

**Official Proceedings
Pontiac City Council
14th 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 29, 2022 at 6:00 p.m. by Council President Mike McGuinness.

Invocation- Pastor Cornelius Berry, Word Believing Christian Center Church

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call

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

Mayor Greimel was present.
A quorum was announced.

Excuse Councilmembers

Motion to excuse Councilperson William Carrington for personal reasons. Moved by Councilperson Rutherford and second by Councilperson Parker.

Ayes: Goodman, James, 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 Goodman. There was discussion on the motion.

Motion to add a discussion #3 - Roadside BBQ & Food Truck to the agenda. Moved by Councilperson Parker and second by Councilperson Goodman.

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

No: None

Motion Carried

The vote was taken to approve the agenda with amendment.

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

No: None

Motion Carried

Consent Agenda

22-97 **Resolution to approve the consent agenda for March 29, 2022.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

March 29, 2022 Approved Minutes

Whereas, the City Council has reviewed the consent agenda for March 29, 2022.

Now, Therefore, Be It Resolved that the City Council approves the consent agenda for March 29, 2022 including the March 22, 2022 Meeting Minutes.

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

No: None

Resolution Passed

Special Presentations

Motion to postpone Special Presentation A (Oakland County Emerging Initiatives Benefiting Pontiac) for one week. Moved by Councilperson Rutherford and second by Councilperson Goodman.

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

No: None

Motion Carried

National Association of Black Woman in Construction

Presentation Presenters: National Vice President Tylene Henry; Chapter President Jolika Dumas; Chapter Vice President Regina Campbell; Chapter Vice President Beverly Beard

Recognition of Elected Officials – None

Agenda Address

1. Claudia Filler
2. Gloria Miller

Discussion

1. Pontiac's Arts Commission Mayoral Appointments
2. Violent Crime Prevention Strategies
3. Roadside BBQ & Food Trucks (**agenda add-on**)

Agenda Items

Ordinance

Motion to amend language to the City of Pontiac General Employees' Retirement System to Clarify Asset Distribution of the Excess upon Termination. Moved by Councilperson James and second by Councilperson Nicholson.

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

No: None

Motion Carried

2391 **An Ordinance to amend the City of Pontiac General Employees' Retirement System to Clarify Asset Distribution of the Excess upon Termination with amendment.** Moved by Councilperson Rutherford and second by Councilperson James.

Ordinance No. 2391

AN ORDINANCE TO AMEND THE CITY OF PONTIAC GENERAL EMPLOYEES' RETIREMENT SYSTEM TO CLARIFY ASSET DISTRIBUTION OF THE EXCESS ASSETS UPON TERMINATION.

The City of Pontiac ordains:

Section 1. Amendments.

That the City of Pontiac General Employees' Retirement System ("GERS") is hereby amended as follows:

a. Paragraph (b) of Section 36A [92-46A] of the GERS is amended in its entirety to read as follows:

(b) The Excess Assets resulting from erroneous actuarial computation shall be transferred as follows:

(i) \$8,000,000.00 shall be transferred to an account established by the City for the purpose of holding funds which shall be utilized to make the one-time payments described in and required by Section 11 of the Settlement Agreement.

(ii) Except as modified by paragraphs (i) above and (iii) below, The remaining Excess Assets shall be transferred to a voluntary employees' beneficiary association under Code §501(c)(9) (that has received a favorable determination letter as to the tax-exempt status of such trust under Code section 501(c)(9)) established or to be established by the City to fund retiree health benefits for certain City retirees that are subject to the Settlement Agreement.

(iii) The Excess Assets shall be transferred on March 31, 2022, to an account for the purpose of holding funds in escrow until the City, CPREA, and the Board agree in writing as to the final allocation thereof. If the City, CPREA, and the Board do not so agree by May 31, 2022, then Section 24 of the Settlement Agreement will be utilized. If after reasonable efforts have been made, the mediation has not succeeded, each party to the Settlement Agreement may proceed as it deems appropriate. The account shall be controlled jointly by the City and CPREA and the funds shall remain invested in a similar manner as invested prior to this transfer, to the extent practicable.

