that consumption is prohibited on the premises.
3. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.
4. Any Processor Facility shall maintain a log book and/or database identifying by date the amount of Medical Marihuana and the number of Medical Marihuana product on the premises which shall not exceed the amount permitted under the Processor license issued by the State of Michigan. This log shall be available to law enforcement personnel to confirm that the Processor does not have more Medical Marihuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of Medical Marihuana at the Facility.
5. Processor Facilities shall not produce any products other than those marihuana-infused products allowed by the MMFLA and the rules promulgated thereunder.

B. Security

1. Medical Marihuana Processor Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the Oakland County Sherriff Department.
2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Processor while the Medical Marihuana Facility is not in operation shall be secured in a safe permanently affixed to the premises.
3. All Medical Marihuana shall be contained within the building in an enclosed, locked Facility in accordance with the MM FLA, as amended.

C. Space Separation

1. Unless permitted by the MMFLA, public areas of the Medical Marihuana Processor Facility must be separated from restricted or non-public areas of the Processor Facility by a permanent barrier.
2. Unless permitted by the MMFLA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. Processor Facilities shall be free from infestation by insects, rodents, birds, or vermin or any kind.
2. No Medical Marihuana Processor shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Processor is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Processor Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with State and local laws and regulations.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Processor shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:

- i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
- ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Co-Location

1. There shall be no other accessory uses permitted within the same facility other than those associated with a Grower and Provisioning Center.
2. The dispensing of Medical Marihuana at the Processor Facility shall be prohibited.

I. Building Design

1. Floors, walls, and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures, and other facilities shall be maintained in a sanitary condition.

Section 2.546 - Medical Marihuana Provisioning Center

Provisioning Center means a commercial entity that purchases marihuana from a Grower or Processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients, or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a Provisioning Center for purposes of this ordinance.

A. General Provisions

1. Medical Marihuana Provisioning Centers shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises between the hours of 10:00 p.m. and 7:00 a.m.
2. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of a Medical Marihuana Provisioning Center, and a sign shall be posted on the premises of each Medical Marihuana Provisioning Center indicating that consumption is prohibited on the premises.

3. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.

B. Security

1. Medical Marihuana Provisioning Centers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the Oakland County Sherriff Department.

2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Provisioning Center while the Medical Marihuana Provisioning Center is not in operation shall be secured in a safe permanently affixed to the premises.

C. Space Separation

1. Unless permitted by the MMFLA public areas of the Medical Marihuana Provisioning Center must be separated from restricted or non-public areas of the Provisioning Center by a permanent barrier.

2. Unless permitted by the MMFLA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

3. Medical Marihuana may be displayed in a sales area only if permitted by the MMFLA.

D. Nuisance Prohibited

1. No Medical Marihuana Provisioning Center shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Provisioning Center is operated.

E. Drive-Through

1. Drive-through windows on the premises of a Medical Marihuana Provisioning Center shall be prohibited.

F. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Provisioning Centers.

2. All registered patients must present both their Michigan Medical Marihuana patient/caregiver ID card and Michigan state ID prior to entering restricted/limited areas or non-public areas of the Medical Marihuana Provisioning Center.

G. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.

H. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Provisioning Center shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

I. Co-Location

1. There shall be no other accessory uses permitted within the same Facility other than those associated with a Grower and Processor..

Section 2.547 - Medical Marihuana Safety Compliance Facility

Safety Compliance Facility means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to a Medical Marihuana Facility.

A. General Provisions

1. Consumption, smoking, and inhalation of marihuana and/or alcohol shall be prohibited on the premises of a Medical Marihuana Safety Compliance Facility, and a sign shall

be posted on the premises of each Medical Marihuana Safety Compliance Facility indicating that consumption is prohibited on the premises.

2. The premises shall be open for inspection and/or investigation at any time by City investigators during the stated hours of operation and as such other times as anyone is present on the premises.

3. Any Medical Marihuana Safety Compliance Facility shall maintain a log book and/or a database identifying by date the amount of Medical Marihuana on the premises and form which particular source. The Facility shall maintain the confidentiality of qualifying patients in compliance with the MMMA, and MMFLA, as amended.

B. Security

1. Medical Marihuana Safety Compliance Facility shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate 24-hours a day, 7-days a week. The video recordings shall be maintained in a secure, off-site location for a period of 30 days, and must be coordinated with the Oakland County Sherriff Department.

2. Any usable Medical Marihuana remaining on the premises of a Medical Marihuana Safety Compliance Facility while the Medical Marihuana Safety Compliance Facility is not in operation shall be secured in a safe permanently affixed to the premises.

3. All Medical Marihuana shall be contained within the building in an enclosed, locked Facility in accordance with the MM FLA, as amended.

C. Space Separation

1. Unless permitted by the MMFLA, public areas of the Medical Marihuana Safety Compliance Facility must be separated from restricted or non-public areas of the Safety Compliance Facility by a permanent barrier.

2. Unless permitted by the MMFLA, no Medical Marihuana is permitted to be stored or displayed in an area accessible to the general public.

D. Nuisance Prohibited

1. No Medical Marihuana Safety Compliance Facility shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Medical Marihuana Safety Compliance Facility is operated.

E. Licensing

1. The license required by this chapter shall be prominently displayed on the premises of a Medical Marihuana Safety Compliance Facility.
2. All registered patients must present both their Michigan Medical Marihuana patient/caregiver ID card and Michigan state ID prior to entering restricted/limited areas or non-public areas of the Medical Marihuana Safety Compliance Facility.

F. Disposal of Waste

1. Disposal of Medical Marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the city so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed.

G. Signage

1. It shall be prohibited to display any signs that are inconsistent with State and local laws and regulations.
2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.
3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.
4. No licensed Medical Marihuana Safety Compliance Facility shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:
 - i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
 - ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

H. Building Design

1. Floors, walls and ceilings shall be constructed in such a manner that they may adequately cleaned and kept clean and in good repair.
2. Any buildings, fixtures and other facilities shall be maintained in a sanitary condition.

Section 2.548 - Medical Marihuana Secure Transporter

Secure Transporter means a commercial entity located in this state stores marihuana and transports marihuana between medical marihuana facilities for a fee. A Secure Transporter shall comply at all times with the MMFLA and the rules promulgated thereunder.

A. General Provisions

1. Consumption and/or use of marihuana shall be prohibited at a facility of a Secure Transporter.
2. A vehicle used by a Secure Transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of medical marihuana to determine compliance with all state and local laws, rules, regulations and ordinances.
3. A Secure Transporter licensee and each stakeholder shall not have an interest in a Grower, Processor, Provisioning Center, or Safety Compliance Facility.
4. A Secure Transporter shall enter all transactions, current inventory, and other information as required by the state into the statewide monitoring system as required by law.

B. Secure Storage

1. Storage of medical marihuana by a Secure Transporter shall comply with the following:
 - i. The storage facility shall not be used for any other commercial purpose.
 - ii. The storage facility shall not be open or accessible in the general public.
 - iii. The storage facility shall be maintained and operated so as to comply with all state and local rules, regulations and ordinances.
2. All marihuana stored within the facility shall be stored within enclosed, locked facilities in accordance with the MMFLA, as amended.

C. Sanitation

1. All persons working in direct contact with marihuana being stored by a Secure Transporter shall conform to hygienic practices while on duty, including but not limited to:
 - i. Maintaining adequate personal cleanliness.
 - ii. Washing hands thoroughly in adequate hand washing areas before starting work and at any other time when the hands may have become soiled or contaminated.
 - iii. Refrain from having direct contact with marihuana if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

D. Disposal of Waste

1. Disposal of medical marihuana shall be accomplished in a manner that prevents its acquisition by a person who may not lawfully possess it and otherwise in conformance with State law.

2. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner as approved by the City so that they do not constitute a source of contamination in areas where medical marihuana is exposed.

E. Transport Driver

1. A Secure Transporter shall comply with all of the following:

i. Each driver transporting marihuana must have a chauffeur's license issued by the state.

ii. Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past five (5) years.

iii. Each vehicle shall always be operated with a two-person crew with at least one individual remaining with the vehicle during the transportation of marihuana.

2. A route plan and manifest shall be entered into the statewide monitoring system, and a copy shall be carried in the transporting vehicle and presented to a law enforcement office upon request.

3. The medical marihuana shall be transported by one or more sealed containers and not be accessible while in transit.

4. A secure transporter vehicle shall not bear markings or other indication that it is carrying medical marihuana or a marihuana infused product.

F. Signage

1. It shall be prohibited to display any signs that are inconsistent with local laws of regulations or State law.

2. It shall be prohibited to use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors or in violation of LARA regulations.

3. It shall be prohibited to use the symbol or image of a marihuana leaf in any exterior building signage.

4. No licensed Medical Marihuana Secure Transporter shall place or maintain, or cause to be placed or maintained, an advertisement of medical marihuana in any form or through any medium:

- i. Within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; and
- ii. Within one hundred feet of a public or private youth center, public swimming pool or a church or other structure in which religious services are conducted.

Article 3 - Special Purposes - Zoning District is amended to add Chapter 11 as follows: Chapter 11- Medical Marihuana Districts

Section 3.1101 – Intent

The purpose of the Medical Marihuana Overlay District (MMOD) is to provide for the placement of Medical Marihuana related uses as authorized pursuant to State regulations with a goal of minimizing potential adverse impacts on adjacent property owners, neighborhoods, and the City.

Section 3.1102 - Medical Marihuana Overlay District Principal Permitted Uses

The following are principal permitted uses in the Medical Marihuana Overlay District, provided the development also meets the Design & Building Standards set forth in Section 3.1109 and Article 2 Chapter 5 Development Standards for Specific Uses:

1. Provisioning Center;
2. Safety Compliance Facility;
3. Secure Transporter;
4. Grower; and
5. Processor.

Section 3.1103 - Medical Marihuana Overlay District Permitted Accessory Uses

1. Off-Street Parking, Loading and Unloading as required per Section 4.307; and
2. Any use that is not incidental to the permitted principal use.

Section 3.1104 - Medical Marihuana Overlay District Principal Permitted Uses Requiring Site Plan Review

All principal permitted uses of the MMOD are subject to Site Plan Review set forth in Article 6, Chapter 2, Section 6.202.

Section 3.1105 – Licensing

All operators of medical marihuana facilities must obtain a State of Michigan & City of Pontiac License.

Section 3.1106 - MMOD Location Description

The Medical Marihuana uses permitted in the MMOD must meet the following requirements:

- A. OVERLAY #1:** All properties along Walton Blvd and streets north of Walton Blvd between the west side of Telegraph Road to Joslyn Avenue including those contained within Overlay Map 1 for this MMOD.
- a. Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #1.
- B. OVERLAY #2:** Maintain frontage along Cesar Chavez, starting from the west side of West Blvd in the City of Pontiac to northern side of W. Montcalm St., also including:
- 1. Pershing Ave;
 - 2. Durant Ave;
 - 3. Inglewood Ave; and
 - 4. Ojista Ave.

Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #2. See Overlay Map #2 for this MMOD.

- C. OVERLAY #3:** All properties within C-2 Downtown zoned district.
- a. Not more than five (5) licenses to operate a Provisioning Center shall be awarded in this Overlay District #3.

Section 3.1107 - Permitted Uses in Commercial Districts (Non-Overlay)

In addition to MMOD Locations as described in Section 3.1106, all medical marihuana uses, excluding Medical Marihuana Grower and Processor, are permitted in C-0, C-1, C-3, C-4, M-1 and M-2 districts subject to all requirements under this Chapter 11, including but not limited to Section 3.1108 - Buffer

Distance Restrictions. There shall be no more than five (5) Medical Marihuana Provisioning Centers allowed in all of C-0, C-1, C-3, C-4, M-1 and M-2 districts combined, and shall be awarded based on the highest scoring applications received for those proposed qualifying locations that are not in one of the three Overlay Districts described in Section 3.1106 above.

Section 3.1108 - Buffer Distance Restrictions

- A. The proximity of the proposed medical marihuana facility shall not be less than:
1. 1,000 feet from an operational public or private school;
 2. 500 feet from an operational commercial childcare organization (non-home occupation) that is licensed and registered with the State of Michigan Department of Health and Human Services or its successor agency;
 3. 500 feet from a public park with playground equipment;
 4. 500 feet from a religious institution that is defined as tax exempted by the Oakland County Assessor; and
 5. Applicable only for properties located in a C-0, C-1, C-3, and C-4 Commercial and M1 and M2 zoned districts:
 - i. 200 feet from a residential-zoned property. Notwithstanding anything contained within Section 3.1107. B to the contrary, such distance between a residentially-zoned property and the contemplated location shall be measured at right angles.
- B. Such distance between the school, childcare center, public park, or religious institution, and the contemplated location shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines at right angles to the centerline from the primary point of ingress to the school, childcare center, or religious institution, or from the playground equipment in a public park, and from the primary point of ingress to the medical marihuana facility along the centerline to the primary site entrance driveway

Section 3.1109 - Co-Location

- A. Consistent with the MMFLA and rules promulgated by the department, any combination of Growers, Provisioning Centers, and Processors may operate as separate medical marihuana facilities at the same physical location;

- B. A maximum of two medical marihuana facilities with state operating licenses may co-locate on a single parcel;
- C. No two medical marihuana facilities of the same type may be located on the same parcel;
- D. Medical Marihuana Provisioning Center, consistent with the MMFLA, any combination of Grower, Processor, and Provisioning Centers may operate as separate medical marihuana facilities in the physical location. Provided that the Provisioning Center is incidental to the principal use and that the total amount of internal floor areas of the structure locate to the Provisioning Center does not exceed 20% of the floor area of the total establishment;

Section 3.1110 - Building Design, Area, Height, Bulk, and Placement

- A. Building and design improvements must comply with the underlying Zoning requirements and the Specific Uses Development Standards outlined in Article 2, Chapter 5 of this Zoning Ordinance.
- B. If the provisions of the MMOD are silent on building and design requirements, the requirements of the underlying district shall apply.
- C. If the building and design requirements of the MMOD conflict with the requirements of the underlying district, then the building and design requirements of the MMOD shall supersede the underlying district regulations.

Section 3.1111- Review Authority and Establishment

- A. The Planning Commission shall be the Special Exception and Site Plan Review Authority for the permitted medical marihuana uses in the MMOD;
- B. A Special Exception Permit for medical marihuana uses require Public Notice of 500 feet from the proposed medical marihuana facility;
- C. All permitted medical marihuana uses must be in accordance with the Uses Development Standards outlined in Chapter 2 of the Zoning Ordinance;
- D. Within the MMOD all requirements of the underlying districts remain in effect, except where these regulations provide an alternative to such requirements.

Article 7 - Definitions Is amended to add Chapter 2, and Chapter 3 as follows: Article 7 - Definitions I
Chapter 2

Section 7.202 Commercial, Office, and Service Uses

A. **Provisioning Center** means a commercial entity that purchases medical marihuana from a Grower or Processor, and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients or registered primary caregivers.

1. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this ordinance.

