

March 1, 2022 Approved Minutes

**Official Proceedings
Pontiac City Council
9th Session of the Eleventh Council**

Call to order

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, March 1, 2022 at 6:00 p.m. by Council President Mike McGuinness.

Invocation – Pastor Bill Hutchins – Last Days Ministries Church of God in Christ Pontiac, Michigan

Moment of Silence

Pledge of Allegiance to the Flag of the United States

Roll Call

Members Present – William Carrington, Mikal Goodman, Kathalee James, Mike McGuinness, Brett Nicholson, William Parker Jr. and Melanie Rutherford.

Mayor Greimel was present.
A quorum was announced.

Amendments to and Approval of the Agenda

Motion to approve the agenda. Moved by Councilperson Parker and second by Councilperson Rutherford.

Ayes: Goodman, James, McGuinness, Nicholson, Parker, Rutherford and Carrington
No: None

Motion Carried

Motion to add a discussion regarding Forensic Audit Update after the Agenda Address. Moved by Councilperson Nicholson and second by Councilperson Rutherford

Ayes: James, McGuinness, Nicholson, Parker, Rutherford, Carrington and Goodman
No: None

Motion Carried

Consent Agenda

22-66 **Resolution to approve the consent agenda for March 1, 2022.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas, the City Council has reviewed the consent agenda for March 1, 2022.
Now, Therefore, Be It Resolved that the City Council approves the consent agenda for March 1, 2022 including the February 22, 2022 Meeting Minutes and February 10, 2022 Finance and Personnel Subcommittee Meeting Minutes.

Ayes: McGuinness, Nicholson, Parker, Rutherford, Carrington, Goodman and James
No: None

Resolution Passed.

Special Presentation

- A. Drinking Water Asset Management Grant
Presentation Presenter: Oakland County Water resources Commissioner Jim Nash and Alexandra Borngesser, Grants Manager
- B. Oakland County African American Leadership Recognition
Presentation Presenter: Oakland County Commissioner Angela Powell
- C. Oakland County Sheriff PAL Program Offering and Updates
Presentation Presenter: PAL Executive Director Lauren Fuller

Recognition of Elected Officials – None

Agenda Address - None

Discussion

Forensic Audit Update (Agenda Add-on)

Agenda Items

Resolutions

City Council

22-67

Resolution Recognizing March as Women’s History Month. Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas the month of March is National Women’s History Month, which recognizes and spreads awareness of the importance of women in the history of the United States;

Whereas women in the United States were once considered property or chattel of their husbands and were subjected to second-class citizenship;

Whereas through tireless determination and opposition to that adversity, women nevertheless persisted and gained greater rights and independence;

Whereas, throughout the history of the United States, whether in the home, the workplace, schools, the courts, in peace or in wartime, women have fought for themselves, for their families, and for all people of our country;

Whereas women led efforts to secure suffrage and equal opportunity for women and also served in the abolitionist movement, emancipation movement, labor movements, Civil Rights movement, and other causes to create a more fair and just society for all;

Whereas suffragists wrote, marched, organized, faced arrests, and ultimately succeeded in achieving the enactment of the 19th Amendment to the Constitution of the United States, section one of which provides that “the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex,” and with the later Voting Rights Act of 1965, protections were extended for the right to vote for women of color and women who speak languages other than English;

Whereas women have continued to be leaders in the forefront of social change and have made transformational impacts in the establishment of charitable, philanthropic, social, economic, political, and cultural institutions, and in the City of Pontiac women have helped shape the civic, cultural, social, and educational experiences of all residents;

Whereas women had once been barred from attending medical schools in this country, but now make up most enrollments in medical schools, and there are many women in the Pontiac community who are thriving in the medical profession;

Whereas women were previously turned away from law school, but now represent approximately half of law students in the United States, and there are many women in the Pontiac community who are thriving in the legal profession;

