

**Official Proceedings  
Pontiac City Council  
5<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, February 1, 2022 at 6:00 p.m. by Council President Mike McGuinness.

**Invocation** – Pastor Lester Mangum, St. John United Methodist Church

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

**Moment of Silence**

**Roll Call**

**Members Present** – William A. 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 Nicholson and second by Councilperson Rutherford.

There was discussion on the motion.

- a. **Motion to amend agenda to add-on a Resolution Advocating for Strengthened Transportation Options for Pontiac and nearby Communities as item #4.** Moved by Councilperson Goodman and second by Councilperson Rutherford.

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

Then the vote was taken to approve the agenda with amendments.

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

**Consent Agenda**

22-40 **Resolution to approve the consent agenda for February 1, 2022.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, the City Council has reviewed the consent agenda for February 1, 2022.  
Now, Therefore, Be It Resolved that the City Council approves the consent agenda for February 1, 2022 including the January 25, 2022 Meeting Minutes.

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

**Special Presentation**

- A. Skate Park Project Site Selection Presentation  
Presentation Presenter: Mayor Greimel and Alexandra Borngesser, Grants
  
- B. Update on Upcoming Road Construction Projects for Pontiac.  
Presentation Presenter: Mayor Greimel and Abdul Siddiqui, PE, City Engineer

**Recognition of Elected Officials – None**

**Agenda Address**

Two (2) individuals address the body during agenda address.

- 1. Chuck Johnson addressed item #1.
- 2. Deirdre Waterman addressed item #1.

**Agenda Items**

Building and Safety

22-33 **Resolution to Consider Approval of Demolition Services Contract for CDBG Batch 17 Demolition Properties-International Construction, Inc.** Moved by Councilperson Carrington and second by Councilperson.

WHEREAS, the City of Pontiac is a sub-recipient to Oakland County for Community Development Block Grant (CDBG) Programs; and;

WHEREAS, Clearance and Demolition is one of the programs for Program Years 2019 and 2020; with a combined balance of approximately \$781,099.87 in remaining funds, available for Batch 17 properties; and;

WHEREAS, Requests for Proposals for both Demolition and Asbestos Abatement were posted on both the City of Pontiac (COP) website and BidNet portal for prospective bidders to bid; and

WHEREAS, federal funders; i.e. require bids be awarded to the company who provides the lowest bid; and  
WHEREAS, International Construction was the lowest of four (4) proposals submitted, for \$175,000 for the properties; and

NOW THEREFORE be resolved that the City Council in solidarity with the Mayor hereby authorizes and accepts the proposal to provide Demolition services.

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

City Council

22-41 **Resolution Acknowledging February as Black History Month.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, the City of Pontiac, Michigan has had a substantial population of African American residents for its entire existence as a City since the State of Michigan recognized Pontiac as a City in 1861;

Whereas, in 1915, Dr. Carter Godwin Woodson, noted scholar and son of former slaves, who founded the Association for the Study of African American Life and History, initiated Black History Week, February 12, 1926, which was celebrated for many years by African Americans in the United States;

Whereas, the month of February is now observed nationally as Black History Month to recognize and celebrate the accomplishments African Americans have made and continue to offer to this nation; Whereas, since 1976, every President of the United States has adopted the month of February as Black History Month, an annual celebration of African American achievements and roles in United States History;

Whereas, Black History Month acknowledges and honors numerous past and present educators, scientists, activists, pioneers, leaders, artists, inventors, entrepreneurs, and elders with special ceremonies and activities;

Whereas, Black History month is also time to reflect on the burdens of racial prejudice and explore, understand, and appreciate the identities and cultures across and within the African diaspora; now Therefore, Be It Resolved, the Pontiac City Council declares February 2022 as Black History Month in the City of Pontiac, Michigan, and further

Resolved, the City Council honors the contributions and sacrifices made in building pride in Black history and educating all Americans of the many achievements and contributions made by African Americans to our cultural, spiritual, economic, and political development; and further

Resolved, the City Council joins other organizations throughout the State of Michigan and this nation in using this occasion to raise awareness of the hardships African Americans have endured, celebrate the milestones that have been achieved, continue the pursuit toward equal treatment under the law and opportunity of access for African Americans in our community and nationally; and further

Resolved, the City Council acknowledges the injustices that African Americans have endured and commends African American residents for the continuous pursuit of overcoming those injustices and changing the course of history; and further

Resolved, we honor the leaders and activists from Pontiac and throughout the nation who helped pave the way for racial justice, and called our community's attention to the

Continued need to battle racism and to build an equitable society; and further

Resolved, the City Council welcomes additional opportunities for us as a community to better acknowledge, celebrate, and preserve the people, places, events, and organizations that constitute Pontiac's phenomenal local Black History.

