

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

**Call to order**

A Study Session of the City Council of Pontiac, Michigan was called to order electronically on Tuesday, May 5, 2020 at 6:04 p.m. by Council President Kermit Williams.

**Roll Call**

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

Mayor Waterman was present.

Clerk announced a quorum.

**Amendments to the Agenda**

20-168           **Motion to receive and accept IDS Report recommendation resolution and schedule a special meeting. (Agenda add-on)** Moved by Councilperson Pietila and second by Councilperson Miller.

Discussion: Councilperson Miller rescinded her second. After more discussion, Councilperson Carter seconded the motion but later rescinded his second. More discussion, Councilwoman Pietila rescinded her motion. **Motion Failed.**

20-169           **Motion to receive IDS Report and schedule a special meeting. (Agenda add-on)**  
Moved by Councilperson Pietila and no second. **Motion Failed.**

**Approval of the Agenda**

20-170           **Approve the agenda as is.** Moved by Councilperson Miller and second by Councilperson Waterman.

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

No: None

**Motion Carried.**

**Approval of the Minutes**

20-171           **Approve meeting minutes of April 28, 2020. Council Member Waterman wanted noted in the minutes that she was muted due to having technical issues with her connection.** Moved by Councilperson Miller and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

**Suspend the Rules**

20-172            **Suspend the rules.** Move by Councilperson Pietila and second by Councilperson Taylor-Burks.

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

No: None

**Motion Carried.**

20-173            **Motion to move Public comments after District 2 vacancy interviews.** Moved by Councilperson Pietila and second by Councilperson Waterman.

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

No: None

**Motion Carried.**

20-174            **Council President Williams requested a roll call on the Interview Process that the Council agreed to for District 2 Vacancy.**

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

No: None

**Motion Carried.**

**Public Comment**

Fifteen (15) individuals submitted a public comment that was read by the City Clerk.

**Suspend the Rules**

20-175            **Suspend the rules to vote on agenda items #3-items #6.** Moved by Councilperson Pietila and second by Councilperson Carter.

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

No: None

**Motion Carried.**

**Resolutions**

20-176            **Resolution to approve a budget amendment for fiscal year 2019/2020 to establish the following accounts in Medical Marihuana Applications Dept. (255) account 101-255-728.000 postage; account 101-255-731.003 computer equipment; account 101-255-804.001 legal services- Legal Advisor to the City Clerk; account 101-255-816.011 Prof Serv.- Planning Advisor to the City Clerk; account 101-255-902.005 public notices; account 101-255-942.002 copier supplies; transfer \$32,300.00 from account 101-255-816.007 Prof Serv.-Financial Advisor to the City Clerk to the following accounts: 101-255.728.000 postage \$100; 101-255-731.003 computer equipment \$100; 101-255-804.001 Prof Serv. Legal Services- Legal Advisor to the City Clerk \$16,000; 101-255-816.011 Prof Serv. Planning Advisor to the City Clerk \$15,000.00; 101-255-902.005 public notices \$1,000;**

**and 101-255-942.002 copier supplies \$100.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Whereas, the City of Pontiac timely approved the FY 2019-2020 budget on June 25, 2019; and  
Whereas, the adopted FY 2019-2020 General Fund (101) includes Medical Marihuana Applications Dept (255); and

Whereas, the City of Pontiac received its first medical marihuana application on August 8, 2019; and  
Whereas, the 21-day application period for provisioning centers was January 6-27, 2020. The City received 103 provisioning center applications. As of March 6, 2020, the City has received a total of 108 medical marihuana applications including 3 grower, 1 processor and 1 secure transporter applications; and  
Whereas, budget amendments to the Medical Marihuana Applications Dept. (255) are necessary to begin the medical marihuana application review process; and

