

PONTIAC CITY COUNCIL

President Mike McGuinness, District 7
Pro Tem William A. Carrington, District 6
Melanie Rutherford, District 1
Brett Nicholson, District 2
Mikal Goodman, District 3
Kathalee James, District 4
William Parker, Jr., District 5



Garland S. Doyle, M.P.A., MiPMC, City Clerk

Phone: (248) 758-3200

134th Session of the 11th Council – Tuesday, March 12, 2024, at 6:00 p.m.

Meeting Location: City Council Chambers, Pontiac City Hall, 47450 Woodward Pontiac, Michigan 48342

MEETING AGENDA

Call to Order

Invocation

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call of Councilmembers

Authorization to Excuse Councilmembers from the Meeting

Amendments to and Approval of the Agenda

Approval of the Consent Agenda

- A. February 26, 2024, Parks, Recreation & Public Works Subcommittee Meeting Minutes
- B. March 4, 2024, Economic Development Housing and Planning Subcommittee Meeting Minutes
- C. March 5, 2024, City Council Meeting Minutes
- D. Resolution Recognizing March 2024 as Social Work Month in the City of Pontiac, Michigan
- E. Resolution Honoring the Life and Service of Eric Johnson
- F. Resolution Honoring the Life and Service of Brian Blosser
- G. Resolution Scheduling Special Council Meetings on the Proposed Fiscal Year Budget 2024-2025 for May 9, 16, 23, 30
- H. Resolution Scheduling Public Hearing on the Proposed City Fiscal Year Budget 2024-2025 for May 21, 2024, at 6:00 pm
- I. Resolution to Approve Purchase of the Annual Renewal of Microsoft 365 Licenses Agreement for the City
- J. Resolution Urging State Leaders to Address the Inadequacy of State Statutory Revenue Sharing
- K. Resolution Congratulating City Councilwoman Melanie Rutherford on her Acceptance to the Michigan Municipal League Women's Elected Leadership Intensive

Special Presentations

1. Michigan Technology Conference in Pontiac
Presentation Presenter: Michael Riley
2. Friends of the Clinton River Trail Update
Presentation Presenter: Josh Eichenhorn, FCRT Vice President

City Council Monthly Subcommittee Reports

3. Communications, Engagement & Operations – Chair Mikal Goodman
4. Economic Development, Housing & Planning – Chair Mike McGuinness
5. Facilities & Property – Chair Melanie Rutherford

6. Finance & Personnel – Chair Brett Nicholson
7. Law & The Courts – Chair William Parker, Jr.
8. Parks, Recreation & Public Works – Chair Kathalee James
9. Public Safety, Health & Wellness – Chair William A. Carrington

Recognition of Elected Officials

Agenda Address (Two Minutes Time Limit)

Agenda Items

Ordinances

Planning Division

10. Resolution to Approve First Reading of Zoning Ordinance Map Amendment An Ordinance to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103—Zoning Map, to Change the Zoning Classifications for a Specific Parcel on the East Side of North Perry Street between Pontiac Road and Giddings Road, Subject to the agreed upon Conditions (Rezone 17.6 Acres of Parcels 64-14-15-426-008, and 64-14-15-426-016 and 64-14-15-426-022 from R-1 (One Family Dwelling) to C-3 (Corridor Commercial))

Resolutions

City Council

11. Resolution Commending the United States House of Representatives for Advancing \$4,116,279 Federal Funding for the City of Pontiac Martin Luther King, Jr. Boulevard Bridge Replacement Project and our Congresswoman Haley Stevens for Requesting that Crucial Community Project Funding

Economic Development

12. Resolution to approve Sale of City-Owned Property at the Former Kennett Road Landfill and authorize the entering into the Purchase Agreement and Development Agreement

Grants and Philanthropy

13. Resolution scheduling Public Hearings for City's Proposed Community Development Block Grant (CDBG) Funding Plan on April 2 and April 16, 2024

Purchasing

14. Resolution to execute the City of Pontiac's Contractor Service Agreement with McKenna Associates, Incorporated to provide Housing Study and Needs Assessment Services for \$59,971

Ordinances, Continued

Planning Division, Continued

15. Resolution to Approve the First Reading of An Ordinance to Amend the City of Pontiac Zoning Ordinance to Amend Requirements for Adult-Use Marihuana Retail Establishments in Designated Overlay Districts and Caregivers (*Postponed for one week at the March 5, 2024, City Council Meeting*)
16. Resolution request for Postponement of the Vote on the Adult-Use Marihuana and Caregiver Ordinance Amendments

City Council

17. Adoption of an Ordinance to Amend the City of Pontiac Municipal Code Article III, Division 1, Chapter 78, Sections 56 through 65 to include Human Rights Protections and Article III, Division 2, Chapter 78, Section 66 to Prohibit Housing Discrimination based on source of legal income to include: Article III, Division 1, Chapter 78, Sections 56-65; Article III, Division 2, Chapter 78, Section 66 (**Second Reading**) (*Postponed for two weeks from the February 29, 2024 City Council Meeting*)

Public Comment (Three Minutes Time Limit)