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

No: None

**Resolution Passed**

22-42            **Resolution Acknowledging Pontiac AMVETS Post 101 and VFW Post 1370 for Contribution to POW Committee of Michigan.** Moved by Councilperson Carrington and second by Councilperson Parker.

Whereas, the City of Pontiac, Michigan is home to multiple fraternal and civic organizations that positively impact the lives of Pontiac residents and work to help others in need;

Whereas, AMVETS Post 101 and Veterans of Foreign Wars (VFW) Post 1370 are organizations that are located in Pontiac and have been active in our community for many years;

Whereas, AMVETS Post 101, with the help of VFW Post 1730 and Auxiliary, actively participated in the Prisoner of War (POW) / Missing In Action (MIA) Yellow Ribbon Campaign in 2021, raising funds and raising awareness of the continued need for assistance in recovering Unites States soldiers;

Whereas, AMVETS Post 101 and VFW Post 1730 successfully raised \$1,000 and presented the funds to the Prisoner of War Committee of Michigan, a non-profit organization established in 1973 by POW / MIA families;

Therefore, Be It Resolved, the Pontiac City Council acknowledges the philanthropic efforts of Pontiac's AMVETS Post 101 and VFW Post 1370 and, specifically, their \$1,000 contribution to the Prisoner of War Committee of Michigan; and further

Resolved, the City Council thanks AMVETS Post 101, VFW Post 1370, the VFW Post's Auxiliary, and the Prisoner of War Committee of Michigan for the continued work to bring awareness to the ongoing need for assistance in recovering United States soldiers; and further

Resolved, the City Council shall deliver a copy of this Resolution to AMVETS Post 101 and VFW Post 1370 at 800 Cesar E. Chavez Avenue in Pontiac.

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

No: None

**Resolution Passed**

22-43            **Resolution Advocating for Strengthened Transportation Options for Pontiac and Nearby Communities. (Add-on)** Moved by Councilperson Goodman and second by Councilperson Parker.

Whereas, the Suburban Mobility Authority for Regional Transportation (SMART) is Southeast Michigan's regional bus system and is taking proactive measures to improve rider services;

Whereas, many Pontiac residents utilize the SMART bus system for their primary transportation needs, particularly in helping residents connect with work opportunities within our city and in surrounding communities;

Whereas, our understanding is that the important neighboring municipality of Auburn Hills is reviewing their current and future options as part of the SMART system;

Whereas, many Pontiac residents are employed at Auburn Hills retailers, hotels, dining establishments, universities, schools, manufacturing facilities, and office settings;

Whereas, Pontiac residents are also students, patients, patrons, shoppers, diners, and supporters of Auburn Hills businesses, medical facilities, universities, and more;

Whereas, Auburn Hills residents are likewise employees, patients, patrons, shoppers, diners, and attendees at Pontiac destinations and they also utilize Pontiac to connect with other SMART bus lines and with other transportation options;

Whereas, the new Mayor of Pontiac and the entirely new City Council in Pontiac are committed to renewing a collaborative and open rapport between the cities of Pontiac and Auburn Hills as we look to the future; now,

Therefore, Be It Resolved, the Pontiac City Council respectfully encourages our neighbors, the City of Auburn Hills, to remain an opt-in community in the SMART system; and further

Resolved, the City of Pontiac and our new municipal leadership commits to being a collaborative partner with our crucial neighbor, the City of Auburn Hills, including on coordinating and enhancing transportation choices for both cities' residents; and further

Resolved, the City shall advocate on a broader level for improved and strengthened bus, rail, bicycle, pedestrian, and more transportation options for Pontiac's residents, as well as for all residents of nearby communities, of Oakland County, and of our entire region.