Whereas, the City Clerk is requesting that Finance establish the following accounts in Dept. (255) account 101-255-728.000 postage; account 101-255-731.003 computer equipment; account 101-255-804.001 legal services- Legal Advisor to the City Clerk; account 101-255-816.011 Prof Serv.- Planning Advisor to the City Clerk; account 101-255-902.005 public notices; account 101-255-942.002 copier supplies; and  
Whereas, the City Clerk is requesting to transfer \$32,300.00 from account 101-255-816.007 Prof Serv.- Financial Advisor to the City Clerk to the following accounts: 101-255.728.000 postage \$100; 101-255-731.003 computer equipment \$100; 101-255-804.001 Prof Serv. Legal Services- Legal Advisor to the City Clerk \$16,000; 101-255-816.011 Prof Serv. Planning Advisor to the City Clerk \$15,000.00; 101-255-902.005 public notices \$1,000; 101-255-942.002 copier supplies \$100; and

Whereas, these budget amendments will provide the funding for the Clerk to obtain the professional expert assistance that he needs to begin the review process of medical marihuana applications; and  
Whereas, section 5.106 of the Charter states “after adoption of the appropriations ordinance, and upon at least one week’s notice in a newspaper of general circulation in the City, the Council by a resolution of five members, may amend such ordinance to authorize the transfer of an unused balance appropriated for one purpose to another purpose, or to appropriate available revenues not previously appropriated.”; and  
Now therefore, be it resolved that the City Council hereby approves a budget amendment for fiscal year 2019-2020 to establish the following accounts in Dept. (255) account 101-255-728.000 postage; account 101-255-731.003 computer equipment; account 101-255-804.001 legal services- Legal Advisor to the City Clerk; account 101-255-816.011 Prof Serv.- Planning Advisor to the City Clerk; account 101-255-902.005 public notices; account 101-255-942.002 copier supplies; transfer \$32,300.00 from account 101-255-816.007 Prof Serv.-Financial Advisor to the City Clerk to the following accounts: 101-255.728.000 postage \$100; 101-255-731.003 computer equipment \$100; 101-255-804.001 Prof Serv. Legal Services- Legal Advisor to the City Clerk \$16,000; 101-255-816.011 Prof Serv. Planning Advisor to the City Clerk \$15,000.00; 101-255-902.005 public notices \$1,000; and 101-255-942.002 copier supplies \$100.

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

No: None

**Resolution Passed.**

20-177      **Resolution to approve the agreement between the City and Kirk, Huth, Lange and Badalamenti, PLC to serve as the Professional Expert-Legal Advisor to the City Clerk at a cost not**

**to exceed 85,000.00 and authorize the Mayor to sign the agreement.** Moved by Councilperson Pietila and second by Councilperson Carter.

WHEREAS, the voters of the City of Pontiac approved the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357 (B)) in 2018, and;

WHEREAS, Ordinance 2357 (B) section 9 gives the Clerk the authority to “award permits “to any applicant for a permit to operate a grower, processor, secure transporter, or safety compliance”, and;

WHEREAS, Ordinance 2357 (B) section 9 states that the Clerk “shall assess, evaluate, score and rank each application based upon a scoring and ranking procedure developed by the clerk” for provisioning center applications, and;

WHEREAS, Ordinance 2357 (B) section 9(j) states that “the Clerk may engage professional expert assistance in performing the clerk’s duties and responsibilities under this ordinance”, and:

WHEREAS, the Clerk has selected Robert Huth, Jr., Esq., Kirk, Huth, Lange and Badalamenti, PLC to serve as the Professional Expert-Legal Advisor to the City Clerk at a cost not to exceed \$85,000.00, and; NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council approves the agreement between the City of Pontiac and Kirk, Huth, Lange and Badalamenti, PLC to serve as the Professional Expert-Legal Advisor to the City Clerk at a cost not to exceed \$85,000.00 and authorizes the Mayor to sign the agreement.