Whereas women have served in the United States Armed Forces since the American Revolution and the American Civil War, noting one woman in particular, Harriet Tubman, who was enslaved but took her freedom, brought others to freedom, and served as a spy and a commander in the Civil War;

Whereas women serve in volunteer and enlisted military positions, with more than 200,000 active-duty servicewomen and 2,00,000 veterans representing every branch of service;

Whereas there are now over 10,000,000 women-owned businesses in the United States;

Whereas the first woman to be elected to the United States House of Representatives was in 1916, the first woman elected to the United States Senate was in 1932, and, 106 years after the Emancipation Proclamation was issued Shirley Chisholm was the first Black woman to serve in Congress in 1969 and, today, there are over 100 women serving in Congress including Pontiac's current Representative Brenda Lawrence;

Whereas the Honorable Judge Cynthia Thomas Walker was the first woman elected to Pontiac's 50th District Court, and went on to break barriers as the Chief Judge as well;

Whereas the Dr. Deirdre Waterman was the first woman elected to serve as Mayor of the City of Pontiac, in 2013;

Whereas nine women have served on the Pontiac City Council in our history;

Whereas Linda L. Ferrens was the first woman elected to the Pontiac City Council in 1981, and the first woman to serve as Council President Pro-Tem;

Whereas Catherine Kinnard was the first Black woman elected to the Pontiac City Council, which took place in 1993;

Whereas Patrice Waterman first elected to the Pontiac City Council in 2009, was the first woman to serve as Pontiac City Council President, leading from 2014 to 2018;

Therefore, Be It Resolved, the Pontiac City Council declares March 2022 as Women's History Month in the City of Pontiac, Michigan; and further

Resolved, the City Council honors the contributions of all women in their fight for racial, gender, and social justice and the impact they have made to our city, state, and nation's cultural, spiritual, economic, and political development; and further

Resolved, the City Council recognizes that, despite the substantial advancements of women in the United States, much remains to be done to ensure that women, particularly women of color, realize their full potential as equal members of society; and further

Resolved, the City Council welcomes additional opportunities for us as a community to better acknowledge, celebrate, and preserve the phenomenal women who have shaped the City of Pontiac's history.

Ayes: Nicholson, Parker, Rutherford, Carrington, Goodman, James and McGuinness

No: None

Resolution Passed

22-68 **Resolution Calling for Community Development Block Grant Funding In-House Administration.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, during emergency management, the City of Pontiac desired to remain a Metropolitan City pursuant to the U.S. Department of Housing and Urban Development (HUD) guidelines in order to receive Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) allocations; and,

WHEREAS, Oakland County receives a formula allocation from the U.S. Department of Housing and Urban Development (HUD) as an Urban County; and,

WHEREAS, despite Pontiac's financial distress, both the City of Pontiac and the County wanted to continue to provide services to the Citizens of Pontiac; and,

WHEREAS, CPD Notice 11-02 (VII) (A), issued April 28, 2011 allows for a joint agreement between a Metropolitan City and an Urban County; and,

WHEREAS, on March 8, 2012 a joint agreement between the City of Pontiac and Oakland County regarding the administration of the Community Development Block Grant (CDBG) Program was entered into and included Program Years 2012-2014; and,

WHEREAS, the program is to remain through automatic renewals in successive three-year qualification periods until such time that it is in the best interest of the City to terminate the joint agreement; and,

WHEREAS, on June 2, 2020, the Pontiac City Council passed a resolution agreeing to continue participating in the Urban Community Development Block Grant (CDBG) program and opted into the Oakland County Urban County program for program years 2021-2023; and,

WHEREAS, under the terms of the agreement, it is the County's responsibility to monitor and report to HUD the use of any such program income, thereby requiring appropriate record keeping and reporting by the City as may be needed for this purpose; and,

WHEREAS, the City of Pontiac is a sub recipient to Oakland County for CDBG Administration and submission to HUD and as such, Oakland County charges the City of Pontiac an administrative fee of 20 percent of awarded funds; and,