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

No: None

**Resolution Passed**

22-36            **Resolution on Approval of Pontiac City Council Code of Ethics.** Moved by Councilperson Parker and second by Councilperson Goodman.

WHEREAS, the Pontiac City Council takes our roles and responsibility in serving the City and our residents very seriously; and,

WHEREAS, as public servants the members of the City Council seek to ensure that governmental decisions are made in the public's best interest; and,

WHEREAS, the City Council aims to prevent our members from making City governing decisions that would impact our personal or financial interests;

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby adopts this Pontiac City Council Code of Ethics;

BE IT FURTHER RESOLVED members of the City Council commit to adhering to this Code of Ethics as we carry out the duties of our positions;

BE IT FURTHER RESOLVED this City Council recognizes that adherence to state law is also required and that this Code of Ethics shall be construed in conformity with state law, including state law regulating the conflicts of interest pertaining to public contracts involving public servants under the Michigan Contracts of Public Servants with Public Entities Act, MCL 14.310 et. seq. and contributions to political campaign organizations under the Michigan Campaign Finance Act, MCL 169.201 et seq. and all additional applicable state law;

BE IT FURTHER RESOLVED the City Council supports the future consideration of an Ethics Policy for all City officials and staff to further ensure that all City governing decisions are made in the public's best interest.

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

No: None

**Resolution Passed**

**\*\*Pontiac City Council Code of Ethics attached as Exhibit A\*\***

Department of Public Works (DPW)

22-44a **Resolution to Extend a One-Year Contract Extension with Alfred Benesch & Company for Contractual Professional Engineering Services.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The City of Pontiac's Professional Engineering Services contract with Alfred Benesch & Company is expiring on February 24, 2022, and;

WHEREAS, Alfred Benesch & Company's work performance for the City has been satisfactory and warrants a contract extension,

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the Professional Engineering Services contract with Alfred Benesch & Company until February 24, 2023.

22-44b **Resolution to Extend a One-Year Contract Extension with Anderson Eckstein & Westrick for Contractual Professional Engineering Services.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The City of Pontiac's Professional Engineering Services contract with Anderson, Eckstein & Westrick is expiring on February 10, 2022, and;

WHEREAS, Anderson, Eckstein & Westrick work performance for the City has been satisfactory and warrants a contract extension,

NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the Professional Engineering Services contract with Anderson, Eckstein & Westrick until February 24, 2023.

22-44c **Resolution to Extend a One-Year Contract Extension with Hubbell, Roth & Clark for Contractual Professional Engineering Services.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The City of Pontiac's Professional Engineering Services contract with Hubbell, Roth & Clark is expiring on February 24, 2022, and;

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WHEREAS, Hubbell, Roth & Clark work performance for the City has been satisfactory and warrants a contract extension,  
NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the Professional Engineering Services contract with Hubbell, Roth & Clark until February 24, 2023.

22-44d           **Resolution to Extend a One-Year Contract Extension with Nowak & Fraus Engineers for Contractual Professional Engineering Services.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The City of Pontiac's Professional Engineering Services contract with Nowak & Fraus is expiring on February 10, 2022, and;  
WHEREAS, Nowak & Fraus Engineers' work performance for the City has been satisfactory and warrants a contract extension,  
NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the Professional Engineering Services contract with Nowak & Fraus Engineers until February 24, 2023.

22-44e           **Resolution to Extend a One-Year Contract Extension with NTH Consultants, Ltd., for Contractual Professional Engineering Services.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The City of Pontiac's Professional Engineering Services contract with NTH Consultants is expiring on February 10, 2022, and;  
WHEREAS, NTH Consultants' work performance for the City has been satisfactory and warrants a contract extension,  
NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to extend the Professional Engineering Services contract with NTH Consultants until February 24, 2023.

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

No: None

**Resolutions Passed**

22-45           **Resolution to Approve a Two-Year Contract Extension with Great lakes Power & Light for Street Light Maintenance.** Moved by Councilperson Rutherford and second by Councilperson James. There were discussion on the matter.