B. **Safety Compliance Facility** means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.

C. **Secure Transporter** means a commercial entity located in this state that stores marihuana and transports medical marihuana between medical marihuana facilities for a fee.

Section 7.203 - Industrial Uses

A. **Grower** means a commercial entity that cultivates, dries, trims, or cures, and packages marihuana for sale to a Processor or Provisioning Center. As used in this ordinance, Grower shall include Class A Growers, Class B Growers, and Class C Growers.

- a. Class A Grower means a grower license to grow not more than 500 marihuana plants.
- b. Class B Grower means a grower license to grow not more than 1,000 marihuana plants.
- c. Class C Grower means a grower license to grow not more than 1,500 marihuana plants.

B. **Processor** means commercial entity that purchases marihuana from a grower and that extracts resin from the marihuana or creates a Marihuana-infused product for sale and transfer in package form to a Provisioning Center.

C. **Provisioning Center** means a commercial entity that purchases marihuana from a Grower or

Processor, and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Centers includes any commercial property where marihuana is sold at retail to registered, qualifying patients or registered primary caregivers.

- a. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this ordinance.
- D. Safety Compliance Facility means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.
- E. Secure Transporter means a commercial entity located in this state that stores marihuana and transports marihuana between medical marihuana facilities for a fee.

Article 7 - Definitions I Chapter 3

Section 7.301-General Definitions

- A. Medical Marihuona Facility means a location at which a Grower, Processor, Provisioning Center, Secure Transporter, or Safety Compliance Facility is licensed to operate under the MMFLA.
- B. MMLFA means the Medical Marihuana Facilities Licensing Act, Act No. 281 of the Public Acts of 2016, being Sections 333.27101 to 333.27801 of the Michigan Compiled Laws.
- C. MMMA means the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, being Sections 333.26421 to 333.26430 of the Michigan Compiled Laws.

Pursuant to Pontiac City Charter Provision 3.112(e), this is an EMERGENCY ORDINANCE to regulate the proliferation of medical marihuana facilities within the City of Pontiac and thereby ensure the health and safety of its residents, and shall be given immediate effect.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Pontiac this _____ day of _____ 2019.

Deirdre Waterman, Mayor

Garland Doyle, Interim City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council on the _____ day of _____ 2019.

Garland Doyle, Interim City Clerk

I further certify that the foregoing was published in a newspaper of general circulation in the City of Pontiac in a manner consistent with the Charter of the City of Pontiac.

Garland Doyle, Interim City Clerk

**SUB
COMMITTEE
REPORT**

#2

CABLE SUBCOMMITTEE

February 21, 2019

In attendance:

Council members: Chairperson Gloria Miller and Kermit Williams

Deputy Mayor: Jane Bais-DiSessa

Cable Director: Phil Brown

Start time: 12:05 pm

The City has a franchise agreement with Comcast and AT & T and both provide PEG funds once a month. The franchise agreement is on the internet and reports are provided quarterly.

Other cities have a cable authority, not here. The City has to check to ensure that the City is receiving the accurate amount of fees by having an audit.

The Cable Director monitors the contracts and the FCC acts as an overseer and provides notices of meetings. Everything goes to Comcast first, then to AT & T. Some cities provide an encoder.

Discussion regarding the role of the school system. At one time, the City and school system had an agreement and the school system was provided a channel. The school has since asked for updated equipment. Most cities do not provide the schools with any PEG related assistance.

Question asked regarding televising basketball games live. The schools have their own people to film and we do not have the equipment to tape "live." However, the schools can provide schedules.

Updates: first, infrastructure is needed, such as fiber. A rough estimate for the cost is approximately \$20,000. The Board of Education (next door) has fiber, so it should be less expensive as there is an existing line. Second, there needs to be an assessment of the department. Currently, an editor is needed to assist the Cable Director and eventually more staff.

The former Cable Director wanted to be able to use the Council Chambers as a studio which would require a secure ceiling, moveable chairs, the proper equipment etc. (Rochester Hills and Southfield City Hall both have studios).

Cable is essential for communication. In the future, there should be more public service announcements (PSA's).

PEG fees have to be monitored to ensure that they are not taken away.

There needs to be a plan for renovating the chambers to assist the residents with better viewing. A consultant is required to assist the City in determining the City's needs. There is money in the budget to pay for a consultant and currently the Cable Director is reviewing RFP's in order to make a recommendation to the cable subcommittee. The cable subcommittee will then make a recommendation to the Council as a whole.

The next meeting will be Wednesday March 27, 2019 at noon. At the meeting, the Cable Director will have reviewed all of the RFP's and will provide the subcommittee with a recommendation for a consultant.

The Council meetings are aired at 9:00am and 7:00 pm daily. The schedule of shows should be posted and provided to the public. Also, the City's Facebook page should also include the Pontiac City Council to be more inclusive.

Adjourned: 12:58 pm

**SUB
COMMITTEE
REPORT
#3**

COMMUNITY DEVELOPMENT SUB-COMMITTEE NOTES
February 26, 2019

In attendance:

Council members: Kermit Williams and Gloria Miller

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-Disessa

Economic Development Director: Rachel J. Loughrin

Sekar Bawa: Sr. Finance Analyst

Kyle Westberg: West Construction Services

Mark Schwartz, PhD: Kevadiya Ingenious Computing Inc.

Nilesh Patel, PhD: Kevadiya Ingenious Computing Inc.

Kevadiya Properties LLC

- The developers were previously located at 2001 Centerpoint Pkwy #103, but when Williams International purchased the location, they had to move. Temporarily, they are in the Riker Building.
- They purchased 100 N. Saginaw (an obsolete property) and are requesting an OPRA Exemption.
- The business has 25 employees and in the next three years, they hope to have 35-40 employees and 50 employees in the next 5 years.
- There are five (5) open positions for IT.
- The business is firmly entrenched with federal groups and they are confident they will expand this agency and other federal agencies. They are expanding in the private sector.
- The business currently does not have City of Pontiac employees, but due to the “set aside,” from the federal government, “HubZone” companies in HubZones requires the business to have City of Pontiac employees.
- A HUB area is a financially distressed area and is defined as a *Historically Under-Utilized Business Zone*.
- The SBA website will allow you to put in an address and let you know if the property is in a HubZone.

A. Application for Obsolete Property Rehabilitation Exemption Certificate requires the developers to provide the City of Pontiac with:

- a. General description of the obsolete facility,
- b. General description of the proposed use of the rehabilitated facility,
- c. Description of the general nature and extent of the rehabilitation to be undertaken,
- d. A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility,
- e. A time schedule for undertaking and completing the rehabilitation of the facility and
- f. A statement of the economic advantages expected from the exemption.

- A match cannot be received from the State unless the City agrees.

The request for the OPRA exemption is for 12 years.

The total net loss to the City would be \$88,732.00.

The property tax revenue loss is based on an estimated taxable value of \$2,500,000 for 2019.

The estimated project cost is \$4,068,000 and the current taxable value \$205,160.00.

B. The Development Agreement, more specifically the Community Benefits includes the following:

- The owner shall require its general contractor to implement a local hiring practice which provides a preference for the general contractor to hire City residents to perform jobs related to construction of the Project.
 - Owner has retained a Pontiac based businesses to provide architectural, engineering, environmental and other professional and consulting firms services related to the development and construction of the Project.
 - Requires the general contractor to advertise available on-site jobs in local media and electronically on a City-sponsored website and social media and provide written notice to at least 2 local hiring organizations including the Pontiac Jobs Pipeline and non-profit organizations regarding job opportunities.
 - Provides opportunities to Pontiac High School students for internships for a minimum of 10 hours per week. (will not be limited to just Pontiac High students)
 - Will assist in identifying potential fundraising opportunities to provide STEM programming at the Pontiac Youth Recreation and Enrichment Center and will assist with obtaining grants.
 - Agrees to spend \$1,500,000 in the City including building purchase price.
 - Will assist with developing a transportation plan for service from Pontiac schools to the Youth Center.
-
- The business is making a huge commitment to Pontiac which includes \$5,000 every year on students.
 - They have not done a financial analysis to see the least amount of time needed for OPRA.
 - The MEDC has a formula for participation.

