

March 16, 2021 Approved Minutes

**Official Proceedings  
Pontiac City Council  
219<sup>th</sup> Session of the Tenth Council**

**Call to order**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order electronically, on Tuesday, March 16, 2021 at 6:00 p.m. by Council President Kermit Williams.

**Point of Privilege** – Katie Reiter, Senator Bayer’s Office

**Invocation** – Council President Kermit Williams

**Pledge of Allegiance**

**Roll Call**

<b>Members Present</b>	<b>Attendance</b>	<b>Location</b>
Miller	Remotely	Pontiac, Oakland County, MI
Pietila	Remotely	Pontiac, Oakland County, MI
Shramski	Remotely	Pontiac, Oakland County, MI
Williams	Remotely	Pontiac, Oakland County, MI

Mayor Waterman was present.

Clerk announced a quorum.

**Authorization to Excuse Councilmembers**

21-72 **Motion to excuse Councilmembers Carter, Waterman and Taylor-Burks for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Shramski.

Ayes: Miller, Pietila, Shramski and Williams

No: None

**Motion Carried**

**Council President Pro Tem Randy Carter arrived remotely from Oakland County at 6:11 p.m.**

**Amendments and Approval of the Agenda**

21-73 **Motion to add communication from the Mayor as item #2 and remove all other items except Public Hearing on the establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road as item #3.** Moved by Councilperson Miller and second by Councilperson Shramski.

Ayes: Shramski, Williams, Carter and Miller

No: Pietila

**Motion Carried**

**Approval of the Agenda**

21-74 **Motion to approve agenda as amended.** Move by Councilperson Miller and second by Councilperson Carter.

Ayes: Shramski, Williams, Carter and Miller

No: Pietila

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**Motion Carried**

**Approval of Minutes**

21-75 **Approve meeting minutes for March 9, 2021.** Moved by Councilperson Miller and second by Councilperson Shramski.

Ayes: Williams, Carter, Miller, Pietila and Shramski

No: None

**Motion Carried**

**Communication from the Mayor**

Response to Council Resolution regarding the Phoenix Center Closing  
The communication is attached as Exhibit A

**Public Hearing**

Council President Kermit Williams opened up the public hearing for the establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road at 6:34 p.m.

There were no comments.

Council President Kermit Williams closed public hearing at 6:35 p.m.

**Public Comment**

One (1) individual submitted public comment read by the City Clerk

**Adjournment**

President Kermit Williams adjourned the meeting at 6:38 p.m.

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GARLAND S DOYLE  
INTERIM CITY CLERK

## Garland Doyle

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**From:** Kermit Williams  
**Sent:** Tuesday, March 16, 2021 10:30 AM  
**To:** Garland Doyle  
**Cc:** Monique Sharpe  
**Subject:** FW: Response to Council resolution re Phoenix closing

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Doyle I will read this tonight. I have given you a copy for the record

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**From:** Mayor Deirdre Waterman  
**Sent:** Friday, March 12, 2021 7:40 PM  
**To:** Kermit Williams; Patrice Waterman; Mary Pietila; Doris Taylor Burks; Megan Shramski; Gloria Miller; Monique Sharpe  
**Subject:** FW: Response to Council resolution re Phoenix closing

Greetings Council members,  
In response to the resolution passed at the March 9, 2021 meeting, I asked Atty George Contis to prepare this explanation of the virtual closing process for your information.

Mayor Waterman:

In response to your inquiry; in the era of the COVID-19 pandemic, due to the larger number of participants in attendance at a commercial (vs. residential purchase or refinance) closing, most title companies (Seaver Title Agency included) insist on conducting commercial closings in escrow or virtually as they lack the facilities (appropriately sized and socially distanced conference rooms) to safely conduct a closing and observe all necessary protocols. Accordingly, in connection with Council's approved Resolution of March 9, there is not a location available for a Council representative to attend the closing.

In the case of the City's closing on the acquisition of the Ottawa Towers (and all related property) under the Global Settlement Agreement and the City's sale of the Ottawa Towers properties and entering into the Phoenix Center Parking Lease, all of the City's closing documents were appropriately executed by you and notarized (if so required) on Thursday, February 25<sup>th</sup> and delivered in escrow to the title company that same day, and the documents remain with the title company and shall not be released until the transactions close and we authorize the release of those documents.

In addition to delivery of all relevant closing documents by all parties (which has occurred on the City's behalf in connection with its acquisition and immediate sale as outlined above), the other parties must also deliver their closing documents and closing funds with the title company (from their own funds and those of their lenders / investors). Until these additional requirements are met, a virtual or escrow closing cannot occur.

The satisfaction of the aforementioned other conditions could occur in: i) less than a moment's notice; ii) or over a period of days. I trust the above adequately responds to your question.

Regards,

**George A. Contis**

Giarmarco, Mullins & Horton, P.C.  
101 West Big Beaver Road, Suite 1000  
Troy, Michigan 48084-5280

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**From:** Mayor Deirdre Waterman <DWaterman@pontiac.mi.us>  
**Sent:** Wednesday, March 10, 2021 6:41 PM  
**To:** George A. Contis <gcontis@gmhlaw.com>; Matthew Gibb <MGibb@pontiac.mi.us>  
**Cc:** Matthew Gibb <gibblaw@hotmail.com>  
**Subject:** Response to Council resolution re Phoenix closing

Counselor, Please provide me with your overview of how the virtual closing will occur. I want to respond to council's resolution request that they be included and advised of 48 hours in advance of any events associated with the closing.  
Thanks