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

No: None

**Resolution Passed.**

20-178            **Resolution to approve the agreement between the City and Giffels Webster to serve as the Professional Expert-Planning Advisor to the City Clerk at a cost not to exceed \$75,000.00 and authorize the Mayor to sign the agreement.** Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

WHEREAS, the voters of the City of Pontiac approved the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357 (B)) in 2018, and;

WHEREAS, Ordinance 2357 (B) section 9 gives the Clerk the authority to “award permits “to any applicant for a permit to operate a grower, processor, secure transporter, or safety compliance”, and;

WHEREAS, Ordinance 2357 (B) section 9 states that the Clerk “shall assess, evaluate, score and rank each application based upon a scoring and ranking procedure developed by the clerk” for provisioning center applications, and;

WHEREAS, Ordinance 2357 (B) section 9(j) states that “the Clerk may engage professional expert assistance in performing the clerk’s duties and responsibilities under this ordinance”, and:

WHEREAS, the Clerk has selected Giffels Webster to serve as the Professional Expert- Planning Advisor to the City Clerk at a cost not to exceed \$75,000.00, and;

NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council approves the agreement between the City of Pontiac and Giffels Webster to serve as the Professional Expert- Planning Advisor to the City Clerk under the leadership of Jill Bahm, AICP, Partner at a cost not to exceed \$75,000.00 and authorizes the Mayor to sign the agreement.

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

No: None

**Resolution Passed.**

20-179 **Resolution to approve the agreement between the City and Grewal law PLLC to serve as the Hearing Officer in accordance with Ordinance 2357(B) City of Pontiac Medical Marihuana Facilities Ordinance at a cost not to exceed \$45,000.00 and authorize the Mayor to sign the agreement.** Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

WHEREAS, the voters of the City of Pontiac approved the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357 (B)) in 2018, and;

WHEREAS, Ordinance 2357 (B) section 9 gives the Clerk the authority to “award permits “to any applicant for a permit to operate a grower, processor, secure transporter, or safety compliance”, and;

WHEREAS, Ordinance 2357 (B) section 9 states that the Clerk “shall assess, evaluate, score and rank each application based upon a scoring and ranking procedure developed by the clerk” for provisioning center applications, and;

WHEREAS, Ordinance 2357 (B) section 16 states that “any applicant or permittee aggrieved by the denial or revocation of a permit or adverse decision under this ordinance may appeal to the clerk, who shall appoint a hearing officer to hear and evaluate the appeal and make a recommendation to the clerk”, and;

WHEREAS, the Clerk has appointed John Fraser, Esq. and the law firm of Grewal Law, PLLC to serve as the hearing officer under Ordinance 2357(B) at a cost not to exceed \$45,000.00, and;

WHEREAS, other attorneys of the Grewal Law, PLLC may serve as the hearing officer if necessary and; NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council approves the agreement between the City of Pontiac and Grewal Law, PLLC to serve as the Hearing Officer under Ordinance 2357(B) at a cost not to exceed \$45,000.00 and authorizes the Mayor to sign the agreement.

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

No: None

**Resolution Passed.**

20-180 **Suspend the Rules.** Moved by Councilperson Tylor-Burks and second by Councilperson Miller.

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

No: Pietila

**Motion Carried.**

**First reading of an Ordinance to Amend City Ordinance, Chapter 114, Traffic and Vehicles, Article VI, Snow Emergency Routes.** The Council does not need to take a vote on the first reading of an ordinance.

20-181 **Suspend the Rules to vote on agenda item #8.** Moved by Councilperson Waterman and second by Councilperson Carter.

