

**Official Proceedings
Pontiac City Council
65th 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, December 27, 2022 at 6:09 p.m. by Council President Mike McGuinness.

Invocation – Pastor Kathy Dessureau, Boulevard Church, Pontiac Michigan

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call

Members Present – Mike McGuinness, Brett Nicholson, William Parker, Jr. and Melanie Rutherford

Mayor Greimel was present
A quorum was announced.

Excuse Councilmembers

Motion to excuse Council Pro-Tem William Carrington, Councilman Mikal Goodman and Councilwoman Kathalee James for personal reasons. Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Motion Carried

Amendments to and Approval of the Agenda

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

Motion to add a resolution to increase the Building Official compensation from current salary \$93,194 up to \$110,000 as the new item #3 and add a resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the Building Inspection Fund account 249-371-702-000 by \$10,000 for the purpose of increasing the Building Official salary as the new item #4 on the agenda. Move by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Motion Carried

The vote was taken to approve the agenda as amended

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Motion Carried

Consent Agenda

22-346 **Resolution to approve the consent agenda for December 27, 2022.** Moved by Councilperson Parker and second by Councilperson Rutherford.

WHEREAS, the City Council has reviewed the consent agenda for December 27, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for December 27, 2022 including November 28, 2022 Law and the Courts Subcommittee Meeting Minutes, November 28, 2022 Parks, Recreation and Public Works Subcommittee Meeting Minutes, December 20, 2022 City Council Meeting Minutes and Pontiac Fund Balance for Arts Commission for 2022.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Resolution Passed

Recognition of Elected Officials - None

Agenda Address

1. Quincy Stewart addressed item #1
2. Chuck Johnson addressed item #2

Agenda Items

Resolutions

City Council

22-347 **Resolution Celebrating the Success and talents of Pontiac Native Dr. Damani Phillips.** Moved by Councilperson Parker and second by Councilperson Rutherford.

WHEREAS, Dr. Damani Phillips is a native of Pontiac, Michigan and began playing music at the age of ten, and is a renowned and brilliant musician that is highly regarded nationally and internationally; and, Whereas, Dr. Phillips is the Director of Jazz Studies and Associate Professor of African American Studies at the University of Iowa, where he teaches applied jazz saxophone, directs jazz combos, and teaches courses in African American music, African American culture, jazz education, and improvisation, and has written publications in his field; and,

Whereas, Dr. Phillips earned his Bachelor and Master of Music degree in Jazz Studies from Wayne State University and completed the Doctor of Musical Arts degree in Jazz Studies at the University of Colorado, becoming one of the first African American in the country to attain that height and

Whereas, Dr. Phillips is returning to Pontiac, Michigan for a special musical performance at Pontiac's Little Arts Theatre on December 30, 2022; now,

Therefore, Be It Resolved, the Pontiac City Council and Mayor Tim Greimel on behalf of the entire City of Pontiac hereby celebrates the success and talents of Dr. Damani Phillips; and further

Resolved, the City Council expresses the pride and excitement that Dr. Phillips, a native of our great city, continues to excel and represents his hometown so powerfully; and further

Resolved, the City Council wishes Dr. Phillips the very best as he continues to excel and achieve at the highest echelons of the musical world, throughout academia, and in life.

Ayes: Nicholson, Parker, Rutherford and McGuinness

No: None

Resolution Passed

Department of Public Works (DPW)

22-348 **Resolution authorizing the extension of Covenant Contract for the City of Pontiac Municipal Cemetery Operations.** Moved by Councilperson Rutherford and second by Councilperson Parker. Discussion.