WHEREAS, currently, the City of Pontiac has a solid financial foundation that supports returning Federal Grant Administration back in house; and,

WHEREAS, the City of Pontiac's current Executive Administration has already begun the process of researching what needs to be done to bring the CDBG program back in-house; now,

THEREFORE, BE IT RESOLVED, the Pontiac City Council strongly believes that it is in the best interest of the City of Pontiac to terminate the joint agreement; and further

RESOLVED, the City Council believes that to return the Federal Grant Administration back to the City of Pontiac would be a tremendous cost savings to the city which ultimately would allow for enhanced services to the Citizens of Pontiac; and further

RESOLVED, the Pontiac City Council will continue to work with the City of Pontiac Executive Administration to expedite conducting the appropriate feasibility studies and preparations; and further

RESOLVED, the Pontiac City Council requests that the Executive Administration conduct a thorough feasibility study of whether to return the City's Federal Grant Administration back within the City's management; and further

RESOLVED, the City Council is requesting that the feasibility study be completed and presented to the Council by April 30, 2022, to assist Council with the strategic planning of the upcoming budget and to allow guidance as to whether the city should opt-in or opt-out of the 2023-2025 Oakland County Urban County Program.

Ayes: Parker, Rutherford, Carrington, Goodman, James, McGuinness and Nicholson

No: None

Resolution Passed

Department of Public Works (DPW)

Motion to amend to use the alternate Bid amount Resolution with Pamar Enterprises.

Moved by Councilperson James and second by Councilperson Goodman.

Ayes: Rutherford, Carrington, Goodman, James, McGuinness, Nicholson and Parker

No: None

Motion Carried

22-64

Alternate Resolution to Authorize the Mayor to enter into a contract with Pamar Enterprises, Inc. for \$1,650,144.35 for the Mill St Reconstruction Project and Authorize the Mayor to enter into an Agreement with the Oakland County Water Resource Commission (OCWRC) to reimburse the City for the costs on the Mill St Reconstruction Project associated with improvements to OCWRC's Water Infrastructure. Moved by Councilperson Rutherford and second by

Councilperson Goodman. **(Postpone from last week.)**

WHEREAS, the City of Pontiac has advertised and received responses to a Request For Proposal for the Mill St Reconstruction Project on February 7, 2022, and publically opened bids; and

WHEREAS, a bid tabulation was prepared and reviewed, and;

WHEREAS, the City identified the low bidder for the alternate bid as Pamar Enterprises, Inc., and references of the low bidder checked and found acceptable, and;

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to enter into a contract with Pamar Enterprises, Inc. for \$1,650,144.35 for the Mill St Reconstruction Project, utilizing the alternate bid.

BE IT FURTHER RESOLVED, The Pontiac City Council authorizes the Mayor to enter into an agreement with the Oakland County Water Resource Commission (OCWRC) to reimburse the City for the costs on the Mill St Reconstruction Project associated with improvements to OCWRC's water infrastructure.

Ayes: Carrington, Goodman, James, McGuinness, Nicholson, Parker and Rutherford

No: None

Resolution Passed

22-69 **Resolution to accept the Southeast Michigan Council of Governments (SEMCOG) Planning Assistance Program Grant in the amount of \$36,000 for the Auburn Ave. Traffic Study and authorize the Mayor to sign the SEMCOG Agreement.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, The City of Pontiac has received the Planning Assistance Grant agreement from the Southeast Michigan Council of Governments (SEMCOG), and;

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

WHEREAS, The City's match of \$6,534 towards the total grant amount of \$36,000 will be paid through Engineering Services account 202-463-806.000,

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to sign the SEMCOG agreement for Planning Assistance Program Grant for a traffic study on Auburn Avenue.

