

**Official Proceedings
Pontiac City Council
221st 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 30, 2021 at 6:00 p.m. by Council President Kermit Williams.

Invocation – Councilwoman Patrice Waterman

Pledge of Allegiance

Roll Call

Members Present	Attendance	Location
Carter	Remotely	Pontiac, Oakland County, MI
Miller	Remotely	Pontiac, Oakland County, MI
Pietila	Remotely	Pontiac, Oakland County, MI
Shramski	Remotely	Pontiac, Oakland County, MI
Waterman	Remotely	Pontiac, Oakland County, MI
Williams	Remotely	Pontiac, Oakland County, MI

Mayor Waterman was present.

Clerk announced a quorum.

Excuse Councilmembers

21-84 **Excuse Councilperson Doris Taylor-Burks for personal reasons.** Moved by Councilperson Pietila and second by Councilperson Waterman.

Ayes: Miller, Pietila, Shramski, Waterman, Williams and Carter

No: None

Motion Carried

Amendments to the Agenda

21-85 **Motion to move items 7-12 (#7- *Resolution to extend Landlord Cares Act*, #8- *Resolution to adopt an Electronic Meeting Policy*, #9 - *Resolution to approve Humble Design as a non-profit in Pontiac*, #10 - *Resolution to authorize Mayor to sign MDOT Funding Agreement*, #11- *Resolution to approve establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road and #12 - Resolution to approve Speculative Building Design for 2100 S. Opdyke, LLC*) before item #4. (Special Presentation on Medical Marijuana Review Process Update) Moved by Councilperson Waterman and second by Councilperson Shramski.**

Ayes: Pietila, Shramski, Waterman, Williams, Carter and Miller

No: None

Motion Carried

Approval of the Amended Agenda

21-86 **Motion to approve the Agenda as amended.** Moved by Councilperson Pietila and second by Councilperson Shramski.

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Ayes: Shramski, Waterman, Williams, Carter, Miller and Pietila

No: None

Motion Carried

Approval of Minutes

21-87 **Approve meeting minutes for March 23, 2021.** Moved by Councilperson Waterman and second by Councilperson Shramski.

Ayes: Waterman, Williams, Carter, Miller, Pietila and Shramski

No: None

Motion Carried

Subcommittee Reports

Received Public Safety –March 12, 2021 report.

Councilwoman Doris Taylor-Burks arrived remotely from Pontiac at 6:08 p.m.

Discussion

City Council Special Committee on VEBA Implementation

The Council selected Council President Kermit Williams, Councilwoman Gloria Miller and Councilwoman Patrice Waterman to represent the City Council on the special committee.

Resolution

Building and Safety

21-88 **Resolution to extend Landlord Cares Act Program.** Moved by Councilperson Shramski and second by Councilperson Miller.

WHEREAS, the City of Pontiac in the midst of the Pandemic is offering relief for Qualifying Pontiac Landlords, and;

WHEREAS, the City of Pontiac would waive one time the rental inspection fee for Qualifying Landlords, and;

WHEREAS, the Mayor is proposing along with City Council to pass along this relief gesture to qualifying landlords until June 30, 2021,

NOW THEREFORE be resolved that the City Council in solidarity with the Mayor hereby authorizes the waiver of fees for qualifying landlords until June 30, 2021.

Ayes: Waterman, Williams, Carter, Miller, Pietila and Shramski

No: None

Resolution Passed

Councilwoman Doris Taylor-Burks was having technical difficulties

Resolution

City Attorney

21-89 **Resolution to adopt an Electronic Meeting Policy.** Moved by Councilperson Shramski and second by Councilperson Waterman.

