

**Official Proceedings
Pontiac City Council
58th 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 Thursday, November 10, 2022 at 6:04 p.m. by Council President Mike McGuinness.

Invocation – Bishop Antonio Gibson, 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 Rutherford. Discussion.

Motion to add a Special Presentation after consent agenda by Waterford Regional Fire Department regarding Arborview Apartments Fire. Moved by Councilperson Rutherford and second by Councilperson Carrington.

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

The vote was taken to approve agenda as amended

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

Consent Agenda

22-296 **Resolution to approve the consent agenda for November 10, 2022.** Moved by Councilperson Rutherford and second by Councilperson Parker.

Whereas, the City Council has reviewed the consent agenda for November 10, 2022.
Now, Therefore, Be It Resolved that the City Council approves the consent agenda for November 10, 2022 including the November 1, 2022 City Council Meeting Minutes.

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

Special Presentation (Agenda Add-on)

Waterford Regional Fire Department – Arborview Apartments Fire
Presentation Presenter: Chief Matthew Covey

Resolutions

City Council

22-297

Resolution Congratulating Pontiac Panthers Jr. Freshman Team 2022 Season

Success. Moved by Councilperson Carrington and second by Councilperson Nicholson.

Whereas, it is fitting that the members of this Pontiac City Council and Administration should salute those athletes who, through their extraordinary efforts, have distinguished themselves as true champions of whom we all can be proud; and,

Whereas, the Pontiac Panthers is a non-profit organization that was established over 35 years ago in the Pontiac area for purposes of educating and instructing juvenile boys and girls, without regard to race, creed color or religion, in sports and athletic endeavors; and

Whereas, the Pontiac Panthers organization strives to enhance individual capabilities, improve physical fitness and mental and moral wellness and to assist in developing and valuing a sense of fair play and good sportsmanship like conduct, so that there can ultimately be a decrease in juvenile delinquency and relieve some of the problems that many young people face within the Southeast Michigan area; and,

Whereas, the members of the Pontiac Panthers Jr. freshman team and their coaches, have proven themselves to be the fiercest of competitors and, as such, deserving of the highest regard; and,

Whereas, on October 23, 2022, the Pontiac Panthers Jr. freshman team defeated the Rochester Redskins, 24-0 at the historic Pontiac Wisner Stadium for the 2022 Jr. Freshman Jamboree. The defensive team only gave up one first-down all season and was nicknamed the “Headache Gang; and”

Whereas, the Pontiac Panthers Jr. freshman team players are Mikel Robinson, Aden Johnson, Darwin Huantez, Cameron McDonald, Lyric Stewart, Travez Duncan, Nathaniel Griffith, Ayden Elcan-Smith, Carnell Samples, Kayden McDonald, Trayvon Harris, Isiah Mabin, Jameson Khong-Phou, Logan Blue-Allen, Jamel Hill, Jace Jamison, Kamryn Hirsch, Daniel Culbertson, Jaxson Hill, Dorian Spilliers, Reese Moore, Nicholas Essain, Darrion Huantez, Logan Washington, Josiah Ware-Powell, Montell Crusoe, Adam Shephard, Damon Mallory, Kamari Akrawi, Caiden Lewis, and Devasico Jackson; and,

Whereas, the team's successful game would not have been possible without the astute knowledge and leadership of their coaches, Pat Johnson, Head Coach, Keith Transou, Jr., Harry Tademy, Juwan Mack-Bey, and board members Jennifer Prince-Washington, Daniel Sowell, Brent Sykes, Sherry Saunders, Portia McIntosh-Cade, and Gill Garrett; and,

Whereas, the Pontiac Panthers epitomizes all that is good in today’s athletes, as they have achieved a premier level of success in competition while exhibiting the highest degree of character; now, THEREFORE, BE IT RESOLVED that the Pontiac City Council and Pontiac Mayor Tim Greimel hereby honors and congratulates the coaches, board members and members of the Pontiac Panthers Jr. freshman team upon winning the 2022 Freshman Jamboree and extend to them our best wishes for every continued success in all their future endeavors.

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

No: None

Resolution Passed

Councilman Goodman was absent during the vote

22-298

Resolution Honoring Pontiac Chiefs-Husky’s Youth Program, Wishing the Team as they Pursue National Championship. Moved by Councilperson Rutherford and second by

Councilperson Parker.