Motion to amend Resolution authorizing the extension of Covenant Contract for the City of Pontiac Municipal Cemetery Operations to change December 31, 2024 date in both the final whereas and the now, therefore be it resolved to March 31, 2023. Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Ayes: Rutherford, McGuinness, Nicholson and Parker

No: None

Motion Carried

The vote was taken as amended

Whereas, The Covenant Cemetery agreement is due to expire on December 31, 2022. Oak Hill and Ottawa Park Cemeteries require ongoing administrative and management care services;

Whereas, Covenant Cemetery will continue providing grounds maintenance service, as well as administrative and burial management services;

Whereas, purchasing will review renewal options prior to end of the contract term to decide if the competitive bid process must be conducted prior to the contract expiring on March 31, 2023.

Now, Therefore, Be It Resolved, that the City Council hereby approves extending the Covenant Cemetery agreement until March 31, 2023 and that Mayor Tim Greimel may execute the extension agreement for continued administrative and burial management services.

Ayes: Parker, Rutherford, McGuinness and Nicholson

No: None

Resolution Passed

22-349 **Resolution to increase the Building Official compensation from the current salary \$93,194 to \$110,000. (Agenda Add-on)** Moved by Councilperson Nicholson and second by Councilperson Parker.

Whereas, the ability to attract and retain new and existing employees is crucial to the development and sustainability of the City of Pontiac; and

Whereas, the position of Building Official is critically important to successfully running the Building Division – in order to facilitate investment and development and remediate blight; and

Whereas, in order to attract a qualified Building Official, the city must pay a competitive salary for the position;

Now, therefore, Be Resolved, City Council hereby approves increasing the maximum allowable salary for the Building Official position from the \$93,194 authorized by City Council in June 2022 to \$110,000.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Resolution Passed

22-350 **Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023 to increase the budget appropriation in the Building Inspection Fund account 249-371-702-000 by \$10,000 for the purpose of increasing the Building Official Salary. (Agenda add-on)** Moved by Councilperson Rutherford and second by Councilperson Nicholson.

Whereas, City Council appropriated funds for the Building Inspection Fund 249 to begin on July 1, 2022; 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:

Increase the budget appropriation in the following Building Inspection Fund 249 account:

249-371-702-000	Salaries & Wages	\$10,000
-----------------	------------------	----------

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Resolution Passed

Office of the Mayor

22-351

Resolution to authorize the City Clerk to publish a Notice of Public Hearing on Land Sale of parcel ID 14-21-485-003 to Rite Aid. Moved by Councilperson Rutherford and second by Councilperson Nicholson. Discussion.

Motion to amend Resolution to authorize the City Clerk to publish a Notice of Public Hearing on Land Sale of parcel ID 14-21-485-003 to Rite Aid. Moved by Councilperson Rutherford and second by Councilperson Parker.

Now Therefore Be It Resolved, the City Council hereby schedules a public hearing on January 10, 2023 at 6:00 p.m. during the City Council Meeting at City Hall on the sale of the city's interest in the property located at the corner of Martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003; and Be It Further Resolved, the City Clerk shall publish a notice of the public hearing.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Motion Carried

The vote was taken as amended

Whereas, the City has been identified as owning a property interest in certain real property located at the corner of martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003 (the "Property"); and

Whereas, Perry Drugs Stores, Inc. ("Rite Aid") has been listed as the owner of the Property on the City's assessment records and has paid property taxes since at least 1999; and,

Whereas, Rite Aid also owns the properties contiguous to the property for its location of the rite Aid store at 360 Martin Luther King Jr. Boulevard; and,

Whereas, rite Aid has requested the City convey to the property to Rite Aid and City Administration recommends transfer of the City's interest in exchange for value received by Rite Aid; and,

Whereas, the City Charter provides that public notice by publication and hearing is required before the City may sell, lease, exchange or in any way dispose real property of the City.

Now Therefore Be It Resolved, the City Council hereby schedules a public hearing on January 10, 2023 at 6:00 p.m. during the City Council Meeting at City Hall on the sale of the city's interest in the property located at the corner of Martin Luther King Jr. Boulevard and university Drive, within the City, and consisting of approximately 0.059 acres, property index number 14-21-482-003; and

Be It Further Resolved, the City Clerk shall publish a notice of the public hearing.