Public Communications

City Council

18. Your Pontiac City Council has formally recognized March 2024 as Women's History Month in Pontiac. Among other activities happening this month, please visit Pontiac City Hall to see the spotlight on women in our community who have made a difference and been trailblazers. To share names of other community members you'd like to see recognized, please contact the Pontiac City Council office.
19. Pontiac Regional Chamber Prosperity Pontiac 2024 Dinner, held Wednesday, March 13, 2024 from 5:30 to 8:30 pm at the Centerpoint Marriott, 3600 Centerpoint Parkway, Pontiac 48341. Tickets are \$70 for Chamber Members, or \$85, or included with a \$125 individual membership to the Chamber. Contact the Pontiac Regional Chamber for more information.
20. Intergenerational Perspective: Building on Undoing Racism and Moving Forward with Eradicating Racism, Thursday, March 14, 2024 from 6:30 to 8:00 pm at Pontiac Little Art Theatre (The PLAT), 47 N. Saginaw Street in Downtown Pontiac. Featuring Guest Speaker Monica Emerson Presented by Pontiac Collective Impact Partnership and Oakland University.
21. Next District Five Citizens Council Meeting is Thursday, March 14, 2024 at 5:00 pm, held in the Lions Den of Pontiac City Hall. There is also a virtual option for meeting participation. For more information, contact City Councilman William Parker, Jr.
22. The Psychology of Serial Killers, March 15, 2024, at 8:00 pm, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or call the box office at (248) 309-6445.
23. "Brushed Aside" Art Sale and Fundraiser, March 16, 2024 in the studio at The Art Experience, 175 S. Saginaw Street in Downtown Pontiac VIP Hour is from 12:00 to 1:00 pm, and the Main Event from 1:00 to 5:00 pm.
24. The Next Pontiac Zoning Board of Appeals Meeting is Monday, March 18, 2024 at 6:30 pm. The meeting is held at Pontiac City Hall in the Council Chambers, 47450 Woodward Avenue, Pontiac 48342. For more information, including the meeting agenda, visit the city website or Community Development Department.
25. "Giving is a Blessing" Community Giveaway, Wednesday, March 20, 2024 from 2:00 to 5:00 pm, held at Wisner Stadium, 441 Cesar E. Chavez Avenue, Pontiac 48342. Presented by Amazon Black Employee Network and Ascend Foundation. Items ranging from household supplies, clothes, electronics, food, and more.
26. Michigan Technology Conference, March 21 and 22, 2024, held at UWM Sports Complex, 867 South Boulevard East, Pontiac 48341. This is an immersive experience in our region's growing tech scene. Engage in innovation, networking, and learning with industry leaders. For more information, visit MITechCon.org
27. Oakland County Ministerial Fellowship Holy Week Worship, March 25-28, 2024 at 7:00 pm each night, held at First Presbyterian Church, 99 Wayne Street, Pontiac 48342. Monday is Pastor John Tolbert of Trinity Missionary Baptist Church. Tuesday is Pastor Andrea Ellis of Destiny Faith Church. Wednesday is Bishop Antonio Gibson of New Experience Church. Thursday is Pastor Laura Kelsey of First Presbyterian Church.
28. Next Pontiac District Three Community Meeting, Monday, March 25, 2024 at 5:00 pm, held at the Baldwin Center, 212 Baldwin Avenue, Pontiac 48342. For more information, Contact District Three's City Councilman Mikal Goodman.
29. Next Pontiac District Two Neighborhood Advisory Meeting is Monday, March 25, 2024 at 7:00 pm, held at Goldner Walsh Garden and Home, 559 Orchard Lake Road, Pontiac 48341. For more information, contact District Two's City Councilman Brett Nicholson.

30. Next Pontiac District Four Community Meeting is Thursday, March 28, 2024 at 6:00 pm, held at New Mount Moriah International Church, 313 E. Walton Boulevard, Pontiac 48340. For more information, contact District Four's City Councilwoman Kathalee James.
31. Second Annual Pontiac Alumni Roundball Classic, March 30, 2024, Doors Open at 12:00 pm, First Game at 1:00 pm, Held at Rochester University, 800 W. Avon Road in Rochester Hills. Tickets are \$10. Contact Dennis Thompson for more information.
32. Next Pontiac District One Monthly Meeting is Saturday, March 30, 2024 from 3:00 to 5:00 pm. For more information, contact District One City Councilwoman Melanie Rutherford.
33. Property Tax Foreclosure Deadline with the Oakland County Treasurer's Office is April 1, 2024. Contact the Oakland County Treasurer's office for assistance or more information, or visit oakgov.com/treasurer
34. Webster Community Center Construction Groundbreaking Celebration, Wednesday, April 3, 2024 from 3:00 to 4:30 pm. Held at the Center on West Huron, between Murphy and Monroe. Contact Micah 6 for more info.
35. Rend Collective Performs at the Strand Theatre, Wednesday, April 3, 2024 at 7:00 pm, the Flagstar Strand Theatre is located at 12 N. Saginaw Street in Downtown Pontiac. Visit flagstarstrand.com or call (248) 309-6445 for more information.
36. M1 Concourse Cars and Coffee: Ford, Lincoln, and Mercury, Saturday, April 6, 2024 from 8:00 to 11:00 am, held at M1 Concourse at 1 Concourse Drive, Pontiac 48341. Visit m1concourse.com for more information.
37. Identify Your Dream Foundation "Strike Out for Violence" Bowling Fundraiser, Sunday, April 7, 2024 from 1:30 to 4:30 pm. Held at Classic Lanes in Rochester Hills. For more info, visit identifyyourdream.org
38. Comedian Paula Poundstone Performs, Saturday, April 13, 2024, at 8:00 pm, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or call the box office at (248) 309-6445.
39. Glenn Miller Orchestra Performs, Sunday, April 14, 2024, at 8:00 pm, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or call the box office at (248) 309-6445.
40. Tuske Performs, Wednesday, April 24, 2024, at 8:00 pm, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or call the box office at (248) 309-6445.
41. Micah 6 Community Garden of Cocktails Fundraiser, Friday, April 26, 2024 from 7:00 to 9:15 pm, held at Goldner Walsh Garden and Home, 559 Orchard Lake Road, Pontiac 48341. This is a ticketed event.
42. Huron Corridor Earth Day Cleanup, Saturday, April 27, 2024 from 9:00 am to 12:00 pm. Meeting up at Indian Village Park, located at N. Genesee and W. Huron. For more information, contact Micah 6 Community.
43. 40 West Howard Artists Guild Spring Open House, Saturday, April 27, 2024 from 1:00 to 7:00 pm, held at the Artist Studios inside 40 West Howard Street, Pontiac 48342.
44. Pontiac Skatepark Ribbon Cutting, Friday, May 3, 2024
45. Eaglemania Performs, Friday, May 3, 2024, at 8:00 pm, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or call the box office at (248) 309-6445.