Ayes: Goodman, James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

Resolution Passed

22-70 **Resolution to approve a Budget Amendment for Fiscal Year 2021-22 to allocate a total of \$100,000 for account 101-266-959-003 Settlement Payments for Sick Time Payouts.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, the City of Pontiac approved the 2021-22 budget on June 24, 2021 and;

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current fiscal year 2021-2022 for payments in the amount of \$100,000 to account 101-266-959.003-Settlement Payments; and

Whereas, the increased appropriations will not cause the fund balance in the General Fund to go below the policy mandated thresholds and;

NOW THEREFORE be resolved that the City Council hereby approves the amendment for the fiscal year 2021-2022 as requested by the Administration for account 101-266-959.003-Settlement Payments in the amount of \$100,000.

March 1, 2022 Approved Minutes

Ayes: James, McGuinness, Nicholson, Parker, Rutherford, Carrington and Goodman

No: None

Resolution Passed

22-71 **Resolution to approve a Budget Amendment for Fiscal Year 2021-22 to transfer \$72,000 from General Fund Balance GL account 101-000-309-000 to the General Fund Account 101-774-745-003–City Events.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, the City of Pontiac timely approved the FY 2021-22 budget on June 24, 2021 and;

Whereas, the City Council approved the appropriation for GL Account 101-774-745.003 – City Events in the amount of \$30,000; and

Whereas, from July 1, 2021 through December 31, 2021 expenses from GL Account 101-774-745.003 were approximately \$102,000 and thus exceeded the amount that had been duly appropriated by City Council; and

Whereas, in order to ensure that the budgeted appropriations remain in compliance with the City’s Charter, the Budget Ordinance and state law, the Administration is proposing a budget amendment for the General Fund; and

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current year FY 2021-2022 in the amount of \$72,000 to the General Fund GL Account 101-774-745.003 – City Events; and

Whereas, to fund this additional appropriation, \$72,000 is transferred out of the General Fund Balance GL account 101-000-390.000 and \$72,000 is transferred to the General Fund GL Account 101-774-745.003 – City Events;

NOW THEREFORE be resolved that the City Council hereby approves the amendment for the Fiscal Year 2021-22 Budget as requested by the Administration transferring \$72,000 out of the General Fund Balance GL account 101-000-390.000 and \$72,000 is transferred into General Fund GL Account 101-774-745.003-City Events.

Ayes: McGuinness, Nicholson, Parker, Rutherford, Carrington and James

No: None

Resolution Passed

Councilman Goodman was absent during the vote

22-72 **Resolution to approve a Budget Amendment for Fiscal Year 2021-22 to Transfer \$308,000 from General Fund Balance Account 101-000-390.000 to the Following Attorney Fees Accounts 101-266-804.000- Legal Services \$25,000; 101-266-804.018- Legal Services- Giarmarco Mullins \$110,000; 101-266- 804.021- Legal Services Prosecutions- Giarmarco Mullins \$120,000; 101-266-804.022- Legal Services Michigan Tax Tribunal- Giarmarco Mullins \$45,000; 101-266-804.023- Legal Services Code Enforcement- Giarmarco Mullins \$8,000.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, the City of Pontiac timely approved the FY 2021-22 budget on June 24, 2021 and;

Whereas, the City Council approved the appropriation for Legal Services in the following GL Accounts and budgeted amounts:

GL Account	Budgeted
101-266-804.000 – Legal Services	\$25,000
101-266-804.018 – Legal Services GMH	\$50,000
101-266-804.022 – Legal Services Prosecutions	\$250,000
101-266-804.022 – Legal Services MI Tax Tribunal	\$10,000
101-266-804.023 – Legal Services Code Enforcem	\$6,500

March 1, 2022 Approved Minutes

Whereas, these amounts budgeted are below the projected costs expected to be incurred in FY 2021-22; and

Whereas, in order to ensure that the budgeted appropriations remain in compliance with the City's Charter, the Budget Ordinance and state law, the Administration is proposing a budget amendment for the General Fund; and