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

No: None

**Motion Carried.**

20-182        **Resolution to approve the Annual Michigan Department of Transportation (MDOT) Act 51 Map Report as prepared by Dan Ringo, Interim DPW Director, adding Vanguard Drive, which title was acquired by the City on July 25, 2019, that: (1.) the center line of said street is described as: ROAD CENTERLINE DESCRIPTION – VANGUARD DRIVE (60FT R.O.W.) Part of the South 1/2 of Section 19, T.3N., R.10E, City of Pontiac, Oakland County, Michigan being more particularly described as: A 60-Foot R.O.W. who's centerline is described as commencing at the Southwest corner of said Section 19, said point being Remonumentation corner recorded in Liber 21052, on page 154, Oakland County Records; thence N00°13'31"W, 4.99 feet along the West line of Section 19 to a Property Controlling Corner, (previously recorded as the Southwest Corner of Section 19, T.3N., R.10E.), said point being the westerly extension of the south line of Vanguard Drive, variable width -public (as recorded in Liber 41530, Pages 389-391, Oakland County Records); thence continuing N00°13'31"W, 30.00 feet to a point on said West line of Section 19, said point being the centerline intersection of US-24 (Telegraph Road) and Vanguard Drive, said point also being the POINT OF BEGINNING; thence along the Centerline of Vanguard Drive S89°16'27"E, 2275.83 feet to the POINT OF ENDING. All bearings are in relation to the Replat No. 4 to Oakland County Condominium Subdivision Plan No. 1451, Exhibit "B" to the Master Deed of OP Condominium, Oakland County Records. ( 2.) Vanguard Drive is located in City of Pontiac right-of-way and is under the control of the City of Pontiac. (3.) Vanguard Drive is a public street and is for public street purposes. (4.) Vanguard Drive is accepted into the municipal street system and is open to the public for public street use on or before July 25, 2019. (This item was deferred from the April 28, 2020 City Council Meeting.) Moved by Councilperson Miller and second by Councilperson Taylor-Burks.**

**WHEREAS,** the City of Pontiac did, on July, 25, 2019, acquire title to Vanguard Drive, and;  
**WHEREAS,** it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended, and;

**NOW, THEREFORE IT IS RESOLVED:**

1. That the center line of said street is described as:

**ROAD CENTERLINE DESCRIPTION – VANGUARD DRIVE (60FT R.O.W.)**

Part of the South 1/2 of Section 19, T.3N., R.10E, City of Pontiac, Oakland County, Michigan being more particularly described as:

A 60-Foot R.O.W. who's centerline is described as commencing at the Southwest corner of said Section 19, said point being Remonumentation corner recorded in Liber 21052, on page 154,

Oakland County Records; thence N00°13'31"W, 4.99 feet along the West line of Section 19 to a Property Controlling Corner, (previously recorded as the Southwest Corner of Section 19, T.3N., R.10E.), said point being the westerly extension of the south line of Vanguard Drive, variable width -public (as recorded in Liber 41530, Pages 389-391, Oakland County Records); thence continuing N00°13'31"W, 30.00 feet to a point on said West line of Section 19, said point being the centerline intersection of US-24 (Telegraph Road) and Vanguard Drive, said point also being the POINT OF BEGINNING; thence along the Centerline of Vanguard Drive S89°16'27"E, 2275.83 feet to the POINT OF ENDING.

All bearings are in relation to the Replat No. 4 to Oakland County Condominium Subdivision Plan No. 1451, Exhibit "B" to the Master Deed of OP Condominium, Oakland County Records.

2. Vanguard Drive is located in City of Pontiac right-of-way and is under the control of the City of Pontiac.
3. Vanguard Dive is a public street and is for public street purposes.
4. Vanguard Drive is accepted into the municipal street system and is open to the public for public street use on or before July 25, 2019.

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

No: None

**Resolution Passed.**

20-183 **Suspend the rules to vote on agenda item #9.** Moved by Councilperson Miller and second by Councilperson Waterman.

