

**Official Proceedings  
Pontiac City Council  
56<sup>th</sup> 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, October 25, 2022 at 6:03 p.m. by Council President Mike McGuinness.

**Invocation** – Rabbi in Training Matt Brewer, Pontiac Michigan

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Members Present** – William Carrington, Mikal Goodman, Kathalee James, Mike McGuinness, Bret 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 Carrington.

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

No: None

**Motion Carried**

**Consent Agenda**

22-280 **Resolution to approve the consent agenda for October 25, 2022.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, the City Council has reviewed the consent agenda for October 25, 2022.

Now, Therefore, Be It Resolved that the City Council approves the consent agenda for October 25, 2022 including the October 18, 2022 City Council Meeting Minutes.

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

No: None

**Resolution Passed**

**Special Presentation**

Anthony Kyles of Pontiac Exonerated for Crime he Did Not Commit, Freed from Prison Nearly 25 Years

**Resolutions**

City Council

22-281 **Resolution Recognizing the Exoneration of Mr. Anthony Kyles and Welcoming Him Home.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, every resident of the City of Pontiac Michigan has the right to life, liberty, and the pursuit of happiness – and those rights should inherently include protection of Pontiac residents by the justice system at the municipal, state, and federal levels;

Whereas, Mr. Anthony Kyles, was wrongfully convicted of four counts of second-degree murder nearly 25 years ago and in connection with the deaths of four people killed in a house fire in the 300 block of Chandler Street in Pontiac, including three young children; and,

Whereas, Mr. Kyles was sentenced to life in prison and was deprived of an excruciating number of years of freedom to live his life and be with his family; and,

Whereas, Mr. Kyles always maintained his innocence, and a growing number of advocates added their voices to the calls for his exoneration and release; and,

Whereas, the Michigan Innocence Clinic and the Conviction Integrity Unit at the Oakland County Prosecutor’s Office reviewed Mr. Kyles’ case and it was after an independent fire investigator Robert Trenkle was hired to take a deeper drive into the case, that it became clear, that Mr. Kyles was innocent and had been wrongfully convicted; and,

Whereas, it was Robert Trenkle who determined that the fire, was most likely caused by an improperly rewired cord on a space heater, started in a bedroom, was not due to arson and did not originate from the porch; thereby; disproving the prosecution’s theory that was presented during Mr. Kyles’ trial in 1997, that the fire was intentionally set and started on the porch. It was also discovered that the sole eyewitness lied when he testified that he saw Mr. Kyles start the fire; and,

Whereas, upon the request of Oakland County Prosecutor Karen McDonald, along with Mr. Kyles’ attorneys at the Michigan Innocence Clinic, on Wednesday, October 12, 2002, Oakland County Circuit Judge Daniel O’Brien threw out Mr. Kyles convictions and Mr. Kyle was finally freed from prison; now

Therefore, Be It Resolved, the Pontiac City Council, in partnership with Pontiac Mayor Tim Greimel, hereby warmly welcomes Mr. Anthony Kyles home from his unjust incarceration; and,

Further Resolved, we express the community’s heartbreak to Mr. Kyles and his entire family for the intensely unjust steps that led to the loss of his freedom, the dismantling of his life, and the hurt to both his family and the family of the crime victim who was deprived of true justice for their tragic loss; and,

Further Resolved, the city calls upon the entire Pontiac community to extend their hands and their hearts to help welcome Mr. Kyles and to assist him in his transition; and,

Further Resolved, we celebrate the work of the Conviction Integrity Unit at the Oakland County Prosecutor’s Office, the Michigan Innocence Clinic and Robert Trenkle for their leadership and advocacy in helping Mr. Kyles restore his freedom and for assisting him to prove his innocence.

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

No: None

**Resolution Passed**

22-282      **Resolution Recognizing Saluting the Work of Fire Investigator Mr. Robert Trenkle in Helping Clear Mr. Anthony Kyles’ Name.** Moved by Councilperson Goodman and second by Councilperson Rutherford.

Whereas, every resident of the City of Pontiac Michigan has the right to life, liberty, and the pursuit of happiness – and those rights should inherently include protection of Pontiac residents by the justice system at the municipal, state, and federal levels;

Whereas, Mr. Anthony Kyles, was wrongfully convicted of four counts of second-degree murder nearly 25 years ago and in connection with the deaths of four people killed in a house fire in the 300 block of Chandler Street in Pontiac, including three young children; and,

Whereas, Mr. Kyles was sentenced to life in prison and was deprived of an excruciating number of years of freedom to live his life and be with his family; and,

Whereas, Mr. Kyles always maintained his innocence, and a growing number of advocates added their voices to the calls for his exoneration and release; and,