Phase I and Phase II have contaminants remediated and potentially 5-6 companies will come in.

Parking will not be an issue as they purchased two (2) lots, one on the side and the other in the back

This will be placed on the agenda in two weeks, March 12, 2019.

Adjourned 4:08 pm.

**SUB
COMMITTEE
REPORT
#4**

LAW/50TH DISTRICT SUB-COMMITTEE NOTES

February 26, 2019

In attendance:

Council members: Chairman Gloria Miller, and Kermit Williams

Chief Judge: Cynthia Walker

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-DiSessa

Court Administrator: Lynette Ward

Start time: 4:15 p.m.

- The Court Administrator and the Deputy Mayor will be working together to address issues regarding the Indigent Defense Fund.

- In the past, the Council asked questions regarding AMNESTY (late fees on judgments)/tickets. There was going to be a project in February, but there will not be one in February. The Court is still reviewing the process, so there may be a project in the future.

- Paying Tickets on Line (Matterhorn)
The Sheriff's Department has given approval.
Should be able to go on line and contest the ticket.

- Status of Blight Court
There will be an orientation packet created for the magistrate selected, so the program can get implemented.

- MIDC
An Attorney or attorneys will have to be interviewed. A possible coordinator was selected to be interviewed.

- North Hill Farms
There were 46 units without heat and management should have been notified.
Regional management repaired items in 24 hours and all units will be inspected within the next two (2) weeks.

- PDBA deals with parking tickets. The Court is involved only when there is a failure to pay. There hasn't been a new batch of tickets given to the Court.

- Stacking levels are the best they have been in a decade. Employees are being cross-trained.
Validating numbers for the previous year.

- Snow removal at the Court is an issue as it compromises some of the parking spaces when snow is piled in a parking spot. There is limited parking and Court employees are required to park in a secure spot and employees with mobility issues are required to park in the front.

- The Chief Judge and Court Administrator were asked if they were open to moving into another location if it were an option. YES.

- There is quite a bit of money being spent on the various City buildings including the Phoenix Center, 50th District Court and City Hall.
There are a lot of obsolete City buildings.

- There was discussion regarding combining the Court and City Hall which would allow for combined security.

- There has been some acknowledgement that when these entities are combined, there is an ease of movement.

- Some Courts that are money makers have been taken over by the State. Flint and Genesee County.

- Combining the courts would allow for both district and circuit court judges to hear various cases. An argument is that a District Court judge is better able to understand local citizen issues than a judge that is County wide or a Circuit Court judge.

Adjourned: 5:00 p.m.

**SUB
COMMITTEE
REPORT**

#5

Youth Recreation Special Committee Notes

February 28, 2019

In attendance:

Council members: Chairman Gloria Miller, and Doris Taylor-Burks

Mayor: Deirdre Waterman

Deputy Mayor: Jane Bais-DiSessa

Jason Crute: Recreation Manager

Robert Burch: Assistant-Recreation Manager

Start time: 12:05 p.m.

II. New Business

A. Update on Current Activities

*The Center is for kids ages 4-20 and there has to be age appropriate programming.

- Troy Craft does the basketball league programming.
- Currently, basketball, STEM programming and after-school tutorials are being offered. Also, young girls are being mentored and issues on social media and tv are being addressed.
- There is a tutoring program which includes one volunteer and paid staff. Children who need tutoring are being recruited.
- Basketball is wrapping up and the championship game will be Saturday. There will be eight (8) games and about 180-200 kids.
- Thursday will start soccer (for approximately 8 weeks) and also volleyball will also be starting.
- The Center has a computer rooms as the computers were donated by OCC.

B. List of employees (former and current)

- Council passed a resolution making the request.
- The Youth Recreation program has three (3) full-time positions:
 1. Manager
 2. Assistant Manager
 3. Sports Director

C. List of employees (classification & pay rate)

- Council passed a resolution making the request.

D. Update on STEM Program

- There is the partnership with Williams International, Cranbrook and the City of Pontiac. The school district was also brought in to participate.
- Williams International is providing an education fund for both STEM and transportation and gives the City \$150,000 annually.

E. Update on any needed repairs

- The lease is almost up.
- A list of repairs will be provided at the next meeting.
- Since moving in, there has been an extensive amount of cleaning.
- Some offices are not being used and there were some roof issues that the landlord had to address.
- Question: why can't we fix up Ewalt, a building that we currently own?
- Answer: the cost to do repairs is over one million dollars.

- Question: Can we afford where we are? Assessments to be made and information to be reviewed.

- Security Assessment
- There is security being provided by Richard Peterson, Val Gross and the Oakland County Sheriff as the Sheriff's office has a mini station on site.

- There are also security cameras.
- Parents cannot walk freely. There is a sign-in sheet when you walk in.
- Background checks are done of all the employees.

- Question: How is the interaction between the Youth Recreation Manager and the children?
The Executive indicates as well as the Youth Recreation Manager that it is very good as the Youth Recreation Manager has experience in working in multi-cultural environments which include Detroit and Auburn Hills.

F. What Fund is being used for the Spirit newsletter?

- The Youth Recreation fund is not paying for the newsletter. However, issues related with the Youth Recreation Center may be included, as the Spirit newsletter is a form of communication and informs the residents of issues.

- The intention is to expand the newsletter and to possibly include Council members and their districts.

- The intention is to make the Youth Recreation Center great and provide better programming.

*The next meeting will be at noon and the last Thursday of the month.

Adjourned: 1:00 pm

PRESENTATION

#6

GARLAND S. DOYLE, M.P.A.

*Interim City Clerk
FOIA Coordinator*

SHEILA GRANDISON

Deputy City Clerk



OFFICE OF THE CITY CLERK

47450 Woodward Avenue


Pontiac, Michigan 48342

Phone: (248) 758-3200

Fax: (248) 758-3160

MEMORANDUM

TO: Honorable City Council

FR: Garland S. Doyle, Interim City Clerk 

DA: March 1, 2019

RE: Medical Marihuana Ordinance and Application Process Update

Since the moratorium is scheduled to end on March 8, 2019, I am requesting to give the City Council an update on the application process.

PRESENTATION

#7



CITY OF PONTIAC
Department of Building Safety & Planning
Planning Division

47450 Woodward Avenue | Pontiac, MI 48342
T: 248.758.2800 | F: 248.758.2827

Mayor Deirdre Waterman

TO: HONORABLE MAYOR, COUNCIL PRESIDENT, AND CITY COUNCIL

FROM: VERN GUSTAFSSON, PLANNING MANAGER
THROUGH THE OFFICE OF DEPUTY MAYOR – JANE BAIS-DISESSA

SUBJECT: CITY COUNCIL COMMUNICATION
CARTER/CITY COUNCIL MEDICAL MARIHUANA ORDINANCE

DATE: FEBRUARY 28, 2019

After receiving a copy of the revised Carter/City Council Medical Marihuana Ordinance at City Council's February 26, 2019 meeting and Garland Doyle's February 28, 2019 email and attached Ordinance. We reviewed these Ordinances to ensure the February 5th, 2019 amendment was incorporated into the Ordinance.