Section 2. Severability.

If any section, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

Section 3. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Publication.

The Clerk shall publish this Ordinance in a newspaper of general circulation.

Section 5. Effective Date.

This Ordinance shall be effective 10 days after adoption by the City Council.

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Pontiac at a regular Council Meeting held in the City Council Chambers in said City on the 29 day of March 2022.

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

No: None

Ordinance Passed

Resolutions

City Council

22-98

Resolution Proclaiming April 2-8, 2022 as the Week of the Young Child in Pontiac.

Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas the City of Pontiac, Michigan has a considerable population of young children who reside in our community and are being raised in our neighborhoods;

Whereas every young child in our community deserves to be safe, healthy, nurtured, and enriched, and to develop cherished memories of growing up in Pontiac;

Whereas social-emotional competence of young children is a key indicator to later school success, with professionals playing a crucial role in reducing stress and improving mental health and wellbeing;

Whereas the future of our great City of Pontiac, and the future of all our neighboring cities, depends on the quality of life we provide to Michigan's young children today;

Whereas the Southeastern Chapter of the Michigan Association for the Education of Young Children (Michigan AEYC), in conjunction with the National Association for the Education of Young Children (NAEYC), is celebrating the Week of the Young Child™ from April 2-8, 2022; now, therefore be it

Resolved, the Pontiac City Council, in partnership with Pontiac Mayor Tim Greimel, hereby proclaims April 2-8, 2022 as the Week of the Young Child™ in the City of Pontiac, Michigan; and further

Resolved, the City Council expresses our gratitude to those organizations, professionals, caregivers, and advocates who are focused on the needs and wellbeing of our community's young children; and further

Resolved, the City Council calls upon the State of Michigan to further prioritize high-quality early childhood learning and development for all young children when making resource decisions, as their funding is crucial to young children's futures and to the prosperity of our society.

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

No: None

Resolution Passed

22-99

Resolution Celebrating the Legacy of Demetra Leonard. Moved by Councilperson

Rutherford and second by Councilperson Nicholson.

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 many notable, strong women have helped shape our Pontiac community for the better through the decades;

Whereas Ms. Demetra Harris Leonard was a pioneering female entrepreneur in Pontiac for 64 years, a strong matriarch of a prominent Pontiac family, and spent many decades giving back to the community;

Whereas Ms. Leonard was the first Black surgical technician hired at Pontiac General Hospital in 1954, after her graduation from the Highland Park nursing program;

Whereas Ms. Leonard and her husband Charles Leonard owned "Leonard's Dairy Delight" near Ditmar and Franklin in Pontiac from 1959 to 1968, and owned J & L Party Store on the corner of Luther and Franklin along with Mr. Marvin Jackson for ten years;

Whereas in 1974 the Leonard family became the operators of Phoenix Residential Services, Incorporated, which was started by Ms. Leonard's mother Mary E. Harris, employing many people for decades and is still in operation to this day;

Whereas Mr. and Ms. Leonard founded the Charles & Demetra Leonard Foundation to financially support youth in Pontiac and beyond to assist with their college tuition and college expenses, expanding opportunity for so many in our community;

Whereas Ms. Leonard was an active community leader in many organizations, and was a faithful member of Trinity Missionary Baptist Church in Pontiac;

Whereas Ms. Leonard passed away on November 18, 2021, which is a tremendous loss to her family and to the entire Pontiac community;

Whereas the Pontiac City Council at our March 1, 2022 Council Meeting formally declared March 2022 as Women's History Month in the City of Pontiac, Michigan; now,

Therefore, Be It Resolved, the Pontiac City Council, in partnership with City of Pontiac Mayor Tim Greimel, hereby celebrates the legacy and achievements of Ms. Demetra Harris Leonard; and further

Resolved, the City Council honors the contributions and sacrifices Ms. Leonard made to uplift other Pontiac residents, inspire other women, and help others in need throughout our community; and further

Resolved, the City Council extends our condolences on her recent passing to her family, friends, neighbors, and colleagues.