Whereas, it is only fitting, that the members of the Pontiac City Council and Administration should recognize and support athletes of remarkable character, who are inspirational and who serve as a role-model to others; and,

Whereas, Pontiac Chief-Husky's Youth Program is an upcoming non-profit organization in the City of Pontiac, that maintains membership with the Southeast Michigan Pop Warner Football league; and,

Whereas, on October 29, 2022, the Pontiac Chief-Husky's 14U football team won a championship game against Detroit, they finished the season with a profound record of 7-1; and,

Whereas, the Pontiac Chief-Husky's team players are: Jamaren Adams, Marc Bell, Quante Cobb, De'Angelo Davis, D'Avion Douglas, De'Vontae Grandison, DeAndre Johnson, Diontae Jones, Michael Kideckel, Richard Kirk, Ke'Vonte Lloyd, Ke'vourie Logan, Ja'Shawn Mojica, Alijah Price, Marquan Robinson, Jaquari Simpson, Davin Smith, Jeremiah White, Keyon Williams, and De'Mario Wright; and, Whereas, the team's successful season would not have been possible without the astute knowledge and leadership of their coaches, 14U Head Coach, Derek Douglas and Assistant Coach, Jeremy Singleton and board members, DeQuanndre Caldwell, President, Denisha Cole, Sharmere Miller and DeMario Caldwell; and,

Whereas, the unique qualities and impressive character of the Pontiac Chief-Husky's team, proves that their commitment to achieving excellence and success is undeniable and team work makes the dream work; now,

THEREFORE, BE IT RESOLVED that the Pontiac City Council and Pontiac Mayor Tim Greimel hereby honors and congratulates the coaches and the members of Pontiac Chief-Husky's team upon winning the championship game against Detroit and extend to them our best wishes for every continued success in all their future endeavors.

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

No: None

Resolution Passed

22-299 **Resolution Recognizing Sigma Gamma Rho Sorority, Inc. on their 100th Anniversary.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, the Pontiac City Council proudly pays proper tribute to an organization of remarkable character and an organization that has been dedicated to creating a legacy of success that has empowered the community; and,

WHEREAS, Sigma Gamma Rho Sorority, Inc. was founded on November 12, 1922, in at Butler University in Indianapolis, Indiana, by seven young Black educators: Mary Lou Allison Gardner Little, Dorothy Hanley Whiteside, Vivian Irene White Marbury, Nannie Mae Gahn Johnson, Hattie Mae Annette Dulin Redford, Bessie Mae Downey Rhoades Martin, and Cubena McClure; and,

WHEREAS, it is the mission of Sigma Gamma Rho Sorority, Inc. to enhance the quality of life for women and their families in the U.S. and globally through community service. Our goal is to achieve greater progress in the areas of education, healthcare, and the leadership development; and,

WHEREAS, the founding Seven Pearls of Sigma Gamma Rho Sorority, Inc. demonstrated incredible courage and strength creating a Black Greek-lettered organization on a predominantly white campus during the height of the Ku Klux Klan; and,

WHEREAS, since its inception 100 years ago, the dynamic women of the illustrious Sigma Gamma Rho Sorority, Inc. have continued to build on what their Founders created and their commitment to Greater Service, Greater Progress in the community through Sisterhood, Scholarship, and Service; and,

WHEREAS, Sigma Gamma Rho Sorority, Inc. is a 110,000+ member nonprofit collegiate sorority dedicated to the encouragement and promotion of high scholastic attainment, community service, and improvement in the quality of life through its chapters, members, and affiliates throughout the world; and,

WHEREAS, the Pontiac Alumnae Chapter of Sigma Gamma Rho Sorority, Inc., Zeta Eta Sigma, has had a RHOyal impact on the City of Pontiac through their generous educational scholarships, meaningful volunteerism and community leadership; and held high the Gold standards of dynamic sisterhood, uplifting leadership, and championing service to our community; and,

WHEREAS, Sigma Gamma Rho Sorority, Inc. is celebrating its Centennial year on Saturday, November 12, 2022, and recognizing the trailblazing Seven Founders and dedicated members across the world who continue to carry the organization forward.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby recognizes the Zeta Eta Sigma Chapter of Sigma Gamma Rho, Sorority, Inc. and their service to the community and proclaims this in recognition of them and their Founders and celebrates their Centennial achievement and commends this observance to all.