Ayes: Tylor-Burks, Waterman, Williams, Miller and Pietila

No: Carter

**Motion Carried.**

20-184 **Resolution to approve the Annual Michigan Department of Transportation (MDOT) Act 51 Map Report as prepared by Dan Ringo, Interim DPW Director, adding Diston Road (130 ft. R.O.W.) and that (1) the center line of said street is described as: Part of the East 1/2 of Section 32, T.3N., R.10E, City of Pontiac, Oakland County, Michigan being more particularly described as: A 130-Foot R.O.W. who's centerline is described as commencing at the Southeast corner of said Section 32; thence N01°31'W, 2006.42 feet along the East Line of said section 32 to a point of curvature; thence 304.12 feet along a curve to the left (radius 430.00 feet, central angle 40°31'24", long chord bears N21°46'42"W 297.82 feet) to a point, said point being the centerline intersection of Franklin and Diston Road, said point also being the POINT OF BEGINNING; thence continuing along the centerline of Diston Road 369.30 feet along a curve to the left (radius 430.00 feet, central angle 49°12'26", long chord bears N66°38'37"W 358.05 feet) to a point of tangency; thence continuing along the Centerline of Diston Road S88°45'10"W, 684.56 feet to the POINT OF ENDING, All bearings are in relation to Ball Park Subdivision (recorded as Document Number 23319, Liber 46 of Plats on Page 8, Oakland County Records); (2) Diston Road is located in City of Pontiac right-of-way and is under the control of the City of Pontiac; (3) Diston**

**Road is a public street and is for public street purposes; and (4) Diston Road is accepted into the municipal street system and is open to the public for public street use on or before December 31, 2019.** Moved by Councilperson Miller and second by Councilperson Pietila.

**WHEREAS,** the City of Pontiac did on or before July 30, 2019 acquire title to Diston Drive, and **WHEREAS,** it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended, and;

**NOW, THEREFORE IT IS RESOLVED:**

1. That the center line of said street is described as:

**ROAD CENTERLINE DESCRIPTION - DISTON ROAD  
(130 ft. R.O.W.)**

Part of the East 1/2 of Section 32, T.3N., R.10E, City of Pontiac, Oakland County, Michigan being more particularly described as:

A 130-Foot R.O.W. who's centerline is described as commencing at the Southeast corner of said Section 32; thence N01°31'W, 2006.42 feet along the East Line of said section 32 to a point of curvature; thence 304.12 feet along a curve to the left (radius 430.00 feet, central angle 40°31'24", long chord bears N21°46'42"W 297.82 feet) to a point, said point being the centerline intersection of Franklin and Diston Road, said point also being the POINT OF BEGINNING;

thence continuing along the centerline of Diston Road 369.30 feet along a curve to the left (radius 430.00 feet, central angle 49°12'26", long chord bears N66°38'37"W 358.05 feet) to a point of tangency; thence continuing along the Centerline of Diston Road S88°45'10"W, 684.56 feet to the POINT OF ENDING.

All bearings are in relation to Ball Park Subdivision (recorded as Document Number 23319, Liber 46 of Plats on Page 8, Oakland County Records)

2. Diston Road is located in City of Pontiac right-of-way and is under the control of the City of Pontiac.
3. Diston Road is a public street and is for public street purposes.
4. Diston Road is accepted into the municipal street system and is open to the public for public street use on or before December 31, 2019.

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

No: None

**Resolution Passed.**

**Mayoral Monthly Reports**

Received Monthly Check Register. (The check registers for March 13, 20 and 27, 2020; April 3, 9 and 17, 2020 are attached. The check register for April 24, 2020 has not been posted on the website.)

Received Personnel Monthly Staff Report

Received City Credit Card Statement

(Per the Mayor's office, the PNC April credit card statement has been sent to City Council.)

**Communications from the Mayor**



May 5, 2020 Approved Minutes

Proclamation – Mental Health Awareness Month – May 2020. This will be back next week with a joint Resolution from the Mayor and City Council.

Received 2020-2021 Budget Calendar

Received Blight & Demolition Report

Point of Privilege to Councilwoman Patrice Waterman.

**Adjournment**

Council President Kermit Williams adjourned the meeting at 9:19 p.m.

---

GARLAND S DOYLE  
INTERIM CITY CLERK