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

No: None

Resolution Passed

Mayor's Office

22-100 **Resolution to approve the Medical Marihuana Commission Rules.** Moved by Councilperson Goodman and second by Councilperson Nicholson.

Whereas, the Pontiac Medical Marihuana Commission adopted its Rules and Regulations on March 28, 2022; and

Whereas, Pontiac ordinance 2357 (B) requires the City Council to also approve those Rules and Regulations;

Now, Therefore, the Pontiac City Council approves the Pontiac Medical Marihuana Commission Rules and regulations as adopted by that Commission on March 28, 2022.

Ayes: McGuinness, Nicholson, Parker, Goodman and James

No: None

Abstain: Rutherford

Resolution Passed

Pontiac Medical Marihuana Commission Rules and Regulations are attached as Exhibit A

22-101 **Resolution to approve contract with Revize for the Redesign of the City's Website.**
Moved by Councilperson Goodman and second by Councilperson Parker.

WHEREAS, The City of Pontiac website is out of date and difficult to navigate, and,
WHEREAS, The City of Pontiac website is not optimized for maintenance by city staff, and,
WHEREAS, The City of Pontiac completed an RFP process to which Revize was the most responsive bidder,
NOW, THEREFORE, BE IT RESOLVED, The Pontiac City Council authorizes the Mayor to sign enter into a contract with Revize for \$12,900 to update the City of Pontiac website and \$4,400 for annual hosting and support.

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

No: None

Resolution Passed

Public Comment

Eight (8) individuals address the body during public comment

1. Quincy Stewart
2. Kenny Anderson
3. Bill Maxey
4. Gloria Miller
5. Melissa Spearing
6. Larry Jasper
7. James Sabich
8. Billie Swazer

Mayor, Clerk and Council Closing Comments

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

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourned the meeting at 8:54 p.m.



Garland S. Doyle
Interim City Clerk



Medical Marihuana Commission

Commission Members
Robert Ford, Jr.
Chuck Johnson
Yauna Shepherd
Adam Scott Turner

47450 Woodward Avenue
Pontiac, Michigan 48342
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Pontiac Medical Marihuana Commission Rules and Regulations

Commission Membership Requirements

Members of the Commission shall be residents of the City of Pontiac and shall be chosen so far as reasonably practicable in such a manner as to represent a cross-section of the community.

Commission Powers and Duties

The Commission shall review and decide all appeals that are forwarded to it by the City Clerk pursuant to Ordinance 2357(B). The Commission shall review all appeals de novo. The Commission may overturn a decision or finding of the City Clerk if it finds such decision or finding to be arbitrary or capricious and not supported by material, substantial, and competent facts on the whole record considered by the City Clerk in arriving at such decision or finding.

Chairperson and Vice Chairperson

At its first meeting, the Commission shall select, by majority vote, a Chairperson, Vice Chairperson and Secretary.

Presiding Officer

The Presiding Officer shall be responsible for enforcing these Rules and Regulations and for enforcing orderly conduct at meetings. The Chairperson shall be the Presiding Officer. If the Chairperson is absent, the Vice Chairperson shall act as the Presiding Officer. The Secretary is responsible for taking attendance at each meeting. In the event that the Secretary is absent, then the commission clerk shall take attendance. In the event of a resignation or other permanent absence of the Chairperson, Vice Chairperson or Secretary positions, it shall be filled by nomination and majority vote of the Commission members serving.

Commission Clerk

The City Clerk or his/her designee shall be the Clerk of the Medical Marihuana Commission. The duties of the Commission Clerk are as follows:

1. The Commission Clerk shall prepare the agenda for meetings of the commission.
2. The Commission Clerk will call the roll for all votes of the Commission and record each members vote.
3. The Commission Clerk shall be responsible for keeping a record of all of the Commission's activity.

4. The Commission Clerk shall be responsible for maintaining the minutes of Commission meetings.
5. The Commission Clerk shall file the approved minutes of each Commission meeting in the office of the City Clerk.
6. The Commission Clerk shall cooperate and assist the City Freedom of Information Act officer in responding to requests for information in accordance with the Michigan Freedom of Information Act, being 1977 PA 442 as amended; MCL 15.231 et. seq.