**Motion to postpone Resolution to Approve a Two-Year Contract Extension with Great Lakes Power & Light for Street Light Maintenance for one week.** Moved by Councilperson Goodman and second by Councilperson Carrington.

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

No: None

**Motion Carried**

**Public Comment**

Eleven (11) individuals addressed the body during public comment.

1. Linda Watson
2. Robert Bass
3. Lloyd Gary
4. Kenny Anderson
5. Dr. Deirdre Waterman

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6. Chuck Johnson
7. H. Bill Maxey
8. James Sabich
9. Veronica Taylor
10. Tameka Ramsey

**Mayor, Clerk and Council Closing Comments**

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

**Adjournment**

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

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

No: None

**Motion Carried**

Council President Mike McGuinness adjourned the meeting at 9:01 p.m.

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Garland S. Doyle  
City Clerk



## Pontiac City Council Code of Ethics

### DISCLOSURE REQUIREMENTS

#### **Disclosure of interests by City Council members.**

(a) Except as otherwise provided by applicable law, a City Council member shall disclose:

(1) Any financial interest, direct or indirect, that he or she or an immediate family member has in any contract or matter pending before City Council;

(2) Any financial interest, direct or indirect, that he or she or an immediate family member has in any contract or matter pending before or within any office, department or agency of the City; and

(3) Any interest that he or she, or an immediate family member has in real or personal property that is subject to a decision by the City regarding purchase, sale, lease, zoning, improvement, special designation tax assessment or abatement or a development agreement.

(b) All disclosures that are required under Subsection (a) of this section shall be made, in writing, on a form that is created by the City Attorney and sworn to in the presence of a notary public.

#### **Disclosure of immediate family member's employment or application.**

(a) Except as otherwise provided by applicable law, a City Council member shall disclose the identity of any immediate family member employed by the City or who is making an application to the City for employment.

(b) All disclosures that are required under Subsection (a) of this section shall be made, in writing, on a form that is created by the City Attorney and sworn to in the presence of a notary public.



## **STANDARDS OF CONDUCT**

### **Willful or gross neglect of duties is prohibited.**

Except as otherwise provided by applicable law, a City Council member shall not willfully or grossly neglect the discharge of his or her duties.

### **Improper use or disclosure of confidential information prohibited.**

Except as otherwise provided by applicable law, a City Council member shall not knowingly use or disclose confidential information to third parties concerning the property, government or affairs of the City or any office, department or agency thereof, which is not available to members of the public and gained by reason of his or her official duties.

### **Improper use of City property prohibited.**

A City Council member shall not knowingly use City property except in accordance with City policies and procedures. Public resources or assets that are not offered to the general public are not to be used by the City Council member or anyone else for private purposes.

### **Incompatible employment or rendering services prohibited.**

A City Council member shall not engage in or accept employment, or render services, for a private or public interest where such employment or service is in conflict or incompatible with the proper discharge of the City Council member's official duties for the City, or where such employment or service is reasonably expected to impair the public servant's independence of judgment or action in the performance of his or her official duties for the City.

### **Self-interested regulation and participation prohibited.**

A City Council member shall not hold a substantial financial interest, i.e., any stake, including stockholder, partner, joint venture, creditor, guarantor or director, in a firm which provides services or supplies, materials or equipment to the City, excluding holding an interest in a firm providing services or supplies, materials, or equipment to the city where, after reporting the conflict, 1) the contract for services or supplies, materials, or equipment is awarded pursuant to sealed bids, 2) the City Council member is not involved, directly or indirectly, with making the decision on the award of the contract or with the city department for which the contract relates, and 3) the City Council determines, after reviewing the circumstances, that the award of the contract would be in the best interests of the city.

### **Solicitation or acceptance of loan or payment prohibited.**

A City Council member shall not solicit or accept a loan or payment from an individual who is providing service to, or receiving tax abatements, credits or exemptions from the City.

**City Council member are prohibited from unduly influencing decisions to fill any position in**

**City government with immediate family members.**

A City Council member shall not unduly influence any decision to fill a position in City government.

A City Council member shall not cause the employment or any favorable employment action of an immediate family member, or participate in any employment decision about such family member.