46. Shawn Colvin and KT Tunstall in Concert, Saturday, May 4, 2024, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac. For more information and to purchase tickets, visit flagstarstrand.com or contact Ticketmaster.
47. Pontiac Creative Arts Center is Calling for Artwork Submissions of any medium to their Kaleidoscope Exhibit. Submissions due May 19, 2024. For more information, contact the center at admin@pontiacarts.org
48. 10th Annual Art Fish Fun Festival, Saturday, June 8, 2024 held at Beaudette Park in Pontiac
49. Accent Pontiac Birdies and Beats Fundraiser, June 28, 2024 at 8:30 am, held at the Links at Crystal Lake, 800 Golf Drive, Pontiac 48341. For more information, contact dmiller@accentpontiac.org
50. Elam Family and Friends Block Party, Saturday, July 20, 2024 from 11:00 am to 7:00 pm, held outside the Elam Barber Shop, 485 S. Sanford Street, Pontiac 48341.

Mayor's Office

51. City of Pontiac Purchasing Division Supplier Connect Event, Friday, March 15, 2024, from 5-6pm held at City Hall (Council Chambers) 47450 Woodward, Pontiac
52. Pontiac Youth Recreation Spring Bash and Egg Hunt is Saturday, March 23, 2024
53. Yard Waste Bag Pickup by City Contractors Coinciding with Trash Day Pickup Resumes April 1, 2024
54. City of Pontiac Purchasing Division Supplier Connect Event, Friday, April 19, 2024, from 5-6pm held at City Hall (Council Chambers) 47450 Woodward, Pontiac
55. City of Pontiac Purchasing Division Supplier Connect Event, Friday, May 17, 2024, from 5-6pm held at City Hall (Council Chambers) 47450 Woodward, Pontiac
56. City of Pontiac is Currently Hiring for Multiple Positions and Encourages Pontiac Residents to Apply Visit http://pontiac.mi.us/departments/human_resources/employment_opportunities/index.php
57. Our 50th District Court is Also Hiring, with Openings for a Full-Time Court Clerk, a Full-Time Court Officers, and a Part-Time Court Magistrate. Pontiac Residents are Encouraged to Apply.

Closing Comments

- Mayor Greimel (Seven Minutes Time Limit)
- Clerk and City Council (Three Minutes Time Limit)

Adjournment

CONSENT AGENDA

A



Pontiac City Council
Parks, Recreation & Public Works Subcommittee Meeting
February 26, 2024
12:00 P.M.

Meeting Location: Pontiac City Hall, Legislative Conference Room
47450 Woodward Avenue
Pontiac, Michigan 48342

Committee Members: Kathalee James (Present), Melanie Rutherford (Present), and Mikal Goodman (Present)

Others Present: Angelita Santiago, Michael Martin, Patrick Mueller, Richard Harrison, Alicia Martin, Tarrance Price, Shannon Filarecki, Deputy Mayor Khalfani Stephens, Renee Hall, Zach Haapala

The meeting started at 12:03 p.m.

The first item on the agenda was an update from the City Planner Mark Yandrick concerning community engagement efforts for the changes in the Mobile Food Vendor Ordinance. Three town hall meetings are scheduled for next week to discuss the proposed ordinance on Mobile Food Vendors and temporary events in the city. The first meeting will be held March 4, 2024 at 5:30 p.m. in the City Council Chambers. The second meeting will be on Tuesday March 5, 2024 at 10 a.m. at 91 N. Saginaw St. The third meeting will be held on Thursday March 7, 2024 at the Bowen Senior Center. All are welcome.

More Conversation ensued and the next agenda item update was from Michael Martin with the Grants and Philanthropy. The Ralph Wilson Grant will be reviewed and approved after finalization is complete with Michigan Department of Transportation. Currently there are no new updates for the Sparks Grant. There is a pending grant request for one million dollars for phase one redevelopment with designs of Gallaway Lake, including the demolition of Ewalt Center, as well as the restrooms.

The agenda continued with an update from Tarrance Price Parks and Recreation Director: The kickoff for mini parks has been set for March 5, 2024 at noon. Mattie McKinney Hatchett Park has started an RFP (Request for Proposal) Concept plan, and the sign designs are in the process. RFP and the advertisement will be within the next 30 days for Crystal Lake. Art Dunlap has a \$25,000 approval to reconstruct the Basketball Court. Spring cleanup dates are set for Monday, April 22, 2024, Saturday, May 18 2024 , Saturday June 8, 2024 and Saturday July 13, 2024.

March is also National Reading Month and on March 13, 2024 at 6:00 P.M. the city will have local Pontiac Youth Authors available for the public to meet and greet. The recreation Department will be hosting an event for a Spring bash which will be held on March 23, 2024.



Pontiac City Council
Parks, Recreation & Public Works Subcommittee Meeting
February 26, 2024
12:00 P.M.

Meeting Location: Pontiac City Hall, Legislative Conference Room
47450 Woodward Avenue
Pontiac, Michigan 48342

Lastly, there was an update from Patrick Mueller, Acting DPW Director. The DPW department will be bring forth a resolution to City Council to consider the purchase of four new pick-up trucks total cost of the \$197,000. Additionally, two plow trucks are estimated at \$285,000 and another one at \$310,000 for a total of \$880,000. This matter will come before the City Council within the next two weeks. The department is currently interviewing various candidates for various job openings. Speed Bumps around the city will be inspected to check current conditions.