WHEREAS, the Michigan Open Meetings Act allows meetings of a public body to be held electronically in some circumstances through December 31, 2021; and

WHEREAS, the local State of Emergency for the City of Pontiac as declared by Mayor Waterman on March 13, 2020 as a result of the global pandemic; and

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WHEREAS, this Council is aware of rising COVID cases and hospitalizations and therefore reaffirms the existence of a local State of Emergency; and

WHEREAS, the local State of Emergency is an allowable circumstance to convene electronic meetings pursuant to Section 3a of the Open Meetings Act; and

WHEREAS, electronic meetings allow for review and participation of the public in meetings of the Pontiac City Council while also allowing social distancing during the pandemic;

NOW THEREFORE, the Pontiac City Council hereby reaffirms the existence of a local State of Emergency and further resolves to hold all Council Meetings electronically until further notice, but not to exceed the existence of the local State of Emergency; and further adopts the attached policy for the purpose of any electronically held meetings beginning April 1, 2021.

Ayes: Williams, Carter, Miller, Pietila, Shramski and Waterman

No: None

Resolution Passed

Councilwoman Doris Taylor-Burks was having technical difficulties

Resolution

City Clerk

21-90

Resolution to approve Humble Design, 180 N. Saginaw a 501(c)(3) nonprofit organization in Pontiac as a recognized nonprofit organization in the community for the purpose of obtaining a charitable gaming license. Moved by Councilperson Waterman and second by Councilperson Shramski.

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

No: Carter

Resolution Passed

Resolution

Department of Public Works (DPW)

21-91

Resolution to authorize the Mayor to sign MDOT Funding Agreement (Contract No. 21-5028) for the Construction of the W Walton Blvd Concrete Pavement Repair Project. Moved by Councilperson Waterman and second by Councilperson Pietila.

WHEREAS, The City of Pontiac has received the funding agreement from the Michigan Department of Transportation, and;

WHEREAS, The Department of Public Works, Engineering Division has reviewed the subject agreement, and;

WHEREAS, The project is budgeted in the 2021/22 Major Street budget,

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to sign the MDOT funding agreement for construction of the W Walton Blvd Concrete Pavement Repair Project.

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

No: None

Resolution Passed

Resolutions

Economic Development

21-92

Resolution to approve the establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road. Moved by Councilperson Waterman and second by Councilperson Miller.

WHEREAS, pursuant to PA 198 of 1974, as amended (M.C.L.A. 207.551 et. seq.), after a duly noticed public hearing, held on March 16, 2021, this Pontiac City Council, by resolution, has the authority to establish an Industrial Development District, as defined in M.C.L.A. 207.553(2), within the City of Pontiac;

WHEREAS, 2100 S Opdyke, LLC (“**Petitioner**”) is the owner of that certain real property located in the City of Pontiac and legally described below (the “**Property**”);

WHEREAS, pursuant to M.C.L.A. 207.554(2), Petitioner is the owner of 100% of the state equalized value of the industrial property located within the proposed Industrial Development District;

WHEREAS, Petitioner has petitioned the Pontiac City Council to establish an Industrial Development District on the Property;

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish the proposed Industrial Development District;

WHEREAS, written notice has been given by certified 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 Industrial Development District;

WHEREAS, a public hearing was held on March 16, 2021 at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Pontiac were afforded an opportunity to be heard thereon; and

WHEREAS, the Pontiac City Council deems it to be in the public interest of the City of Pontiac to establish the Industrial Development as proposed:

NOW, THEREFORE BE IT RESOLVED, by the Pontiac City Council, that the following described parcel of landed situated in the City of Pontiac, Oakland County, and State of Michigan, to wit:

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING PART OF LOTS 8 & 9, A PART OF "ASSESSOR'S PLAT NO. 110", A PART OF SECTION 3, T. 2N., 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), 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, 1215.50 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, 1331.66 FEET TO THE POINT OF BEGINNING; THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 728.35 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 EIGHT 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, 40, AND 24 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; THENCE N 00°59'36" E 1815.00 FEET; THENCE S 89°00'24" E 1080.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,939,980 SQUARE FEET OR 44.536 ACRES OF LAND.

SUBJECT TO ANY EASEMENT AND OR RIGHTS OF WAY RECORDED OTHERWISE.

is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as Oakland Logistics Industrial Development District.