Whereas, Robert Trenkle worked for over 20 years in the Detroit Fire Department and due to his fire expertise in investigating over 1,000 fires during his career, was hired by the Conviction Integrity Unit at the Oakland County Prosecutor's Office to investigate Anthony Kyles' case; and,  
Whereas, it was Robert Trenkle who determined that the fire, was most likely caused by an improperly rewired cord on a space heater, started in a bedroom, was not due to arson and did not originate from the porch; thereby; disproving the prosecution's theory that was presented during Mr. Kyles' trial in 1997, that the fire was intentionally set and started on the porch; and,  
Whereas, Mr. Trenkle adamantly supported Anthony Kyles and spent over 1,000 hours working to prove Mr. Kyle's innocence despite never meeting or talking to Mr. Kyles; and,  
Whereas, Mr. Trenkle's fight for justice for Anthony further prompted Mr. Trenkle to stop cutting his hair and shaving until Mr. Kyles was freed from prison, symbolizing that Mr. Kyles was in prison 50 times longer than his hair had been growing; and,  
Whereas, on Wednesday, October 12, 2022, Oakland County Circuit Judge Daniel O'Brien threw out Mr. Kyles' convictions and he was finally freed from prison; now,  
Therefore, Be It Resolved, that we the members of the Pontiac City Council on behalf of the citizens of Pontiac and in partnership with Pontiac Mayor Tim Greimel, recognize and salute Robert Trenkle for his contributions of leadership, selflessness, and his unwavering dedication to his quest for freedom and justice for Anthony Kyles.

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

**Resolution Passed**

**Recognition of Elected Officials – None**

**Agenda Address**

1. Patrice Waterman addressed item #6
2. Chuck Johnson addressed item #4
3. Dr. Deirdre Waterman addressed items #6 & #7

**Resolutions Continued**

Department of Public Works (DPW)

~~22-283~~ **Resolution to approve the City to enter into an agreement with Precision Concrete, Inc. for the "Sidewalk Trip Hazard Elimination Program" and authorize the Mayor to sign the agreement.** Moved by Councilperson Rutherford and second by Councilperson Nicholson. There was discussion on the motion to approve the resolution.

**Motion to postpone Resolution to approve the City to enter into an agreement with Precision Concrete, Inc. for the "Sidewalk Trip Hazard Elimination Program" and authorize the Mayor to sign the agreement for one week.** Moved by Councilperson Parker and second by Councilperson Goodman.

Ayes: Parker, Rutherford and Carrington  
No: Goodman, James, McGuinness and Nicholson

**Motion Failed**

22-283 **Resolution to approve the City to enter into an agreement with Precision Concrete, Inc. for the "Sidewalk Trip Hazard Elimination Program" and authorize the Mayor to sign the agreement.** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, the City of Pontiac has advertised and received bids for “SIDEWALK TRIP HAZARD ELIMINATION PROGRAM” on September 29<sup>th</sup> at a publicly opened bid and, Whereas, the bid was prepared and reviewed and Precision Concrete, Inc. was the low bidder; and, Now, Therefore It Is resolved, the Pontiac City Council authorizes the Mayor and DPW to enter into a Contract with Precision Concrete, Inc. for the “SIDEWALK TRIP HAZARD ELIMINATION PROGRAM” CONTRACT.

Ayes: Nicholson, Rutherford, Goodman, James and McGuinness  
 No: Parker and Carrington  
**Resolution Passed**

Finance

22-284 **Resolution to Authorize City Clerk to publish the proposed Budget Amendment for Budget Year 2022-2023 Increase the Budget Appropriation in the Insurance Fund GL Account 659-864-716-001 – Medical Insurance Retire Account in the amount of \$3,050,000 Increase the Revenue Estimate in the Insurance Fund GL Account 659-000-680-100 – Medical GERS Account in the amount of \$250,000 Increase the Revenue Estimate in the Insurance Fund GL account 659-000-680-200 – Medical PFRS account in the amount of \$2,800,000.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas, City Council appropriated \$1,750,000 to pay for the retiree’s Medical insurance in the Budget Year 2022-23. Since, this payment is fully reimbursable from the Police and Fire Benefit System and the General Retirees Retirement System, the City Council also approved the Estimated Revenue for the same amount; and,

Whereas, the current appropriation in the amount of \$1,750,000 in the 659 – Insurance Fund GL account 659-861-716-001 is not sufficient to cover the expenditure for the entire Budget Year; and,

Whereas, this requested increase in appropriation does not affect the fund balance as it is fully reimbursable from Police and Fire Benefit System and the General Retirees Retirement System; and,

Whereas, in order to ensure that the budgeted appropriations in compliance with the City’s Charter, the Budget Ordinance and the State Law, the Administration is proposing a budget amendment for the 659-Insurance Fund; and,

Whereas, the administration is increasing Estimated Revenue in the amount of \$3,050,000 in the 659-Insurance Fund in the following Revenue accounts:

659-000-680-100 – Medical GERS - \$250,000 and,  
 659-000-680-200 – Medical PFRS - \$2,800,000; and,

Whereas, the administration is increasing the appropriation in the amount of \$3,050,000 in the 659-Insurance Fund GL account 659-861-716-001.