Public Comment from Richard Harrison: Gave advice on the bike and pedestrian sign and walking lane. Richard suggested that the lane be widened to accommodate walkers. On March 12, 2024. The Friends of the Clinton River Trail will be attending the City Council meeting to do a presentation.

The meeting was adjourned at 2:25 P.M.

**CONSENT
AGENDA
B**



Pontiac City Council
Economic Development Housing and Planning Subcommittee Meeting
March 4, 2024
9:00 a.m.
Meeting Location: Pontiac City Hall, Legislative Conference Room
47450 Woodward Avenue
Pontiac, Michigan 48342

Committee Members: Committee Members: Brett Nicholson (Non-Present), Melanie Rutherford (Present), and Michael McGuinness (Present)

Other Present: Angelita Santiago, Jack McIntyre, Mark Yandrick, Deborah Younger, Joy Dockham, Bruce Eck, Racheal Loughrin, Deputy Mayor Khalfani Stephens, Paula Bridges, Regina Campbell, Andrea Manns, Jim Cunningham, Greg Cunningham, Joy Dockham, Erin Casey, Kimber Bishop, Russ Russell and Barbara Williams.

The meeting started at 9:00 a.m.

The first item on the agenda was an update from the Code Enforcement Manager Jack McIntyre. The Phoenix Center Place Apartments now has a court date with the Code enforcement department for a show cause hearing due to expired inspections. A follow-up inspection will be scheduled within the next week or so. The Code Enforcement totals for the month are as follows. A total of 1378 Code enforcement inspections were completed, and 840 rental inspections were inspected on the rental properties.

More conversations ensued and the next item on the agenda was from Bruce Eck with updates from the Building and Safety Department. The debris removal for 28 N. Saginaw St is in the stages of the plan review for official permit to begin the build out process and the removal of debris. The demolition of Mark Twain Elementary school will be upcoming in the near future.

The agenda continued with an update from Manager Mark Yandrick with the Planning & Zoning Department and the concerns with the community engagement efforts for the changes in the Mobile Food Vendor ordinances. Three Town Hall meetings are scheduled for this week to discuss the proposed ordinance. The city has proposed a second version of the Residential Infill Overlay District, and an update was made with some changes to for the building size to be changed in addition to adding a two-unit lot.



Pontiac City Council
Economic Development Housing and Planning Subcommittee Meeting
March 4 ,2024
9:00 a.m.
Meeting Location: Pontiac City Hall, Legislative Conference Room
47450 Woodward Avenue
Pontiac, Michigan 48342

Committee Members: Committee Members: Brett Nicholson (Non-Present), Melanie Rutherford (Present), and Michael McGuinness (Present)

Rachel Loughrin gave an update on Community Development. Updates are being made regarding wages in the salary study, which will help with the capacity plan for hiring more staff. The reporting of the Assistant position will be reposted soon.

Lastly, there was an update from Manager Deborah Younger with Economic Development. The city currently has 22 new houses that are currently under construction. Most of the homes are in the final stages of construction and awaiting windows and doors and items that need to be ordered for installation. Three more Contractors have been added to the work on the houses and a request is being made to remove the cap for the allowed amount to increase the payout amount to the Contractors.

There were several concerns from attendees in the meeting, whose main concern was parking downtown and the loss of Revenue from Businesses. Jim Cunningham addressed his concerns and stated that he knows some owners who have been their long term are now moving and relocating from that area, due to the amount of what he believes is unnecessary number of tickets.

Blair McGowan with the parking concerns in the Downtown area. He believes that the number of tickets being given should not be excessive and proposes that a meeting in the near future to come up with a strategic method to collaboratively work together will help make improvements within the city.

Andrea Manns on the 404 Highland St in Pontiac and he concerns on how the zoning process works with the two-dimensional variances to that property.

The final public comment was from Regina Campbell who asked as series of questions, one question was in reference to the residential Infill overlay and if the hearing was open to the public.



Pontiac City Council
Economic Development Housing and Planning Subcommittee Meeting
March 4 ,2024
9:00 a.m.

Meeting Location: Pontiac City Hall, Legislative Conference Room
47450 Woodward Avenue
Pontiac, Michigan 48342

Committee Members: Committee Members: Brett Nicholson (Non-Present), Melanie Rutherford (Present), and Michael McGuinness (Present)
The Meeting was Adjourned at 10:17 a.m.

**CONSENT
AGENDA
C**

March 5, 2024, Draft

**Official Proceedings
Pontiac City Council
133rd Session of the Eleventh Council**

Call to order

A Regular 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 5, 2024, at 6:06 p.m. by Council President Mike McGuinness.

Invocation – Pastor Kathy Dessureau – 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 and William Parker Jr.

Mayor Tim Greimel was present.
A quorum was announced.

Authorization to Excuse Councilmembers

Motion to excuse Councilmembers Brett Nicholson and Melanie Rutherford from the meeting for personal reasons. Moved by Councilperson Goodman and second by Councilperson James.

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

Motion Carried

Amendments to and Approval of the Agenda

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

Motion to add on Resolution Requiring Mayor to get Council Authorization Prior to Pursuing New Litigation involving City Retiree Benefits to the agenda as new #7. Moved by Councilperson Carrington and second by Councilperson Goodman.

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

Motion Carried

The vote was taken to approve the agenda as amended.

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

Motion Carried

Consent Agenda

24-66 **Resolution to approve the consent agenda for March 5, 2024.** Moved by

March 5, 2024, Draft

Councilperson Parker and second by Councilperson Carrington.