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

No: Carter

Resolution Passed

21-93 **Resolution to approve Speculative Building Designation for 2100 S Opdyke Road.**
Moved by Councilperson Pietila and second by Councilperson Waterman.

WHEREAS, 2100 S Opdyke, LLC (“**Petitioner**”) is the owner of that certain real property located in the City of Pontiac and legally described below, (the “**Property**”).

WHEREAS, on December 8, 2020, Petitioner received Final Site Plan approval from the City of Pontiac Planning Division to construct an approximately 711,360 sq. ft. building (the “**Building**”) for the purpose of providing a multi-tenant industrial facility on the Property;

WHEREAS, on March 30, 2021, the Pontiac City Council, acting under the authority of PA 198 of 1974, as amended (M.C.L.A. 207.551 et. seq.) , approved Resolution No. 21-92, designating the Property as an Industrial Development District;

WHEREAS, as of the date of this Resolution, Petitioner has not identified specific users for the Building;

WHEREAS, Petitioner has requested the Pontiac City Council to designate the Building as a multi-tenant Speculative Building, as defined in M.C.L.A. 207.553(8), and upon the conditions set forth in M.C.L.A. 207.559(4);

WHEREAS, as a condition of the adoption of this Resolution, the Building must be constructed less than nine (9) years before the filing of the application for the industrial facilities exemption certificate; and

WHEREAS, the Building otherwise qualifies under M.C.L.A. 207.559(2)(e).

NOW, THEREFORE BE IT RESOLVED, by the Pontiac City Council, that:

Section 1. The Building, to be located on the following described parcel of land situated in the City of Pontiac, Oakland County, and State of Michigan, to wit:

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING PART OF LOTS 8 & 9, A PART OF "ASSESSOR'S PLAT NO. 110", A PART OF SECTION 3, T. 2N., 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), 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, 1215.50 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, 1331.66 FEET TO THE POINT OF BEGINNING; THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 728.35 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 EIGHT 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, 40, AND 24 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; THENCE N 00°59'36" E 1815.00 FEET; THENCE S 89°00'24" E 1080.90 FEET TO THE POINT OF BEGINNING. CONTAINING 1,939,980 SQUARE FEET OR 44.536 ACRES OF LAND. SUBJECT TO ANY EASEMENT AND OR RIGHTS OF WAY RECORDED OTHERWISE.

is hereby declared and approved as a multi-tenant Speculative Building pursuant to PA 198 of 1974, as amended (M.C.L.A. 207.551 et. seq.).

Section 2. The Building shall be designated as a multi-tenant Speculative Building for a period of twelve (12) years from and after its construction, unless revoked earlier as provided in M.C.L.A. 207.565.

Section 3. An application for Industrial Facilities Exemption Certificate may be submitted by the owner or lessee of the Building, as provided in M.C.L.A. 207.555.

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

No: None

Resolution Passed

Council President Williams left the meeting. Council President Pro-Tem Carter assumed the chair.

Special Presentations (presentations are limited to 10 minutes.)

Office of the City Clerk Medical Marihuana Review Process Update

Presentation Presenters: Garland Doyle, Interim City Clerk and Johnathan Starks, Special Assistant to the Clerk

Update Report on City of Pontiac Allotments received through Cares Act and American Rescue Plan

Presentation Presenters: Mayor Waterman, Linnette Phillips, Economic Development Director and Darin Carrington, Finance Director

Upcoming Infrastructure and Capital Improvements Projects for Calendar Year 2021

Presentation Presenters: Mayor Waterman, Dan Ringo, Interim DPW Director and Abdul Siddiqui, P.E., City Engineer

Public Comments

Two (2) individuals submitted public comments read by the City Clerk

Mayor, Clerk and City Council Closing Comments

Mayor Waterman, Interim Clerk Doyle, Councilwoman Pietila, Councilwoman Shramski and Council President Pro-Tem Carter made closing comments.

Adjournment

President Pro-Tem Randy Carter adjourned the meeting at 7:59 p.m.

GARLAND S DOYLE
INTERIM CITY CLERK