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current year FY 2021-2022 to the GL Accounts and the amounts listed as follows:

GL Account	Amendment
101-266-804.000 – Legal Services	\$25,000
101-266-804.018 – Legal Services GMH	\$110,000
101-266-804.022 – Legal Services Prosecutions	\$120,000
101-266-804.022 – Legal Services MI Tax Tribunal	\$45,000
101-266-804.023 – Legal Services Code Enforcem	\$8,000

Whereas, to fund this additional appropriation, \$308,000 is transferred out of the General Fund Balance GL account 101-000-390.000 and a total of \$308,000 is transferred to the General Fund GL Accounts and the amounts listed above;

NOW THEREFORE be resolved that the City Council hereby approves the amendment for the Fiscal Year 2021-22 Budget as requested by the Administration transferring \$308,000 out of the General Fund Balance GL account 101-000-390.000 and \$308,000 is transferred into General Fund GL Accounts for Legal Services as detailed above.

Ayes: Nicholson, Parker, Rutherford, Carrington, Goodman, James and McGuinness

No: None

Resolution Passed

22-73 **Resolution to approve a Budget Amendment for Fiscal Year 2021-22 to Tranfer \$182,000 from Youth Recreation Fund Balance GL Account 208-000-390-000 to Youth Recreation Fund GL Account 208-756-941-000 – Services – Building & Land Rental.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas, the City of Pontiac timely approved the FY 2021-22 budget on June 24, 2021 and;

Whereas, the City Council did not provide for any appropriation for GL Account 208-756-941.000 – Services – Building & Land Rental; and

Whereas, from July 1, 2021 through January 2022 expenses from GL Account 208-756-941.000 – Services – Building & Land Rental were approximately \$182,000 and thus exceeded the amount that had been duly appropriated by City Council; and

Whereas, in order to ensure that the budgeted appropriations remain in compliance with the City's Charter, the Budget Ordinance and state law, the Administration is proposing a budget amendment for the Youth Recreation Fund; and

Whereas, the Administration is proposing to the City Council to increase the appropriations for the current year FY 2021-2022 in the amount of 182,000 to the GL Account 208-756-941.000 – Services – Building & Land Rental; and

Whereas, to fund this additional appropriation, \$182,000 is transferred out of the Youth Recreation Fund Balance GL account 208-000-390.000 and \$182,000 is transferred to Youth Recreation Fund GL Account 208-756-941.000 – Services – Building & Land Rental;

NOW THEREFORE be resolved that the City Council hereby approves the amendment for the Fiscal Year 2021-22 Budget as requested by the Administration transferring \$182,000 out of Youth Recreation Fund Balance GL Account 208-000-390.000 and \$182,000 is transferred into Youth Recreation Fund GL Account 208-756-941.000 – Services – Building & Land Rental.

Ayes: Parker, Rutherford, Carrington, Goodman, Jams, McGuinness and Nicholson

No: None

Resolution Passed

22-74 **Resolution to Authorize the City Clerk to Publish the Notice of a Proposed Budget Amendment for Fiscal Year 2021-22 to Transfer \$37,000 from General Fund Balance GL Account 101-000-309.000 to the Following General Fund Dept. 171 - Mayor GL Accounts 101-171-702.000-Salaries & Wages \$33,000; 101-171-715.000-F.I.C.A. City Contribution \$2,000; 101-171-716.000 Medical Insurance \$2,000.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

Now Therefore, be resolved that the City Council hereby authorizes the City Clerk to publish the notice of a proposed budget amendment for Fiscal Year 2021-2022 transferring \$37,000 out of the General Fund-Fund Balance GL Account 101-000-390-000 and \$33,000 is transferred into General Fund-Mayor's Department Salaries & Wages GL Account 101-171-702-000 and \$2,000 is transferred to GL Account 101-171-715-000 and \$2,000 to GL Account 101-171-716-000 – Medical Insurance.