WHEREAS, the City Council has reviewed the consent agenda for March 5, 2024.
NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for March 5, 2024, including the February 23, 2024, City Council Facilities and Property Subcommittee Meeting Minutes, February 29, 2024, City Council Meeting Minutes and Resolution to Approve a Settlement Agreement with Angela Benitez the former Human Resources Director for \$33,583.33.

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

24-66C **Resolution to Approve a Settlement Agreement with Angela Benitez the former Human Resources Director for \$33,583.33.** Moved by Councilperson Parker and second by Councilperson Carrington.

WHEREAS, the City Attorney recommends that City Council approve a Settlement Agreement negotiated with former Human Resources Director Angela Benitez; and
WHEREAS, Ms. Benitez would receive \$33,583.33 inclusive of attorney's fees; and
WHEREAS, the City of Pontiac denies any liability, the Agreement will release claims against the City and avoids litigation.
NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council hereby approves the settlement with Angela Benitez for \$33,583.33 from GL Account No. 101-266-804.018 and authorizes the Mayor or the Mayor's Designee to execute the Settlement Agreement.

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

Special Presentations

2023 Holiday Extravaganza "Together We Can Make a Difference" Painting Presentation

Introducing the Youth Recreation Skills to Reaching Emotional Social Stability (STRESS) Program
Presentation Presenter: Tanesha Taylor, City of Pontiac Youth Recreation Manager

Community Conversation on Human Rights Protections and Housing Source of Income Discrimination
All Are Welcome: Monday, March 11, 2024 from 7:00 to 9:00 pm, Held at Prospect Missionary Baptist Church, 351 Prospect Street, Pontiac 48341

Pontiac United "Beyond Martin and Rosa" Black History Month Contest Winners

Recognition of Elected Officials

1. Veronica Taylor, Precinct Delegate
2. H. Bill Maxey, Library Board Trustee

Agenda Address

1. H. Bill Maxey addressed item #11
2. Rolando Riveria addressed item #7
3. Antonio Rodriguez addressed item #7
4. Dr. Deirdre Waterman addressed item C & #5
5. Carlton Jones addressed items #2, #4 & #5
6. Darlene Clark addressed item #3

March 5, 2024, Draft

7. Gloria Miller addressed items #2

**Agenda Items
Ordinances**

Resolution to Approve the First Reading of An Ordinance to Amend the City of Pontiac Zoning Ordinance to Amend Requirements for Adult-Use Marihuana Retail Establishments in Designated Overlay Districts and Caregivers (First Reading). Moved by Councilperson Carrington and second by Councilperson Parker. Discussion.

Motion to postpone Resolution to Approve the First Reading of An Ordinance to Amend the City of Pontiac Zoning Ordinance to Amend Requirements for Adult-Use Marihuana Retail Establishments in Designated Overlay Districts and Caregivers for one (1) week. Moved by Councilperson Carrington and second by Councilperson James.

Ayes: Parker, Carrington, Goodman, James and McGuinness

No: None

Motion Carried

Adoption of an Ordinance to Amend the City of Pontiac Municipal Ordinance to Amend Licensing Requirements for Mobile Food Trucks and to Regulate Special Events to include: Article XIXa, Chapter 26, Sections 26-1030 through 26-103 (Second Reading) (Deferred from the February 20, 2024 City Council Meeting). Discussion.

Motion to postpone Adoption of an Ordinance to Amend the City of Pontiac Municipal Ordinance to Amend Licensing Requirements for Mobile Food Trucks and to Regulate Special Events to include: Article XIXa, Chapter 26, Sections 26-1030 through 26-103 (Second Reading) (Deferred from the February 20, 2024 City Council Meeting) for two (2) weeks. Moved by Councilperson Carrington and second by Councilperson Goodman.

Ayes: Carrington, Goodman, James, McGuinness and Parker

No: None

Motion Carried

Resolutions

City Council
24-67

Resolution Requiring Mayor to get Council authorization prior to pursuing new litigation involving City Retiree benefits (add-on). Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, the ongoing legal and financial matters involving City of Pontiac retired employees' various retirement systems structuring and benefit plans have spanned many years and has played out in multiple legal forums; and,

WHEREAS, the City of Pontiac has been involved in related litigation for years, and at various times filed complaints in the United States District Court against the Board of Trustees of the City of Pontiac VEBA Trust, as one example; and,

WHEREAS, United States District Judge David M. Lawson ordered a Denial of the City of Pontiac's motion for preliminary injunction (ECF No. 5) against the City of Pontiac VEBA Trust on February 29, 2024, though that has yet to be communicated to the Pontiac City Council by the Administration; and,

WHEREAS, the City Council strives to ensure timely and favorable outcomes can be reached that are agreeable to all parties and advances the ultimate goal of providing adequate benefits for the City's past retirees while balancing the need for strong financial stewardship of the City's resources;

March 5, 2024, Draft

NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council requires that the Mayor of the City of Pontiac obtain prior authorization and consent from the Pontiac City Council before further new legal motions are filed related to the General Employees Retirement System, the Reestablished General Employees Retirement System, the City of Pontiac VEBA Trust, the Police and Fire Retirement System, the City of Pontiac Retired Employees Association (CPREA), and all related past, present, and future entities; and

FURTHER RESOLVED, the City Council requests a Closed Session with the Mayor and city attorneys to provide an update on this latest development of Judge Lawson issuing his Opinion and Order Denying the City of Pontiac's Motion for Preliminary Injunction.