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

No: None

Resolution Passed

Subcommittee Reports

Communications, Engagement & Operations - Chair Goodman

Economic Development, Housing & Planning - Chair McGuinness

Facilities & Property - Chair Carrington

Finance & Personnel - Chair Nicholson

Law & The Courts - Chair Parker

Parks, Recreation & Public Works - Chair James

Public Safety, Health & Wellness - Chair Carrington

Suspend the Rules

Motion to suspend the rules to move Item #11 (Adopting of an Ordinance to amend the City of Pontiac's Purchasing Ordinance to clarify certain definitions and procedures, and to permit the City's purchasing agent to make non-major expenditures up to \$5,000 without engaging in the practice of competitive bidding. (Second Reading) Moved by Councilperson Rutherford and second by Councilperson Goodman.

Ordinance

2400 **Adopting of an Ordinance to Amend the City of Pontiac's Purchasing Ordinance to clarify certain definitions and procedures, and to permit the City's purchasing agent to make non-major expenditures up to \$5,000 without engaging in the practice of competitive bidding. (Second Reading) Moved by Councilperson Rutherford and second by Councilperson Goodman.**

Ayes: Goodman, James, McGuinness and Nicholson

No: Carrington, Parker and Rutherford

Ordinance Passed

****See Ordinance 2400 as Exhibit A after meeting minutes****

Recognition of Elected Officials – H. Bill Maxey, Trustee of the Pontiac Library Board

Agenda Address

1. H. Bill Maxey addressed item #11
2. Dr. Deirdre Waterman addressed item #18
3. Bishop Antonia Gibson addressed Arborview Apartments Fire
4. Gloria Miller addressed items #1 & #11

Resolutions Continued

City Council

22-300 **Resolution Saluting Pontiac Veterans This Veterans Day.** Moved by Councilperson Nicholson and second by Councilperson Rutherford.

WHEREAS, it is sincere gratitude that the Pontiac City Council graciously recognizes November 11, the anniversary of the ending of World War I, by paying tribute to the heroes of that tragic struggle and remembering those who have served the United States military; and,

WHEREAS, in the intervening years, the United States has been involved in subsequent military conflicts, which have added millions of veterans living and dead to the honor rolls of this Nation; and,

WHEREAS, Congress passed a concurrent resolution on June 4, 1928 (44 Stat. 1962), calling for the observance of November 11 with appropriate ceremonies, and later provided in an act approved May 13, 1938 (52 Stat. 351), that the eleventh of November should be a legal holiday and should be known as Armistice Day; and,

WHEREAS, in order to expand the significance of that commemoration and in order that a grateful nation might pay appropriate homage to the veterans of all its wars who have contributed so much to the preservation of this Nation, the Congress, by an act approved June 1, 1954 (68 Stat. 168), changed the name of the holiday to Veterans Day; now,

THEREFORE, BE IT RESOLVED, that the Pontiac City Council, hereby calls upon the citizens of Pontiac, to observe November 11 as Veterans Day and on that day, let us remember the sacrifices of those who fought so courageously on the seas, in the air, and on the foreign shores, to preserve our freedom, and let us commit ourselves, to the task of promoting and enduring peace, so that their efforts shall not have been in vain.

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

No: None

Resolution Passed

Department of Public Works

22-301 **Resolution to approve a contract between the City and PK Contracting for Citywide Striping and Legend Markings and authorize the mayor to sign the agreement.** Moved by Councilperson Nicholson and second by Councilperson Rutherford.

WHEREAS, The City of Pontiac requires Street Striping and Pavement Legend Markings which is part of the street maintenance program,

WHEREAS, the existing RCOC contract provides needed services at a cost savings to the City of Pontiac NOW, THEREFORE IT IS RESOLVED: the Pontiac City Council authorizes the Mayor and DPW to enter into a Contract with PK Contracting for City Wide Striping and Legend Markings.

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

No: None

Resolution Passed

Finance

22-302 **Resolution Ratifying All Non-Major Contracts under \$10,000 entered into by the City since January 4, 2022.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, the Finance Director has direct supervision over the Finance Department and administration of the financial affairs of the City; and

WHEREAS, the division of Purchasing is within the Finance Department, and all purchases and contracts of departments and agencies of the City are required to be made through the Purchasing Division, except as otherwise may be provided by ordinance of the City Council; and

WHEREAS, all purchases and contracts, not in excess of appropriations, are made upon requisition of City department heads to and approved by the Finance Director and City's Purchasing agent; and

WHEREAS, all "major" purchases and contracts for procurement, "shall be made only pursuant to competitive bidding" as prescribed by City ordinance (Pontiac City Charter, §4.304); and

WHEREAS, the term "major" purchases and contracts is defined by Section 2-517 of the Pontiac City Code, generally as contracts exceeding \$10,000 which requires competitive bidding requirements set for the in Section 4.304 of the City Charter; and

WHEREAS, City administration has made non-major purchases and entered into contracts in connection with City's operations and in accordance with the appropriations approved by City Council; and

WHEREAS, the City ordinance is ambiguous as to the practices and procedures utilized by administration in connection with non-major purchases and contracts, and out of an abundance of caution, the Mayor has requested that City Council ratify and affirm all such purchases or contracts not exceeding \$10,000 and within appropriations previously approved by the City Council since January 4, 2022.