The Ordinances do include the amendment that was read into the motion that no more than five (5) Medical Marihuana Provisioning Centers are to be located in any of the three Medical Marihuana Overlay Districts as described in Section 3.1106. Only three Overlay Districts are described on page 15 including Walton Blvd, Cesar Chavez and C-2 Downtown. In addition, Section 3.1108 Buffer Distance Restrictions [A] [5] [i] includes a 200 foot buffer from a residential-zoned property measured at right angles.

We did note several discrepancies. We request clarification to these discrepancies, which will provide the Planning Commission and staff your intent.

1. The approved February 5, 2019 minutes include the remaining five (5) licenses for Provisioning Centers shall be located in any other districts in the City of Pontiac which are zoned C-1, C-3, C-4, M-1 and M-2 that are not located in one of the three Overlay Districts. In the Ordinance, page 15, section 3.1107 Permitted Uses in Commercial Districts (Non-Overlay) also includes the C-0 Office Business zoning district, which was not part of the Amendment.
2. In both Ordinances, page 1, Table 2 Uses Permitted by District does show all Medical Marihuana facility uses are shown as a Principal Permitted Use. However, Section 3.1111 Review Authority and Establishment states the Planning Commission shall be the Special Exception Permit review authority and that a Special Exception Permit for Medical Marihuana uses require Public Notice of 500 feet from the proposed Medical Marihuana facility. Question remains; are all Medical Marihuana facility uses a Permitted Use or a Special Exception Permitted use that will require Planning Commission approval?
3. Maps 1 and 2 referenced on page 15, Section 3.1106 [A] and [B] are not included in the Ordinance.
4. Lastly, Section 3.1108 Buffer Distance Restrictions [A] [5] [i] includes a reference to Section 3.1107 B, which does not exist in this Ordinance.

PRESENTATION

#8

Study Session Presentation

Date: February 26th, 2019

Presentation Topic: Higher Learning Institution

Presentation Presenters: Chris Jackson, Sammie Rogers, Jessie Beld-Elliot, Robert Hynes

Presentation Notes: Higher Learning Institute is positioning itself to provide meaningful skills for people that are interested in working within the growing Cannabis Industry. Pontiac is being targeted for the Flagship location.

Objective(s):

- Certification
 - Budtending
 - Cultivation
 - Processing
- Staffing
 - Job pipeline

Will Request:

- Variances for operation

PRESENTATION

#9

Media Contact:
Kristen Bujold, Siren PR
kristen@siren-pr.com
517.404.7539

Pontiac students to receive enhanced STEM programming from Cranbrook Institute of Science through grants and collaboration from Williams International and the City of Pontiac

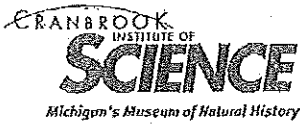
Bloomfield Hills, Mich. Feb. 28, 2019 – An immersive STEM-based learning experience will be launched to pre-kindergarten through 12th graders in the City of Pontiac by Cranbrook Institute of Science during the current and into the next academic year. The Institute of Science is able to bring hands-on, science curriculums and enrichment programs to middle and high-school aged Pontiac students and youth involved with the Pontiac Youth Recreation & Enrichment Center through grants from Williams International, that recently moved its headquarters to Pontiac last July. Initially, the grants funded city-wide after-school programs, but after collaborating with city officials it was expanded to include STEM offerings to the School District of the City of Pontiac.

"As a new neighbor in the Pontiac community, we are committed to developing the next generation of skilled professionals by supporting students and teachers through STEM," said Gregg Williams, chairman, president and CEO of Williams International and a graduate of Cranbrook Schools. "We are leveraging the expertise of the Institute's educators and their resources to bring supplemental science programs to Pontiac students, growing their interest in STEM fields. By doing so we are creating a pipeline for future engineers and technicians and, at the same time, enriching the students' educational experience. I want to thank Pontiac Mayor Dr. Deirdre Waterman for the strong support she and her team provided to this initiative."

This educational partnership between Cranbrook Institute of Science, the City of Pontiac and the Pontiac School District will build upon the programming at the Pontiac Youth Recreation & Enrichment Center and the district's current curriculum of science, technology, engineering and mathematics with interactive, customized sessions. Institute of Science educators will join teachers in classrooms, providing students with in-depth lessons that are extensions of their current curriculum, following state standards.

"I'm happy to be able to offer this dynamic programming at the Youth Recreation & Enrichment Center and deliver programs designed for youth that lift their horizons, develop their talents and explore their potential," said Dr. Waterman. "I'm also thrilled and grateful that our negotiations enabled programs to be expanded to Pontiac Schools to complement our after-school enrichment activities. The partnerships with Williams International and Cranbrook Institute of Science will help us strengthen collaboration between our schools and the community to ensure Pontiac youth are getting the skills they need to compete for quality jobs, and helps connect students with mentors working in STEM fields. I will continue to ensure STEM programs remain a top priority so our youth have the tools they need to succeed in a global economy."

Grant initiatives include: Intensive after-school and in-classroom-based STEM programming for 14 weeks to take place during the grant period, and field trips for middle school students; summer internships for more than 40 high school students at the Institute of Science and family days at the Institute for the interns and their families; access to the Institute's Acheson Mobile Planetarium; and professional development for Pontiac educators to support long-term sustainability of STEM-related content.



Media Contact:
Kristen Bujold, Siren PR
kristen@siren-pr.com
517.404.7539

"The Pontiac School District welcomes the opportunity to partner with Williams International and Cranbrook Institute of Science," said Dr. Kimberly Leverette, assistant superintendent of Curriculum and Instruction for the Pontiac School District. "This partnership affords our students and staff the unique ability to engage in high levels of science learning and inquiry, giving our students the tools to foster a deeper understanding and interest in STEM disciplines."

Additionally, Pontiac residents can enjoy complimentary general admission to the Institute of Science and 24 multi-use Galactic level memberships to the Institute of Science will be available to teachers and students in the Pontiac school district and their families during the grant period.

"The goal of outreach programs at the Institute, and the intent of this partnership, is to excite, educate and motivate young learners to exceed in STEM subjects and to explore careers in related fields," said Michael D. Stafford, Ph.D., director at Cranbrook Institute of Science.

The science, technology, engineering and mathematics programming will reach up to 600 students in Pontiac. The grant period runs from Feb. 1 through Dec. 31, 2019, with after-school and in-classroom programming being provided during that time.

About Williams International

Williams International is the world leader in design, development and production of small gas turbine engines. The continuous pursuit of innovative ideas has led Williams International to introduce successful products and services that have changed the aerospace industry and led to the company's rapid growth and new expansion in Pontiac. Located at 2000 Centerpoint Parkway, Williams International's new 600,000 square foot World Headquarters is a state-of-the-art product development, product support and advanced production manufacturing facility. Williams also acquired 140 acres of vacant land adjacent to the new Headquarters to enable future planned expansion of its manufacturing facilities.

About Cranbrook Institute of Science

Cranbrook Institute of Science, Michigan's Museum of Natural History, is part of the world-renowned Cranbrook Educational Community in Bloomfield Hills, Michigan. The museum is open Tuesday - Thursday 10 a.m.-5 p.m., Friday and Saturday 10 a.m.-10 p.m., and Sunday noon-4 p.m. Regular admission is \$13 for adults and \$9.50 for children 2-12 and senior citizens (65+); children under 2 and members are admitted free. Courtesy of MASCO Corporation Foundation, admission is free after 5 p.m. on the first Friday of each month. Other Fridays and all Saturdays after 5 p.m. admission is reduced to \$6.50 for adults and \$5.50 for children 2-12 and senior citizens; children under 2 and members are admitted free. For information about becoming a member of Cranbrook Institute of Science, call (248) 645-3200 or visit <http://science.cranbrook.edu>.