Ayes: Carrington, Goodman, James, McGuinness and Parker

No: None

Resolution Passed

24-68 **Resolution to Rename the City Skatepark as the Roberto Duran Rodriguez Skatepark.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, the City of Pontiac, Michigan on an ongoing basis strives to acknowledge citizens whose life and accomplishments have had a profound impact of elevating and inspiring the community; and, WHEREAS, the Pontiac City Council has the authority to commemorate a City facility, street, or other asset by means of a plaque, naming it after a person, or some other honor and has previously adopted the policy by which such considerations would be made by the City Council; and,

WHEREAS, within the City's Oakland Park in the GM Modern Housing Neighborhood there had been a grassroots skatepark established by community members, and it led to a successful community-led push for a City Skatepark to be funded and constructed; and,

WHEREAS, Roberto Duran Rodriguez lived in that neighborhood, was an active skater at the skatepark, and was an integral part of the Pontiac Skatepark Project that hatched the idea, advocated for its creation, secured funding, and saw the project through to successful completion; and,

WHEREAS, Mr. Rodriguez passed away on July 31, 2023 at the age of 33, which is a tremendous loss for his family and friends as well as the entire Pontiac community and the area's skating community; and, WHEREAS, his surviving colleagues involved in the Pontiac Skatepark Project have formally requested that the Skatepark be named in his honor;

NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council formally names the City's new Skatepark as the Roberto Duran Rodriguez Skatepark; and

FURTHER RESOLVED, the City Council, on behalf of the entire Pontiac community, honors and celebrates the life, legacy, and positive impact of Mr. Rodriguez; and

FURTHER RESOLVED, the City Council requests the Administration proceed with establishing appropriate signage at the site and updating future City materials or references to the Skatepark as reflective of the new name.

Ayes: Goodman, James, McGuinness, Parker and Carrington

No: None

Resolution Passed

24-69 **Resolution Requesting Housing Study Timeline.** Moved by Councilperson Parker and second by Councilperson Goodman.

WHEREAS, Mayor Tim Greimel and his Executive Administration have expressed their interest in and intention of conducting a Housing Study to assess the current state of housing in our community and to identify future needs, opportunities, and challenges for expanded housing options and improved housing quality in Pontiac; and,

March 5, 2024, Draft

WHEREAS, this Pontiac City Council has consistently communicated their interest, intention, and expectation in that Housing Study being prioritized and pursued in a timely manner; and, WHEREAS, this City Council had expected the Housing Study to be actively underway or completed already, and past timeline targets verbally communicated to City Council have passed; and, WHEREAS, the Mayor and Administration have not yet submitted a proposal for an external firm to conduct the Housing Study to City Council for our consideration and vote; NOW, THEREFORE, BE IT RESOLVED, the Pontiac City Council hereby formally requests from the Mayor of Pontiac an explicit timeline on the City of Pontiac Housing Study from the start of the process to completion; and FURTHER RESOLVED, the City Council requests that the timeline be provided in writing.

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

No: None

Resolution Passed

Economic Development Division

24-70 **Resolution to Schedule a public hearing for the Sale of Vacant City-owned parcels Blaine Ave., 64-14-20-305-019; 234 S. Shirley Ave., 64-14-33-208-017; 66 Nelson St., 64-14-21-352-025; 268 Luther Ave. 64-19-04-176-031; 32 Bennett St., 64-14-20-383-026; 494 Bloomfield Ave., 64-19-04-107-021; Luther Ave., 64-19-04-156-022; 85 Gillespie Ave., 64-14-32304-005 for March 19, 2024 at 6:00 p.m. Moved by Councilperson Goodman and second by Councilperson James.**

WHEREAS, prior to selling any city-owned properties, the City of Pontiac must hold a Public Hearing in accordance with Section 3.113 of the Pontiac Home Rule Chapter; and,

WHEREAS, the City is owner of certain real property located in the City of Pontiac and the properties are legally described as: Blaine Ave., 64-14-20-305-019; 234 S. Shirley Ave., 64-14-33-208-017; 66 Nelson St., 64-14-21-352-025; 268 Luther Ave. 64-19-04-176-031; 32 Bennett St., 64-14-20-383-026; 494 Bloomfield Ave., 64-19-04-107-021; Luther Ave., 64-19-04-156-022; 85 Gillespie Ave., 64-14-32-304-005; and

WHEREAS, the City of Pontiac shall notice the Public Hearing not less than 10 days or more than 30 days prior to the hearing; and

WHEREAS, the price for each lot has been established at Five-Hundred Dollars and 00/100 (\$500.00) and purchasers will receive a quit claim deed; and,

WHEREAS, once ownership is established, purchasers will receive a quit claim deed and shall file a Property Transfer Affidavit with Oakland County; and

WHEREAS, the purchased parcel shall also be combined with the parent parcel.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council hereby approves publishing proper notice and to hold a Public Hearing for the sale of vacant, city-owned property referenced herein and in Exhibit A, to be held on March 19, 2024, in City Council Chambers at 6:00pm.

Ayes: McGuinness, Parker, Carrington, Goodman and James

No: None

Resolution Passed

****Resolution 24-10 Exhibit A attached after the minutes****

Finance Department

24-71 **Resolution to Approve Proposed Budget Amendments for Fiscal Year 2023-24 increase in estimated revenue in the following GL account: 212-000-532.000 – OCSCMG – Federal Grant Others: \$133,646.09, increase the appropriation in the following GL accounts: 212-813-818.000 – OCSCMG – Other Professional Service - \$26,327; 212-813-976.001 – OCSCMG – Building Additions & Improvements - \$107,319.09; 445-815-976.001 – Building Additions & Improvements - \$9,057; 445-815-977.008 – Special Equipment - \$133,249 (These budget**

March 5, 2024, Draft

amendments are for repairs at the Robert Bowens and Ruth Peterson Senior Centers). Moved by Councilperson Carrington and second by Councilperson James.