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Council hereby ratifies and affirms all non-major City purchases or contracts not exceeding \$10,000 and within appropriations from January 4, 2022.

BE IT FURTHER RESOLVED, that City administration shall undertake a review of the City's purchasing regulations and policies to address any ambiguities in the City's purchasing practices and procedures, and submit such recommendations for consideration and approval by the City Council.

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

No: None

Resolution Passed

22-303 **Resolution to approve 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 Carrington and second by Councilperson Rutherford.

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 approves the budget amendments for Fiscal Year 2022-23 Increase the budget appropriation in the Insurance Fund GL account 659-861-716.001 – Medical Insurance - Retiree 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

| BudgeYear 2022-23 | | | |
|--|------------------------|---------------------------|-----------------------|
| 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 |
| Appropriation | | | |
| 659-861-716.001 - Medical Insurance - Reitiree | \$ 1,750,000 | \$ 3,050,000 | \$ 4,800,000 |

Grants

22-304 Resolution to approve the City of Pontiac State and Local Fiscal Recovery Fund American Rescue Plan Act Project Budget. Moved by Councilperson Goodman and second by Councilperson Parker. Discussion.

Motion to Postpone Resolution to approve the City of Pontiac State and Local Fiscal Recovery Fund American Rescue Plan Act Project Budget until November 15, 2022 Council Meeting. Moved by Councilperson Carrington and second by Councilperson Nicholson.

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

No: James

Motion Carried

Purchasing

22-305 Resolution to approve a contract between the City and Ameriscan for Building Document Scanning Services and authorize the Mayor to sign the agreement. Moved by Councilperson Nicholson and second by Councilperson Rutherford.

WHEREAS, The Purchasing Division has conducted the competitive bid process for City Building Scanning Documents in accordance with the City’s municipal code, Division II. Purchasing, Section 2-516;

WHEREAS, the purchasing manager recommends the lowest bidder as well to complete the scope of services;

WHEREAS, the Buildings & Safety Department may commence the process of having documents scanned to organize documents and to create needed office space within City Hall.

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the approval of the bid award to Ameriscan and an executed agreement, signed by the Mayor, for the completion of the City Building Scanning Documents project.

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

No: Rutherford

Resolution Passed

Public Comment

1. Robert Bass
2. Karen Jorgensen
3. M. Bill Maxey
4. Veronica Taylor
5. C. M. Joyce
6. Pastor Kathy Dessureau
7. Renee Beckley
8. Gloria Miller
9. Greg Muscovalley

Closed Session

22-306 **Resolution to go into Closed Session at 9:55 p.m. to Consider and Discuss the Confidential legal Opinion Concerning the Recreational Marihuana Regulation.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, in November 2018, the State of Michigan approved the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 Initiated Law 1, MCL 333.27951 et seq. which allows the recreational possession and use of cannabis and taxation of revenue from cannabis business in the state; and

WHEREAS, the Mayor directed the City’s outside legal counsel, Clark Hill PLC, to prepare and present a legal opinion outlining the legal issues and concerns in connection with the municipal licensing and regulation of recreational marihuana.

WHEREAS, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consider material exempt from discussion or disclosure by state or federal statute; and,

WHEREAS, written confidential communications that are the subject of attorney-client privilege are exempt from disclosure and may be discussed in Closed Session pursuant to Section 8(h) of the Open Meetings Act, MCL 15.268(h).

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8(h) of the Open Meetings Act, MCL 15.268(h) to review and discuss confidential attorney-client communication and legal opinion concerning legal issues and ramifications in connection with the municipal licensing and regulation of recreational marihuana.

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

Resolution Passed

22-307 **Motion to come out of Closed Session at 12:02 a.m.** Moved by Councilperson Goodman and second by Councilperson Parker.

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

Motion Carried

Communications

City Council and Mayor’s Office

Mayor, Clerk and Council Closing Comments

Mayor Greimel, Clerk Doyle, Councilwoman Rutherford, Councilman Goodman, Council President Pro Tem Carrington and Council President Mike McGuinness made closing comments.

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourned the meeting at 12:08 a.m.

Garland S. Doyle
City Clerk