###

Jason Crute

From: Sarah Schleicher <SSchleicher@cranbrook.edu>
Sent: Wednesday, February 27, 2019 5:10 PM
To: Jason Crute
Cc: Nancy Swords
Subject: This week's Cranbrook programming

WARNING: This email originated from outside of City of Pontiac. **DO NOT** click on any links or open any attachments unless you recognize the sender and are expecting the message.

Jason --

Greetings from the Institute of Science! We're looking forward to tomorrow's visit. I wanted to check in and provide an update about tomorrow's programming:

4:30-5:00 PreK-2nd grade: STEM Story: Beautiful Buildings (*Iggy Peck, Architect*)
5:00-5:30 3rd-6th grade: Illuminating Design pt. 2 (continued from last week)
5:45-6:30 7th and up: Tall Towers

Looking ahead to next week, we'll bring the following on Thursday, 3/7:

4:30-5:00 PreK-2nd grade: STEM Story: Bug City (*Roberto the Insect Architect*)
5:00-5:30 3rd-6th grade: Electricity
5:45-6:30 7th and up: Chemical Reactions pt. 1

Thanks, see you soon!
Sarah

--
Sarah Schleicher
Visitor Experience Manager
Cranbrook Institute of Science
248 645.3193 | sschleicher@cranbrook.edu

Now open!



RESOLUTION

#11

Pontiac City Council Resolution



WHEREAS, the City of Pontiac Treasury Department is the appropriate department to resolve issues relating to property transfer affidavits.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby requires that issue of property transfer affidavit penalties, shall be reviewed and resolved, at the discretion of the City of Pontiac Treasury Department.

RESOLUTION

#12



MEMORANDUM

City of Pontiac
Controller's Office
47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3118
Fax: (248) 758-3197

DATE : 02/7/2019

TO: Honorable Mayor and City Council

FROM: Danielle Kelley, Plante & Moran - Controller's Office

THROUGH: Jane Bais DiSessa – Deputy Mayor

SUBJECT: Budget amendment FY 2018-2019 – Williams International Education Fund

Mayor Waterman,

In accordance with the development agreement approved by City Council with Williams International for Educational Fund money, the City has received a \$150,000 check from Williams International. In accordance with the agreement, both a representative from the City and a representative from Williams International have met and approved that the 2018 fund be used for the following:

1. A portion of the \$150,000 is to be distributed to Cranbrook for payment of after school STEM programming at the Youth Recreation Center.
2. The remaining 2018 funds be allocated at the Mayor's discretion for youth transportation.

In order to receive this revenue and incur the expenditures above, a budget amendment will need to be approved by the City Council, as it will cause an increase in both overall revenues and expenditures over which was originally adopted by the City Council. Given that the funds have been designated for programs within Youth Recreation, we have deemed it appropriate to receipt and expend the funding out of Fund 208 – Youth Recreation Fund. The following amendment is recommended:

208-000-671.208 (revenue) – Williams Int Educational Fund	\$150,000
208-756-818.000 (expenditure) – Other Professional Services	\$150,000

This would establish a new revenue account in accordance with the agreement for budgeting purposes. Additionally, the current Cranbrook outreach program has been paid out of 208-756-818.000, thus we recommend this account's budget be increased.

If Council agrees with the budget amendment above, then the following resolution would be in order:

Whereas, the City of Pontiac timely approved the 2018-2019 budget on June 8, 2018, and;

Whereas, the City Council approved the development agreement with Williams International that contained a provision for Williams International would provide educational funding to the City on an annual basis, and;

Whereas, the City and Williams International has come to an agreement on the means of which the Williams International Educational Fund dollars will be expended, and;

Whereas, the City has received a check in the amount of \$150,000 from Williams International, and;

Whereas, the Mayor is proposing to the City Council to increase the revenues and appropriations for the current year 2018-2019 for the Youth Recreation fund as illustrated below as necessary to receipt this revenue and expend these funds in accordance with the development agreement:

- *Youth Recreation Fund – 208*
 - *Other Revenue - \$150,000*
 - *Recreation and Culture - \$150,000*

Whereas, the increased revenue and appropriations will not cause the fund balance in any of the funds to go below the policy mandated thresholds.

Now therefore, be it resolved that the City Council of the City of Pontiac approves the Youth Recreation amendment for the Williams International Education funding for the fiscal year 2018-2019 as requested by the Mayor above.

EXHIBIT A**General Fund - 101****ESTIMATED REVENUES**

	2018-2019 Current budget	2018-2019 Proposed Amendment	2018-2019 Amended Budget
Property Taxes	7,912,643		7,912,643
Income Taxes	13,450,000		13,450,000
Licenses and Permits	195,000		195,000
Federal Grants	115,000		115,000
State Grants	9,962,707		9,962,707
Charges for Services	1,115,600		1,115,600
Fines and Forfeits	108,000		108,000
Interest and Rents	376,000		376,000
Other Revenue	2,433,704		2,433,704
Transfers In and Other Uses	240,000		240,000
TOTAL ESTIMATED REVENUES	35,908,654	-	35,908,654

APPROPRIATIONS

General Government	8,836,826		8,836,826
Public Safety	20,009,581		20,009,581
Public Works	2,681,356	3,526	2,684,882
Health and Welfare	150,000	101,310	251,310
Community and Economic Development	2,439,432		2,439,432
Recreation and Culture	700,610	20,000	720,610
Other Functions	2,452,662		2,452,662
Transfers Out and Other Uses	2,188,182		2,188,182
TOTAL APPROPRIATIONS	39,458,649	124,836	39,583,485

General Fund

NET REVENUES/APPROPRIATIONS	(3,549,995)	(124,836)	(3,674,831)
Audited - Use of Assigned fund balance FY 18	(3,550,000)		(3,550,000)
NET REVENUES/APPROPRIATIONS	5		(124,831)
 Audited - Nonspendable fund balance FY 18	 15,278		 15,278
Audited - Committed fund balance FY 18	3,200,000		3,200,000
Audited - Unassigned fund balance FY 18	10,593,924		10,469,093
Estimated fund balance 2019	13,809,207		13,684,371
 Unassigned fund balance as a percentage of expenditures	 27%		 26%
Fund Balance policy	15%		15%

EXHIBIT A - continued**Local Street Fund - 203**

		2018-2019		2018-2019
		Current budget	Proposed Amendment	Amended Budget
ESTIMATED REVENUES				
	State Grants	1,522,860	121,157	1,644,017
	Interest and Rents	21,493		21,493
	Transfers In	14,125		14,125
	TOTAL ESTIMATED REVENUES	1,558,478	121,157	1,679,635
APPROPRIATIONS				
	Public Works	2,869,536	1,857,371	4,726,907
	TOTAL APPROPRIATIONS	2,869,536	1,857,371	4,726,907
General Fund				
	NET REVENUES/APPROPRIATIONS	(1,311,058)	(1,736,214)	(3,047,272)
	Audited - Fund balance FY 18	5,933,352		5,933,352
	Estimated fund balance 2019	4,622,294		2,886,080
	Fund balance as a percentage of expenditures	161%		61%
	Fund Balance policy	10-20%		10-20%