WHEREAS, PDSI Contractors have substantially completed a significant portion of the Senior Center Improvement Project; and

WHEREAS, the City has disbursed \$358,414 to the Contractor, with a remaining contract balance of \$275,952; and

WHEREAS, there is currently no budget appropriation in the current fiscal year to cover the remaining contract balance; and

WHEREAS, a budget amendment is necessary to address this shortfall, which will result in a reduction of the fund balance in Fund 445-Capital Improvement Fund by \$116,376.

NOW, THEREFORE, BE IT RESOLVED, that the Pontiac City Council hereby approves the proposed budget amendment for FY 2023-2024 as requested by the Finance Department for improvements made at the Robert Bowens and Ruth Peterson Senior Centers as outlined below:

Increase in Estimated Revenue in the following GL Account: 212-000-532.000-OCSCMG – Federal Grant Others: \$133,646.09; Increase the appropriation in the following GL accounts. 212-813-818.000-OCSCMG – Other Professional Service – \$26,327; 212-813-976.001-OCSCMG– Building Additions & Improvements - \$107,319.09; 445-815-976.001- Building Additions & Improvements - \$9,057; 445-815-977.008- Special Equipment - \$133,249

Ayes: Parker, Carrington, Goodman, James and McGuinness

No: None

Resolution Passed

Grants & Philanthropy Department

24-72

Resolution to Approve Contract Number 24-5047 for Grant Funding from the Michigan Department of Transportation (MDOT) for the Reconstruction of the Martin Luther King Jr. Blvd. Bridge and Road Work Repairs along Martin Luther King Jr. Blvd. Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, the City of Pontiac has determined the need to replace the Martin Luther King Jr. Boulevard Bridge over the CN Railroad between Woodward and South Boulevard; and

WHEREAS, there is also a need to make associated road repairs along Martin Luther King Jr. Boulevard S from South Boulevard to Woodward Avenue; and

WHEREAS, the City of Pontiac has received Ten-Million Dollars (\$10,000,000.00) in Earmark Funds from MDOT for this major project; and

WHEREAS, the City will be responsible for costs in excess of the funds shown above; and

WHEREAS, the State has determined that the Michigan Department of Transportation (MDOT) will be responsible for administering the Earmark Funds for this project; and

WHEREAS, the MDOT requires the establishment of a contract between the City of Pontiac and MDOT prior to work commencing.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council hereby accepts the Earmark Funding of Ten-Million Dollars (\$10,000,000.00) for Reconstruction of the Martin Luther King Jr. Boulevard Bridge and additional road repairs referenced herein.

BE IT FURTHER RESOLVED that the Pontiac City Council also authorizes the Mayor or the Mayor's Designee to execute Contract Number 24-5047 between the City of Pontiac and MDOT for the said project.

Ayes: Goodman, Parker, Carrington, James and McGuinness

No: None

Resolution Passed

March 5, 2024, Draft

Human Resources Department

24-73 **Resolution to Approve Contract Work for Submission of TASC ACA Reporting and 5500 Filing.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, the Human Resources Department needs assistance with filing its annual health and retirement reports in compliance with federal guidelines; and

WHEREAS, the TASC company is equipped to gather the information and to file the reports for the Affordable Healthcare Act and for the Employee Retirement Income Security Act as required by the federal government; and

WHEREAS, the three-year contract with TASC is \$10,190.80 per year for FY2023-2026; and

WHEREAS, Human Resources requests that City Council authorize entering into the said contract with TASC to perform these functions on the City's behalf.

NOW THEREFORE BE IT RESOLVED, the Pontiac City Council authorizes the Mayor or the Mayor's Designee to enter into a three-year contract with TASC to gather the information and to file the required employee healthcare and retirement reports with the federal government on the City of Pontiac's behalf for an amount Not-To-Exceed \$30,572.40.

Ayes: Carrington, Goodman, James, McGuinness and Parker

No: None

Resolution Passed

Council President McGuinness left the meeting.

Planning Division

24-74 **Resolution to Approve the Planning Commission's 2023 Year-End Report in accordance with MCL 125.3819 of the Michigan Planning Enabling Act.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, the Planning Commission has reviewed and compiled its 2023 accomplishments consistent with MCL 125.3819 of the Michigan Planning Act and request approval from the legislative body for the City; and

WHEREAS, the Report highlights the Planning Commission's determination on ten (10) rezoning requests, seven (7) zoning text amendments, and twenty-three (23) development reviews which were all presented to the Pontiac City Council.

WHEREAS, the Planning Commission recommends that City Council affirm its request for approval on the 2023 annual report.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council ratifies that it received the Planning Commission's 2023 Year-End Report.

BE IT FURTHER RESOLVED that the Pontiac City Council approves and adopts the Planning Commission's 2023 Year-End Report in accordance with MCL 125. 3819 of the Michigan Planning Enabling Act.

Ayes: Carrington, Goodman, James and Parker

No: None

Resolution Passed

Public Comment

1. Stacey Williams
2. Marcus Kelly
3. Robert Bass
4. H. Bill Maxey
5. Cameron Blunt
6. Jackie Curry

March 5, 2024, Draft

7. Robert Cavin, Jr.
8. Renee Beckley
9. Roselyn Northcross
10. Dr. Deirdre Waterman
11. Pastor Kathy Dessureau
12. Carlton Jones
13. Darlene Clark
14. Gloria Miller

Communications

City Council & Mayor's Office

Mayor, Clerk and Council Closing Comments

Mayor Tim Greimel, Councilwoman Kathalee James, Councilman Mikal Goodman and Council President Pro-Tem William Carrington made closing comments.

Adjournment

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

Ayes: Goodman, James, Parker and Carrington

No: None

Motion Carried

Council President Pro-Tem William Carrington adjourn the meeting at 9:19 p.m.