**Prohibition on gifts and gratuities; exceptions.**

(a) A City Council member shall not accept gifts, gratuities, honoraria, or other things of value from any person or company doing business or seeking to do business with the City, is seeking official action from the City, has interests that could be substantially affected by the performance of the public servant's official duties, or is registered as a lobbyist under applicable laws.

(b) The prohibition in Subsection (a) of this section shall not apply:

(1) To an award publicly presented to a City Council member by an individual, governmental body or non-governmental entity or organization in recognition of public service;

(2) To complimentary copies of trade publications, books, reports, pamphlets, calendars, periodicals or other informational materials;

(3) To a gift received from a City Council member's relative or immediate family member, provided that the relative or immediate family member is not acting as a third party's intermediary or an agent in an attempt to circumvent this article;

(4) Gifts of nominal value, under \$20, such a shirt, hat, or coffee mug, for a City Council member.

(5) To admission fees, or registrations fees, or meals, for a City Council member:

(i) By the sponsor(s) of an event, appearance or ceremony, which is related to official City business in connection with such an event, appearance or ceremony and to which one (1) or more of the public are invited; or

(ii) In connection with teaching, a speaking engagement, or the provision of assistance to an organization or another governmental entity as long as the City does not compensate the City Council member for admission or registration fees, travel expenses, entertainment, meals or refreshments for the same activity.

**One year post-employment prohibition.**

(a) For one (1) year after serving with the City, a City Council member shall not lobby or appear before the City Council or any City department, agency, board, commission or body, or receive compensation for any services in connection with any matter in which he or she was directly concerned, personally participated, actively considered or acquired knowledge while serving on the City Council.

(b) For a period of one (1) year after employment with the City, a City Council member shall not accept employment with any person or company that did business with the City during the former Council member's tenure if that Council member was in any way involved in the award or management of that contract or the employment would require the sharing of confidential information.

**Prohibition on campaign activities using City personal or property, or during working hours.**

A City Council member shall not use any City resources or property for his or her own political benefit or for the political benefit of any other person seeking elective office, provided that the foregoing shall not prohibit the use of property or facilities available to the general public on an equal basis for due consideration paid.

**Public information**

A City Council member shall not use information protected from disclosure by the Michigan Freedom of Information Act which she or he has obtained by reason of such position or authority. A public servant shall not suppress or refuse to provide city reports or other information which is publicly available.

A City Council member shall not suppress any public city report, document, or information available to the general public because it might tend to adversely affect unfavorably their private financial or political interest.

**Improper use of position**

A City Council member shall not take any action or create the appearance of making a government decision outside official channels.

A City Council member shall not take any action or create the appearance of impeding government efficiency or economy.

A City Council member shall not use his or her public office and employment for personal or financial gain, or use or attempt to use his official or her official position to secure special privileges or exemptions for himself or herself, or others, except as provided by law.

A City Council member shall not make or participate in making a decision in his or her capacity serving on the City Council knowing that the decision will provide him or her, a member of his or her immediate family, or a business with which he or she is associated, a financial benefit of more than an incidental nature which is distinguishable from the benefits to the City Council member as a member of the public or as a member of a broad segment of the public.

A City Council member shall not interfere with the ordinary course of law enforcement within the city, and shall not suggest or request special favors or consideration or disposition of any law

enforcement person of the city, including the city manager, public safety officers, ordinance officers, city attorney or administrative staff, concerning any city law enforcement matter including, but not limited to, parking tickets, traffic tickets, ordinance tickets, or the enforcement of city codes.

A City Council member shall not make a loan of public funds, grant a subsidy, fix a rate, issue a license, permit or certificate, participate in the negotiation or execution of contracts or otherwise regulate, supervise or participate in a decision that pertains to an entity in which the public servant, or a member of his or her immediate family, has an ownership or financial or personal interest.

A City Council member shall not solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or any solicitation or proposal thereof.

A City Council member shall not accept any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith as an inducement for the award of a contract or order.

A City Council member shall not retain a person to solicit or secure a contract with the local government upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for the retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

A City Council member shall not be a party, directly or indirectly, to any contract with the city except for the renewal or negotiation of an employment or independent contractor contract with a city officer or employee, or a collective bargaining agreement or contracts with any bona fide union.