Youth Recreation Fund - 208

		2018-2019		2018-2019
		Current budget	Proposed Amendment	Amended Budget
ESTIMATED REVENUES				
	Property Taxes	960,642		960,642
	Transfers In	6,331		6,331
	TOTAL ESTIMATED REVENUES	966,973	-	966,973
APPROPRIATIONS				
	Recreation and Culture	964,393	70,000	1,034,393
	TOTAL APPROPRIATIONS	964,393	70,000	1,034,393
General Fund				
	NET REVENUES/APPROPRIATIONS	2,580	(70,000)	(67,420)
	Audited - Fund balance FY 18	161,751		161,751
	Estimated fund balance 2019	164,331		94,331
	Fund balance as a percentage of expenditures	17%		9%
	Fund Balance policy	10%		10%

Cemetery Fund - 209

		2018-2019		2018-2019
		Current budget	Proposed Amendment	Amended Budget
ESTIMATED REVENUES				
	Charges for Service	10,000		10,000
	Transfers In and Other Uses	240,337		240,337
	TOTAL ESTIMATED REVENUES	250,337	-	250,337
APPROPRIATIONS				
	General Government	246,996	4,828	251,824
	TOTAL APPROPRIATIONS	246,996	4,828	251,824
General Fund				
	NET REVENUES/APPROPRIATIONS	3,341	(4,828)	(1,487)
	Audited - Fund balance FY 18	62,948		62,948
	Estimated fund balance 2019	66,289		61,461
	Fund balance as a percentage of expenditures	27%		24%
	Fund Balance policy	10%		10%

EXHIBIT A - continued**Senior Activities Fund - 212****ESTIMATED REVENUES**

Property Taxes	
Interest and Rents	
Transfers In	
TOTAL ESTIMATED REVENUES	

2018-2019		2018-2019
Current budget	Proposed Amendment	Amended Budget
306,860		306,860
19,397		19,397
28,499		28,499
354,756	-	354,756

APPROPRIATIONS

Recreation and Culture	
TOTAL APPROPRIATIONS	

452,021	204,600	656,621
452,021	204,600	656,621

General Fund

NET REVENUES/APPROPRIATIONS	
Audited -Fund balance FY 18	
Estimated fund balance 2019	
Fund balance as a percentage of expenditures	
Fund Balance policy	

(97,265)	(204,600)	(301,865)
969,486		969,486
872,221		667,621
193%		102%
10%		10%

Cable Fund - 213**ESTIMATED REVENUES**

Charges for Service	
Interest and Rents	
Transfers In	
TOTAL ESTIMATED REVENUES	

2018-2019		2018-2019
Current budget	Proposed Amendment	Amended Budget
175,100		175,100
6,631		6,631
2,840		2,840
184,571	-	184,571

APPROPRIATIONS

General Government	
TOTAL APPROPRIATIONS	

138,815	722,351	861,166
138,815	722,351	861,166

General Fund

NET REVENUES/APPROPRIATIONS	
Audited -Fund balance FY 18	
Estimated fund balance 2019	
Fund balance as a percentage of expenditures	
Fund Balance policy	

45,756	(722,351)	(676,595)
1,166,125		1,166,125
1,211,881		489,530
873%		57%
10%		10%

Capital Improvement Fund - 445**ESTIMATED REVENUES**

Property Taxes	
Other Revenue	
Interest and Rents	
TOTAL ESTIMATED REVENUES	

2018-2019		2018-2019
Current budget	Proposed Amendment	Amended Budget
908,036		908,036
5,000		5,000
20,555		20,555
933,591	-	933,591

APPROPRIATIONS

General Government	
Public Safety	
Public Works	
Community and Economic Development	
TOTAL APPROPRIATIONS	

721,333	1,457,000	2,178,333
178,000	80,000	258,000
695,132		695,132
115,136		115,136
1,709,601	1,537,000	3,246,601

General Fund

NET REVENUES/APPROPRIATIONS	
Audited -Fund balance FY 18	
Estimated fund balance 2019	
Fund balance as a percentage of expenditures	
Fund Balance policy	

(776,010)	(1,537,000)	(2,313,010)
2,800,087		2,800,087
2,024,077		487,077
118%		15%
15%		15%

RESOLUTION

#13



MEMORANDUM

City of Pontiac
Controller's Office
47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3118
Fax: (248) 758-3197

DATE : 02/07/2019

TO: Honorable Mayor and City Council

FROM: Danielle Kelley, Plante & Moran - Controller's Office

THROUGH: Jane Bais DiSessa – Deputy Mayor

SUBJECT: Budget amendment FY 2018-2019 – fiscal year 2017-2018 rollovers for Department of Public Works

Mayor Waterman,

We have reviewed both projects not completed and available budget of fiscal year 2018 with the department of public works and identified those projects and available budget which can be used to complete projects in this fiscal year 2019. Those projects are:

- General Fund
 - \$3,526 – Computer equipment for DPW department budgeted, but not expended
 - \$20,000 – Grass Cutting expenditures budgeted, but not expended
- Local Street Fund
 - \$121,157 – ACT 51 funding from FY 18 recognized in FY 19 (60 day rule)
 - \$106,775 – Non-motorized construction and sidewalk repair
 - \$970,160 – Kettering road repair
 - \$610,000 – Irwin road repair
 - \$170,436 – additional funding as needed for road repairs
- Cemetery Fund
 - \$4,828 – Grass cutting expenditures budgeted, but not expended.
- Senior Center Fund
 - \$204,600 – Ruth Peterson roof repair
- Capital Improvement Fund
 - \$290,000 – City Hall parking lot repair
 - \$1,117,000 – Building additions and improvements to City Hall and Courthouse
 - \$25,000 – repairs for Ottawa Park Cemetery
 - \$25,000 – repairs for Oak Hill Cemetery
 - \$80,000 – Police station improvements

If Council agrees with the budget amendment above, then the following resolution would be in order:

Whereas, the City of Pontiac timely approved the 2018-2019 budget on June 8, 2018, and;

Whereas, the Mayor has reviewed the department of public works requests for rollover of unused appropriations in the previous fiscal year, 2017-2018, and;

Whereas, the Mayor is proposing to the City Council to increase the appropriations for the current year 2018-2019 for the funds and amounts described in exhibit A and below as necessary to complete the projects that the City Council had fully funded and approved in the last fiscal year but were not timely expended. Those amounts are:

- *General Fund - \$23,526*
 - *Public Works - \$3,526*
 - *Recreation and Culture - \$20,000*
- *Local Street Fund - \$1,736,214 (net)*
 - *State Grant Revenue - \$121,157*
 - *Public Works - \$1,857,371*
- *Cemetery Fund - \$4,828*
 - *General Government - \$4,828*
- *Senior Center Fund - \$204,600*
 - *Recreation and Culture - \$204,600*
- *Capital Improvement Fund - \$1,537,000*
 - *General Government - \$1,457,000*
 - *Public Safety - \$80,000*

Whereas, the increased appropriations will not cause the fund balance in any of the funds to go below the policy mandated thresholds and;

Now therefore, be it resolved that the City Council of the City of Pontiac approves the rollover budget amendments for the fiscal year 2018-2019 as requested by the Mayor and department of public works above and detailed in the attachment labeled exhibit A.