Ayes: Rutherford, Carrington, Goodman, James, McGuinness, Nicholson and Parker

No: None

Resolution Passed

22-65 **Resolution to Approve Mayor's Reappointments of Ashley Fegley, Christopher Northcross, Mona Parlove, and Lucy Payne and the Appointments of Vernita Duvall, Mike McGuinness and Tim Shepard to the Pontiac Planning Commission.** Moved by Councilperson Rutherford and second by Councilperson Goodman. **(Postponed from last week)**

Whereas, Article V. Section 2-372 of the Municipal Code, the Planning Commission is comprised of six non-elected officials and the Mayor or his/her designee; and

Whereas, there are currently several appointments with expired terms on the Planning Commission; and

Whereas, according to State Law and the Pontiac City Ordinance, the Mayor shall appoint the commissioners subject to approval by a majority of the City Council; and

NOW THEREFORE BE IT RESOLVED, that Pontiac City Council hereby confirms the Mayoral reappointments to the Planning Commission of; Ashley Fegley, Lucy Payne, Christopher Van Northcross, Mona Parlove; and

BE IT FURTHER RESOLVED, that Pontiac City Council hereby confirms the Mayoral appointments to the Planning Commission of; Vernita Duvall, Tim Shepard, and Mike McGuinness to a three (3) year term commencing on the date Council confirms the appointment.

Ayes: Goodman, James, McGuinness, Nicholson, Parker, Rutherford and Carrington

No: None

Resolution Passed

22-75 **Resolution to approve two new Positions for Fiscal Year 2021-22 within the Mayor's Office; Executive Office Coordinator at an annual salary of \$55,000, and Constituent Service Manager at annual salary of \$45,000.** Moved by Councilperson Rutherford and second by Councilperson Carrington. Discussion.

Motion of an amendment to change the title from Constituent Service Manager to Community Concerns Manager. Moved by Councilperson Rutherford and second by Councilperson Nicholson.

March 1, 2022 Approved Minutes

Ayes: McGuinness, Nicholson, Parker, Rutherford, Carrington, Goodman and James

No: None

Motion Carried

22-75 **Amended Resolution to approve two new Positions for Fiscal Year 2021-22 within the Mayor's Office; Executive Office Coordinator at an annual salary of \$55,000, and Community Concerns Manager at annual salary of \$45,000.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, The City of Pontiac Executive Office does not currently have sufficient staff to properly service constituents, and

Whereas, The City is currently meeting needs by using workers from other departments which is an inefficient and unsustainable, and

Whereas, the Mayor has requested that new positions be add to the City,

NOW THEREFORE BE IT RESOLVED, that Pontiac City Council hereby approves the creation of the following positions – Executive Office Coordinator, and Community Concerns Manager.

BE IT FURTHER RESOLVED, that Pontiac City Council will approved a budget amendment to facilitate filling both positions in the current fiscal year.

Ayes: James, McGuinness, Nicholson, Parker, Rutherford, Carrington and Goodman

No: None

Resolution Passed

Public Comment

Four (4) individuals addressed the body during public comment.

1. Quincy Stewart
2. Chuck Johnson
3. H. Bill Maxey
4. Veronica Taylor

Mayor, Clerk and Council Closing Comments

Mayor Greimel, Councilwoman Rutherford, Councilman Nicholson, Councilman Goodman, Councilwoman James, Councilman Parker, Pro Tem Carrington and Council President McGuinness made closing comments.

Adjournment

Motion to adjourn the meeting. Moved by Councilperson Rutherford and second by Councilperson Carrington.

Ayes: Nicholson, Parker, Rutherford, Carrington, Goodman, James and McGuinness

No: None

Motion Carried

Council President Mike McGuinness adjourned the meeting at 8:28 p.m.

Garland S. Doyle
City Clerk