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Resolution Passed

Treasury

22-352

Resolution to approve Micheal Lohmeier as the Oakland County Equalization Officer. Moved by Councilperson Rutherford and second by Councilperson Nicholson. Discussion.

Motion to change the date in the first whereas paragraph from December 31, 2020 to December 31, 2022. Moved by Councilperson Parker and second by Councilperson Rutherford.

Ayes: Parker, Rutherford, McGuinness and Nicholson

No: None

Motion Carried

Discussion. **Motion to put December 31, 2020 back in the first whereas paragraph as oppose to December 31, 2022.** Moved by Councilperson Nicholson and second by Councilperson Rutherford.

Ayes: Rutherford, McGuinness, Nicholson and Parker

No: None

Motion Carried

The vote was taken as amended

Whereas pursuant to Public Act 660 of 2018, each county is required to notify the State Tax Commission, no later than December 31, 2020, of the individual that will serve as the County's Designated Assessor; and

Whereas the Designated Assessor is part of a process to ensure that local units of government are in compliance with statutory provisions of the Audit of Minimum Assessing Requirements; and

Whereas the Designated Assessor is the individual designated by an Interlocal Agreement executed between the County Board of Commissioners and a majority of the assessing districts (cities and townships) within the county, subject to final approval of the State Tax Commission; and

Whereas the Designated Assessor serves as the assessor of record and assumes all duties and responsibilities as the assessor or record for an assessing district that is determined to be noncompliant with an audit; and

Whereas each county must also provide the State Tax Commission with the interlocal agreement executed by the County Board of Commissioners, a majority of the assessing districts within the county, and the proposed Designated Assessor for the county; and

Whereas the interlocal agreement must provide enough detail regarding the assessment responsibilities for the Designated Assessor including, but not limited to, the following:

1. Information related to the scope of services being provided by the Designated Assessor, including preparation of assessment rolls, timeline for delivery of documents and execution of forms, attendance at Boards or review meetings, duties and responsibilities related to property tax appeals, both Small Claims and Entire Tribunal, filed with the Michigan Tax Tribunal, responsibility to meet with local unit officials, and obligations of local unit assessing staff members.
2. Duties and responsibilities for each local unit within the county, including providing the Designated Assessor with reasonable access to records, documents and information, and
3. Details relating to cost and compensation for overseeing and administering the annual assessment and operating the assessing office, including payment terms and cost reimbursement; and

December 27, 2022 Approved Minutes

Whereas an Interlocal Agreement was previously entered into between Oakland County and the participating Assessing Districts under the former Oakland County Equalization Director; and Whereas Oakland County has a new Oakland County Equalization Director, Micheal Lohmeier, and as a result, a new Interlocal Agreement is required with the Assessing Districts within the County that approve the Agreement; and

Whereas Oakland County Corporation Counsel is developing the Designated Assessor Interlocal Agreement to be entered into with any and all Assessing Districts within the County that approve the Agreement.

Now Therefore Be It Resolved that the City of Pontiac’s City Council approves designating Oakland County Equalization Director Micheal Lohmeier, who is an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the Designated Assessor for Oakland County.

Ayes: Nicholson, Parker, Rutherford and McGuinness

No: None

Resolution Passed

Public Comment

1. Darlene Clark
2. Gloria Miller
3. Chuck Johnson

Communications

City Council and Mayor’s Office

Mayor, Clerk and Council Closing Comments

Mayor Greimel, Clerk Doyle, Councilwoman Rutherford, Councilman Nicholson, Councilman Parker, and Council President McGuinness made closing comments.

Adjournment

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

Ayes: McGuinness, Nicholson, Parker and Rutherford

No: None

Motion Carried

Council President Mike McGuinness adjourned the meeting at 7:43 p.m.

Garland S. Doyle
City Clerk