

**Official Proceedings
Pontiac City Council
130th Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, December 17, 2019 at 6:00 p.m. by Council President Kermit Williams.

Call to Order

Roll Call

Members Present: Carter, Miller, Pietila, Taylor-Burks, Waterman, G. Williams and K. Williams.
Mayor Waterman was present.

Clerk announced a quorum.

19-624 **Approval of the agenda.** Moved by Councilperson G. Williams and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

19-625 **Approve special meeting minutes for December 6, 2019.** Moved by Councilperson G. Williams and second by Councilperson Taylor-Burks.

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

No: None

Motion Carried.

Councilwoman Waterman was absent during the vote.

19-626 **Approve meeting minutes for December 10, 2019.** Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

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

No: None

Abstain: Waterman

Motion Carried.

19-627 **Approve special meeting minutes for December 12, 2019.** Moved by Councilperson Miller and second by Councilperson Carter.

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

No: None

Abstain: Waterman

Motion Carried.

Eight (8) individuals addressed the body during public comment.

Point of Privilege for State Representative Brenda Carter – Budget Update for State of Michigan

Bring back next week the Communication from the Mayor regarding the Phoenix Center Report Update

19-628 **Suspend the rules to vote.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: Pietila

Motion Carried.

19-629 **Resolution to approve Interlocal Agreement for Mandated Michigan Indigent Defense Commission Continuing Legal Education Requirements between the City of Pontiac and Oakland County and authorize the Mayor to sign the agreement.** Moved by Councilperson Taylor-Burks and second by Councilperson G. Williams.

WHEREAS MIDC Standard 1 – Education and Training, requires local funding units to fund, establish, implement, and monitor basic and continuing legal education (CLE) requirements for attorneys who represent indigent defendants; and

WHEREAS to effectively and efficiently comply with the MIDC Standard 1, the County and the other local funding units have identified a collaboration with the Oakland County Bar Association to provide the mandated continuing legal education programming for attorneys who represent indigent defendants within the County; and

WHEREAS the Interlocal Agreement provides that the County will apply for grants from the MIDC, receive all MIDC CLE grant funding and will act as the grant administrator for all local funding units within the County for the purposes of complying with MIDC Standard 1; and

WHEREAS the Interlocal Agreement further provides that the County will contract with a single provider, the Oakland County Bar Association, to provide continuing legal education programming and compliance monitoring for all attorneys who represent indigent defendants within the County in compliance with MIDC Standard 1; and

WHEREAS the County may terminate or cancel the Interlocal Agreement, in whole or in part, immediately upon notice to local funding units if the third-party funding for Standard 1 from the MIDC is reduced or eliminated.

NOW THEREFORE BE IT RESOLVED that the City Council approves and authorizes the attached Interlocal Agreement.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Mayor and/or designee to execute the attached Interlocal Agreement between the County and any local funding unit within the County that signs the Agreement.

BE IT FURTHER RESOLVED that no budget amendment is required at this time.

Ayes: K. Williams, Carter, Miller, Taylor-Burks, Waterman and G. Williams
No: Pietila
Resolution Passed.

Council needs to fill a vacancy on Board of Review. Council President Kermit Williams requested that a discussion be set next week to discuss the Board of Review vacancy.

19-630 **Suspend the rules to vote on items #9-#13.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Taylor-Burks, Waterman, G. Williams, K. Williams and Carter
No: None
Motion Carried.

19-631 **Resolution to approve Zoning Map Amendment request for 3111 Center Point Parkway, also known as parcel number 64-19-03-427-007, to amend site zoning from C-4 Suburban Commercial to M-1 Light Manufacturing.** (This item was deferred for one week at the Council Meeting on December 10, 2019.) Moved by Councilperson G. Williams and second by Councilperson Taylor-Burks.