Now Therefore, Be Resolved, that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

Budget Year 2022-2023

Estimated Revenue:

GL Account	Original Budget	Requested Increase	Amended Budget
659-000-680-100 – Medical GERS	\$ 500,000	\$250,000	\$750,000
659-000-680-200 – Medical PFRS	\$1,250,000	\$2,800,000	\$4,050,000
Total	\$1,750,000	\$3,050,000	\$4,800,000
<b>Appropriation</b>			
659-861-716-001 – Medical Insurance – Retiree	\$1,750,000	\$3,050,000	\$4,800,000

Planning

22-285

**Resolution to Deny Zoning Map Amendment [ZMA 22-04] Conditional Rezoning Zoning Map Amendment for 645 S. Old Telegraph Road and 1056 Golf Drive; Parcels 64-14-31-381-027; 64-14-31-458-010; Rezoning from C-1 Local Commercial District & P-1 Parking District to M-1 Light Manufacturing with Conditions, requested by petitioner Get You Greens, LLC. (The Administration is recommending that City Council refer this Conditional Rezoning Request back to the Planning Commission.)** Moved by Councilperson Carrington and second by Councilperson Goodman. There was discussion on the motion to approve the resolution.

**Motion to recess for one minute.** Moved by Councilperson Goodman and second by Councilperson Rutherford.

Ayes: Goodman, James, McGuinness, Nicholson and Rutherford

No: Parker and Carrington

**Motion Carried**

Planning

22-285

**Resolution to Deny Zoning Map Amendment [ZMA 22-04] Conditional Rezoning Zoning Map Amendment for 645 S. Old Telegraph Road and 1056 Golf Drive; Parcels 64-14-31-381-027; 64-14-31-458-010; Rezoning from C-1 Local Commercial District & P-1 Parking District to M-1 Light Manufacturing with Conditions, requested by petitioner Get You Greens, LLC. (The Administration is recommending that City Council refer this Conditional Rezoning Request back to the Planning Commission.)** Moved by Councilperson Carrington and second by Councilperson Goodman.

Whereas, the City has received an application for Conditional Rezoning (CR) Zoning Map Amendment (ZMA 22-04) for 645 S. Old telegraph Road & 1056 Golf Drive; Parcels 64-14- 31-381-027; 64-14-31-458-010; Rezoning from C-1 Local Commercial District & P-1 Parking District to M-1 Light Manufacturing with Conditions, as requested by the petitioner Get You Greens, LLC.

Whereas, The Planning Division has reviewed the applicant's rezoning request in regards to the City's Master Plan Update and the requirements set forth by Section 6.804 of the Zoning Ordinance.

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;

Whereas, On August 3, 2022, a Public Hearing was held, and in consideration of public opinion, on October 5, 2022, the Planning Commission recommended to City Council the denial of Zoning Map Amendment request for 645 S. Old telegraph Road & 1056 Golf Drive, to deny the Conditional Rezoning from C-1 Local Commercial District & P-1 Parking District to M-1 Light Manufacturing with Conditions; and

Now, Therefore, Be It Resolved, that the City Council for the City of Pontiac Deny the Zoning Map Amendment (ZMA 22-04) request for 645 S. Old telegraph Road & 1056 Golf Drive, also known as Parcel No. 64-14-31-381-027 and 64-14-31-458-010, the Conditional Rezoning Agreement from C-1 Local Commercial District & P-1 Parking District to M-1 Light Manufacturing with Conditions.

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

No: Rutherford

**Resolution Passed**

**Youth Recreation**

**Motion to table Resolution approving Memorandum of Understanding between the City and School District for After-School Youth Recreation Activities in Pontiac's Elementary Schools for one week.** Moved by Councilperson Carrington and second by Councilperson Parker.

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

No: None

**Motion Carried**

**Public Comment**

1. Robert Bass
2. Pastor Lester Magnum
3. M. Bill Maxey
4. Florence Anthony Etefia
5. Casandra Thomas
6. Dr. Deidre Waterman
7. Darlene Clark
8. Gloria Miller
9. Chuck Johnson
10. Pastor Kathy Dessureau

**Communications**

City Council and Mayor's Office

**Mayor, Clerk and Council Closing Comments**

Mayor Greimel, Deputy Mayor Stephens, Clerk Doyle, Councilwoman Rutherford, Councilman Nicholson, Councilman Goodman, Councilwoman James, Councilman Parker and Council President Pro-Tem Carrington and Council President Mike McGuinness made closing comments.

**Adjournment**

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

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

No: None

**Motion Carried**

Council President Mike McGuinness adjourned the meeting at 9:24 p.m.

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Garland S. Doyle  
City Clerk