EXHIBIT A**General Fund - 101****ESTIMATED REVENUES**

	2018-2019		2018-2019
	Current budget	Proposed Amendment	Amended Budget
Property Taxes	7,912,643		7,912,643
Income Taxes	13,450,000		13,450,000
Licenses and Permits	195,000		195,000
Federal Grants	115,000		115,000
State Grants	9,962,707		9,962,707
Charges for Services	1,115,600		1,115,600
Fines and Forfeits	108,000		108,000
Interest and Rents	376,000		376,000
Other Revenue	2,433,704		2,433,704
Transfers In and Other Uses	240,000		240,000
TOTAL ESTIMATED REVENUES	35,908,654	-	35,908,654

APPROPRIATIONS

General Government	8,836,826		8,836,826
Public Safety	20,009,581		20,009,581
Public Works	2,681,356	3,526	2,684,882
Health and Welfare	150,000		150,000
Community and Economic Development	2,439,432		2,439,432
Recreation and Culture	700,610	20,000	720,610
Other Functions	2,452,662		2,452,662
Transfers Out and Other Uses	2,188,182		2,188,182
TOTAL APPROPRIATIONS	39,458,649	23,526	39,482,175

General Fund

NET REVENUES/APPROPRIATIONS	(3,549,995)	(23,526)	(3,573,521)
Audited - Use of Assigned fund balance FY 18	(3,550,000)		(3,550,000)
NET REVENUES/APPROPRIATIONS	5		(23,521)
Audited - Nonspendable fund balance FY 18	15,278		15,278
Audited - Committed fund balance FY 18	3,200,000		3,200,000
Audited - Unassigned fund balance FY 18	10,593,924		10,570,403
Estimated fund balance 2019	13,809,207		13,785,681
Unassigned fund balance as a percentage of expenditures	27%		27%
Fund Balance policy	15%		15%

EXHIBIT A - continued

Local Street Fund - 203

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	State Grants	1,522,860	121,157	1,644,017
	Interest and Rents	21,493	-	21,493
	Transfers In	14,125		14,125
	TOTAL ESTIMATED REVENUES	1,558,478	121,157	1,679,635
APPROPRIATIONS				
	Public Works	2,869,536	1,857,371	4,726,907
	TOTAL APPROPRIATIONS	2,869,536	1,857,371	4,726,907
General Fund				
	NET REVENUES/APPROPRIATIONS	(1,311,058)	(1,736,214)	(3,047,272)
	Audited - Fund balance FY 18	5,933,352		5,933,352
	Estimated fund balance 2019	4,622,294		2,886,080
	Fund balance as a percentage of expenditures	161%		61%
	Fund Balance policy	10-20%		10-20%

Cemetery Fund - 209

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	Charges for Service	10,000		10,000
	Transfers In and Other Uses	240,337		240,337
	TOTAL ESTIMATED REVENUES	250,337	-	250,337
APPROPRIATIONS				
	General Government	246,996	4,828	251,824
	TOTAL APPROPRIATIONS	246,996	4,828	251,824
General Fund				
	NET REVENUES/APPROPRIATIONS	3,341	(4,828)	(1,487)
	Audited -Fund balance FY 18	62,948		62,948
	Estimated fund balance 2019	66,289		61,461
	Fund balance as a percentage of expenditures	27%		24%
	Fund Balance policy	10%		10%

Senior Activities Fund - 212

		2018-2019		2018-2019
ESTIMATED REVENUES		Current budget	Proposed Amendment	Amended Budget
	Property Taxes	306,860		306,860
	Interest and Rents	19,397		19,397
	Transfers In	28,499		28,499
	TOTAL ESTIMATED REVENUES	354,756	-	354,756
APPROPRIATIONS				
	Recreation and Culture	452,021	204,600	656,621
	TOTAL APPROPRIATIONS	452,021	204,600	656,621
General Fund				
	NET REVENUES/APPROPRIATIONS	(97,265)	(204,600)	(301,865)
	Audited -Fund balance FY 18	969,486		969,486
	Estimated fund balance 2019	872,221		667,621
	Fund balance as a percentage of expenditures	193%		102%
	Fund Balance policy	10%		10%

EXHIBIT A - continued**Capital Improvement Fund - 445****ESTIMATED REVENUES**

Property Taxes
Other Revenue
Interest and Rents

TOTAL ESTIMATED REVENUES

2018-2019		2018-2019
Current budget	Proposed Amendment	Amended Budget
908,036		908,036
5,000		5,000
20,555		20,555
933,591	-	933,591

APPROPRIATIONS

General Government
Public Safety
Public Works
Community and Economic Development
TOTAL APPROPRIATIONS

721,333	1,457,000	2,178,333
178,000	80,000	258,000
695,132		695,132
115,136		115,136
1,709,601	1,537,000	3,246,601

General Fund**NET REVENUES/APPROPRIATIONS**

(776,010)	(1,537,000)	(2,313,010)
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Audited - Fund balance FY 18

2,800,087	2,800,087
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Estimated fund balance 2019

2,024,077	487,077
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Fund balance as a percentage of expenditures

118%	15%
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Fund Balance policy

15%	15%
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DEPARTMENTAL CORRESPONDENCE

#17

MEMORANDUM

TO: Pontiac City Council
Mayor Deirdre Waterman

FROM: Anthony Chubb, Esq.

DATE: February 28, 2019

RE: City Attorney Responsibilities

This memorandum is in response to criticism brought forth by Councilwoman to clarify the responsibilities of the City Attorney brought forth by Councilwoman Miller at the City Council Meeting held February 26, 2019. The City Charter sets forth the duties and responsibilities of the City Attorney at Section 4.202, *Duties of City Attorney*, which states:

4.202 Duties of City Attorney

The director of the law department must be an attorney licensed to practice in Michigan and shall be called the "City Attorney." The City Attorney is responsible for:

- a. supervising the conduct of all the legal business of the City and its departments;
- b. ***drafting all ordinance proposals or approving them as to form;***
- c. preparing such leases, deeds, contracts or other papers as may be required by the Mayor, Council or any department;
- d. furnishing written legal opinions when requested by the Mayor, the Council or any department;
- e. instituting and conducting on behalf of the People, all cases arising from the provisions of this charter or ordinances and, when authorized by law, cases arising under state law;
- f. defending all actions or proceedings against the City;

- g. prosecuting all civil actions to which the City is a party or in which the City has an interest, when directed to do so by the Mayor; notice of any such action shall immediately be given to the City Council;
 - h. representing any elective officer or appointee of the City in any action proceeding involving official duties and
 - i. performing other duties assigned by resolution.
- (Emphasis added).

All parties agree that these duties encompass the responsibility of drafting all ordinance proposals. However, there appears to be disagreement as to whether the various iterations of Medical Marihuana Zoning Ordinances fall within this responsibility. Firstly, this Council is fully aware that, pursuant to Charter Section 3.109, it acts solely by ordinance or resolution. Consistent therewith, this Council routinely passes resolutions seeking legal opinions from the City Attorney, which have always been provided in a timely manner. However, this was not done with regard to any of the versions of the Medical Marihuana Zoning Ordinances. Nevertheless, cooperation is imperative in the working relationship between the City Attorney and Council, and as such I have never asked for, nor required, such rote technical compliance to request assistance.

However, the circumstances surrounding the Medical Marihuana Zoning Ordinances are extremely unique and render the aforementioned criticism from Councilwoman Miller specious. Firstly, the drafting of Council versions of the Ordinance have been done in secrecy and entirely without the Executive branch, including myself as the City Attorney. Secondly, the Mayor and I have attempted to inquire as to who wrote various versions of the Ordinance and have been refused answers. Thirdly, I have had no advanced notice of the various versions of the Ordinance, because Council has walked them onto the Agenda, and further amended them by way of oral amendment (as was the case with the latest version.) Finally, I in fact did correct it to the extent I could by notifying

the Clerk that his proposed minutes regarding that oral amendment were inaccurate. Therefore, the theory that I should have, upon my own initiative, further engaged in the practice of sophistry to divine the true intent of the Council in drafting the Ordinance that they have actively hidden from me is unreasonable.

Going forward, I invite the Council to engage in a cooperative relationship that will allow us to develop ordinances and complete other work for the benefits of the residents of the City. Should you have any further questions in this regard, please do not hesitate to contact me.