Whereas, the City of Pontiac received an application for a Zoning Map Amendment for 3111 CenterPoint Parkway, identified as Parcel No. 64-19-03-427-007 from Etkin Management LLC and the applicant's petition is for the rezoning of the aforementioned parcel; and,

Whereas, the Planning Division has reviewed the applicant's rezoning in regards to the City's Master Plan and the request conforms to the goals and vision contained within the plan; and

Whereas, the Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.804 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

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

Whereas, on November 6, 2019, a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council approve the Zoning Map Amendment request for 3111 CenterPoint Parkway approving the change from the current C-4 Suburban Commercial to M-1 Light Manufacturing; and

Now, Therefore, Be It Resolved, that the City Council for the City of Pontiac approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 19-15) request for 3111 CenterPoint Parkway, also known as Parcel No. 64-19-03-247-007, to amend the current site zoning C-4 Suburban Commercial to M-1 Light Manufacturing.

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

No: None

Resolution Passed.

19-632 **Resolution to approve the vacating of Campus Drive between CenterPoint Parkway and Opdyke Road abutting Parcel Numbers 19-03-201-002, 19-03-202-001, 19-03-200-022, 19-03-200-023 and 19-03-226-004.** (This item was deferred for one week at the Council Meeting on December 10, 2019.) Moved by Councilperson Waterman and second by Councilperson Pietila.

Whereas, the Pontiac Planning Commission finds that the subject street is not required to remain for access to adjoining property owners; and

Whereas, the Pontiac Planning Commission finds that the proposed street vacation will not have an adverse effect on the surrounding properties; and

Whereas, the Pontiac Planning Commission at the November 6, 2019 Planning Commission meeting, the Commission recommended City Council to approve the vacation of Campus Drive; and

Whereas, the Pontiac City Council requires that all permanent utility easements be obtained and recorded after City Council approval; and

Whereas, the Pontiac City Council require the new owners to disconnect electrical service to Campus Drive street lights, once all approvals are completed and documents recorded and require the owners to salvage and deliver street light poles and fixtures to Pontiac DPW and reconnect power at CenterPoint Parkway and Opdyke Road; and

Whereas, the Pontiac City Council require the new owners to perform any electric work necessary, through the issuance of a City right-of-way permit, to cause the continual operation of the street lights on Enterprise Drive between South Boulevard and Campus Drive; and

Now, Therefore Be It Resolved, that the City Council of the City of Pontiac approve the Planning Commission recommendation to vacate Campus Drive between CenterPoint and Opdyke Road abutting Parcel ID numbers; 19-03-201-002, 19-03-202-001, 19-03-200-022, 19-03-200-023 and 19-03-226-004.

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

No: None

Resolution Passed.

19-633 **Resolution approving an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended an Industrial Development District located on 2501 CenterPoint Parkway, Pontiac, MI Parcel No. 64-19-03-200-021.** (This item was deferred for one week at the Council Meeting on December 10, 2019.) Moved by Councilperson Taylor-Burks and second by Councilperson G. Williams.

Whereas, pursuant to PA 198 of 1974, as amended, this City Council has the authority to establish "Industrial Development Districts" within City of Pontiac, Michigan; and

Whereas, Challenge Manufacturing Company has petitioned the City Council to establish an Industrial Development District on its property located in City of Pontiac, Michigan hereinafter described; and

Whereas, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

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Whereas, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Oakland Press and/or public posting of the hearing on the establishment of the proposed district; and

Whereas, on December 10, 2019, a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of City of Pontiac, Michigan were afforded an opportunity to be heard thereon; and

Whereas, the City Council deems it to be in the public interest of the City of Pontiac, Michigan to establish the Industrial Development District as proposed; and

Now, Therefore, Be It Resolved, by the City Council of City of Pontiac, Michigan that the following described parcel of land situated in the City of Pontiac, Oakland County, and State of Michigan, to wit:

Legal Description {see Exhibit A, attached after minutes}

Is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, an Industrial Development District located on 2501 Centerpoint Parkway, Parcel No. 64-19-03-200-021.

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

No: None

Resolution Passed.

19-634 **Motion to defer items #12 (application for Challenge Manufacturing) and #13 (Letter of agreement & affidavit of fees for Challenge Manufacturing) until Development agreement is received.** Moved by Councilperson Waterman and second by Councilperson G. Williams.

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

No: None

Motion Carried.

Communication from the City Clerk

Medical marihuana Application Process Question and Answer Forum on Wednesday, December 18, 2019 from 4:00 p.m. – 6:00 p.m. in the City Council Chambers.