Meeting Schedule

The Commission shall post a meeting notice in a manner consistent with the Michigan Open Meetings Act of 1976 subsequent to receiving an appeal forwarded to it by the City Clerk pursuant to City Ordinance 2357(B). Due to the timing irregularity of the receipt of appeals, the Commission may not schedule Regular Meetings as set forth in the Michigan Open Meetings Act, Michigan Public Act 267 of 1976, at MCL 15.265. Meeting notices must be posted at least 18 hours prior to the meeting. If the Commission does adopt a regular meeting schedule, it shall be posted in a manner consistent with MCL 15.265.

Minutes of meetings

Minutes of all meetings of the Commission shall be kept in a manner consistent with applicable law. A copy of the minutes of meetings shall be available for public inspection at the City Clerk's Office during regular business hours.

Conduct of meetings

All meetings of the Commission shall be open to the public except as permitted by applicable law. All open meetings shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Commission meeting agenda

Meeting agendas will be as follows:

1. Call to order
2. Roll Call
3. Authorization to Excuse Commissioners
4. Amendments to and approve of the agenda
5. Approval of the Minutes (As needed)
6. Agenda Items
7. Public Comment (3 Minute Limit)
8. Adjournment

Quorum

A quorum of the Medical Marihuana Commission shall consist of three (3) members.

Disorderly conduct

The Presiding Officer may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the Presiding Officer determines the person is in order.

Closed sessions

Closed sessions may be held only for the reasons consistent with MCL 15.268.

Calling closed sessions

The Commission by a two-thirds roll call vote may call a closed session subject to the conditions herein. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

Minutes of closed meetings

A separate set of minutes shall be taken at the closed session. These minutes will be retained by the City Clerk and shall not be available to the public.

Discussion and voting

Rules of parliamentary procedure

The rules of parliamentary practice, as contained in the 11th edition of Robert's Rules of Order, shall govern the commission in all cases to which they are applicable, provided they are not in conflict with these rules, city ordinances or applicable state statutes. The Presiding Officer shall preserve order and decorum and may speak to points of order in preference to other members. If a point of order is given it should not exceed two (2) minutes.

Conduct of discussion

During the commission discussion and debate, no member shall speak until recognized for that purpose by the Presiding Officer. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

Voting shall be recorded by roll call.

All members of the Commission in attendance shall vote on all matters unless recused.

Public comment

Each meeting agenda shall provide reserved time for public comment participation. During public comment, each individual shall be limited to three (3) minutes, and shall not engage in conduct or language that disrupts, makes fun of, or otherwise impedes the orderly conduct of the meeting. In addition, members of the audience shall not engage in disorderly or boisterous activity including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language, cheering, whistling, or any other acts that disturb, disrupt, or impede, or otherwise interfere with the orderly conduct of the meeting.

Suspension of rules

The rules of the Commission may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that commission actions shall conform to applicable law.

Adoption of Rules

After approval by the Commission, the rules shall then be submitted to the City Clerk for transmission to the City Council. The rules shall be effective after the City Council approves them.

The rules were adopted by the Commission on March 28, 2022.



Medical Marihuana Commission

Commission Members
Chuck Johnson, Chairperson
Robert Ford, Jr., Vice Chairperson
Yauna Shepherd, Secretary
Adam Scott Turner
Jonathan Starks, Commission Clerk

47450 Woodward Avenue
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City of Pontiac Medical Marihuana Commission Appeal Hearing Format

- I. Appeal packet provided to the Commission prior to the meeting including:
 - a. Applicant's appeal to the commission
 - b. Clerk's decision letter
 - c. The Hearing Officer Appeal Packet Copy with Hearing Officer's recommendation
 - d. Recommendation Opinion of the City Attorney

- II. Appeal packet is read by the Commissioners in advance of meeting

- III. IN A PUBLIC MEETING
 - a. No oral arguments will be allowed unless directed by Motion of the Commission.
 - b. Deliberation by Commission.
 - c. Decision by Commission