Council President Kermit Williams adjourned the meeting at 7:31 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK

Exhibit A

Legal Description

LEGAL DESCRIPTION OF PROPOSED CENTERPOINT CHALLENGE PARCEL

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING ALL THAT PART OF LOTS 8-11 AND PART OF BELT LINE RAIL ROAD, AS PLATTED, A PART OF "ASSESSOR'S PLAT NO. 110", A PART OF SECTION 3, T. 2 N., R.10 E., AS RECORDED IN LIBER 52 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE NORTHEAST PROPERTY CONTROLLING CORNER OF SECTION 3 (AS PREVIOUSLY SURVEYED BY NOWAK & FRAUS 04-05-07), T. 2 N., R.10 E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN: THENCE S. 00°36'21" W. ALONG THE EAST LINE OF SAID SECTION 3, 1216.50 FEET; THENCE N. 89°23'39" W. 60.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTH LINE OF CAMPUS DRIVE (WIDTH VARIES) WITH THE WEST LINE OF OPDYKE ROAD (120 FEET WIDE); THENCE S.00°36'21" W. ALONG THE WEST LINE OF OPDYKE ROAD, 2060.01 FEET TO A POINT OF DEFLECTION; THENCE S. 00°24'47" E. ALONG THE WEST LINE OF OPDYKE ROAD, 901.82 FEET TO THE NORTHEAST CORNER OF UNIT 5 OF CENTERPOINT BUSINESS CAMPUS CONDOMINIUM, A CONDOMINIUM ACCORDING TO THE MASTER DEED THEREOF RECORDED IN LIBER 16667, PAGE 11, OAKLAND COUNTY RECORDS, AND DESIGNATED AS OAKLAND COUNTY CONDOMINIUM PLAN NO. 1004, AND ANY AMENDMENTS THERETO, AS LAST AMENDED BY EIGHTH AMENDMENT TO MASTER DEED RECORDED IN LIBER 35596, PAGE 855, OAKLAND COUNTY RECORDS; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTH LINE OF SAID UNIT 5 AND UNITS 21, 22, AND 40 OF SAID CENTERPOINT BUSINESS CAMPUS CONDOMINIUM: (1) S. 89°35'13" W. 35.00 FEET, AND (2) N. 00°24'47" W., 20.00 FEET, AND (3) 210.91 FEET ALONG A CURVE TO THE LEFT (RADIUS 215.00 FEET, CENTRAL ANGLE 56°12'23", LONG CHORD BEARS S. 61°29'01" W., 202.56 FEET) TO A POINT OF REVERSE CURVATURE, AND (4) 226.24 FEET ALONG A CURVE TO THE RIGHT (RADIUS 225.00 FEET, CENTRAL ANGLE 57°36'46", LONG CHORD BEARS S. 62°11'13" W., 216.83 FEET), AND (5) N. 89°00'24" W., 706.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTH LINE OF UNIT 40 AND 24 OF SAID CENTERPOINT BUSINESS CAMPUS CONDOMINIUM, N. 89°00'24" W., 716.42 FEET TO A POINT ON THE EASTERLY LINE OF CENTERPOINT PARKWAY (WIDTH VARIES); THENCE THE FOLLOWING FIVE (5) COURSES ALONG SAID EASTERLY LINE OF CENTERPOINT PARKWAY: (1) N. 45°10'30" W., 432.89 FEET, AND (2) 519.48 FEET ALONG A CURVE TO THE RIGHT (RADIUS 400.00 FEET, CENTRAL ANGLE 74°24'38", LONG CHORD BEARS N. 07°58'11" W., 483.74 FEET), AND (3) N. 29°14'08" E., 299.59 FEET, AND (4) 364.33 FEET ALONG A CURVE TO THE LEFT (RADIUS 750.00 FEET, CENTRAL ANGLE 27°49'59", CHORD BEARS N. 15°19'08" E., 360.76 FEET), AND (5) N. 01°24'09" E., 423.92 FEET; THENCE LEAVING THE EASTERLY LINE OF CENTERPOINT PARKWAY, S. 89°00'24" E., 870.00 FEET; THENCE S. 00°59'36" W., 1815.00 FEET BACK TO THE POINT OF BEGINNING. THIS DESCRIBED PARCEL CONTAINS 40.3019 ACRES OF LAND, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.