Garland S. Doyle
City Clerk

Exhibit A LEGAL DESCRIPTION-Vacant Side-Lots

Blaine Ave., 64-14-20-305-019
234 S. Shirley Ave., 64-14-33-208-017
66 Nelson St., 64-14-21-352-025
268 Luther Ave. 64-19-04-176-031
32 Bennett St., 64-14-20-383-026
494 Bloomfield Ave., 64-19-04-107-021
Luther Ave., 64-19-04-156-022
85 Gillespie Ave., 64-14-32-304-005

**CONSENT
AGENDA
D**



CITY OF PONTIAC RESOLUTION

Recognizing March 2024 as Social Work Month in the City of Pontiac, Michigan

Whereas, Social Work is a profession truly dedicated to helping people, and the primary mission of Social Work is to enhance human well-being and help meet the basic and complex needs of all people; and,

Whereas, Social Workers put a particular focus on helping people who are vulnerable, oppressed, or living in poverty and Social Workers meet people where they are and help people and communities reach their full potential; and,

Whereas, Social Workers work in all facets of our society, including schools, hospitals, community organizations, the military, mental health centers, social service agencies, corporations, and local, state, and federal government; and,

Whereas, for generations Social Workers have been on the front lines in the Pontiac community, making a substantial difference improving our residents' lives; now,

Therefore, Be It Resolved, the Pontiac City Council in collaboration with Pontiac Mayor Tim Greimel hereby proclaims March 2024 as Social Work Month in Pontiac, Michigan; and further

Resolved, the City of Pontiac honors the numerous contributions made by our nation's Social Workers and the past, present, and future contributions that Social Workers have made in the City of Pontiac; and further

Resolved, the City Council thanks Oakland University Social Work Lecturer Raenece Johnson of Pontiac for encouraging our City to recognize this important profession.

PONTIAC CITY COUNCIL • Pontiac, Michigan • March 12, 2024

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*

with Tim Greimel, *Mayor*



**CONSENT
AGENDA
E**



CITY OF PONTIAC RESOLUTION HONORING THE LIFE OF MR. ERIC JOHNSON

Whereas, the City of Pontiac, Michigan has been privileged to have many exemplary employees serve the City over the decades, whose hard work and dedication directly improved the quality of life for our citizens; and,

Whereas, Mr. Eric Johnson worked for the City of Pontiac for a number of years, serving with dedication and passion in finance operations at a critical juncture in the City's history; and,

Whereas, Mr. Johnson was an involved and outspoken advocate for our City and our residents for decades even beyond City employment; and,

Whereas, Mr. Johnson had an immensely positive impact on our City, his colleagues, his neighbors, and his beloved family; and,

Whereas, Mr. Johnson passed away March 4, 2024 at the age of 69, which is a tremendous loss for our entire community; now,

Therefore, Be It Resolved, the Pontiac City Council hereby mourns the passing of Mr. Eric Johnson and celebrates his life; and further

Resolved, the Pontiac City Council expresses our deepest gratitude for Mr. Johnson's dedicated service to our City and to the citizens whose lives he positively impacted; and further

Resolved, he will be remembered by this City Council and the entire Pontiac community as a wonderful human being who made a positive difference in our City; and further

Resolved, that we extend our deepest sympathies to his family, friends, neighbors, and colleagues.

PONTIAC CITY COUNCIL • Pontiac, Michigan • March 12, 2024

Mike McGuinness, Council President

Mikal Goodman, Councilmember

Brett Nicholson, Councilmember

Melanie Rutherford, Councilmember

William A. Carrington, President Pro Tem

Kathalee James, Councilmember

William Parker, Jr., Councilmember

with Tim Greimel, Mayor

CONSENT AGENDA

F



CITY OF PONTIAC RESOLUTION

Honoring the Life and Service of Mr. Brian Blosser

Whereas, the City of Pontiac, Michigan has been privileged to have many exemplary civic volunteers serve as election workers over the decades, whose hard work and dedication has contributed to the success of the election process in Pontiac; and,

Whereas, Mr. Brian Blosser was a resident of Pontiac and served as an election worker for the City for many years, working multiple election cycles; and

Whereas, Mr. Blosser was insistent about preserving the integrity of the election process and ensuring that citizens would be afforded their right to vote, and that his fellow residents were served well and treated kindly as part of the process; and,

Whereas, Mr. Blosser was devoted to serving Pontiac through other means, including at Monument of Faith Missionary Baptist Church, New Mount Moriah International Church, and Word Believing Christian Center Church, and as a faithful volunteer for many community service activities working to help his neighbors in need; and,

Whereas, Mr. Blosser has passed away in recent days at far too young an age, which is a tremendous loss to our community, his family, his friends, his neighbors, and to the Pontiac City Clerk's office staff and his fellow election workers; now,

Therefore, Be It Resolved, the Pontiac City Council, Pontiac Mayor Tim Greimel, and the entire City of Pontiac hereby mourns the passing Mr. Brian Blosser; and further

Resolved, the City Council expresses our deepest gratitude for Mr. Blosser's dedicated service to our City and to the Citizens of Pontiac, whose lives were enriched because of his willingness to help and be involved; and further

Resolved, the City Council and the entire community will remember his work, his personality, his spirit, and his willingness to help others; and further

Resolved, we extend our deepest sympathies to his family, friends, and colleagues.

PONTIAC CITY COUNCIL •

Mike McGuinness, Council President

Mikal Goodman, Councilmember

Brett Nicholson, Councilmember

Melanie Rutherford, Councilmember

Pontiac, Michigan • *March 12, 2024*

William A. Carrington, President Pro Tem

Kathalee James, Councilmember

William Parker, Jr., Councilmember

with Tim Greimel, Mayor



**CONSENT
AGENDA
G**



PONTIAC CITY COUNCIL RESOLUTION

Scheduling City Council Meetings on the Proposed Fiscal Year 2024-2025 City of Pontiac Budget

Hereby, Be It Resolved, the Pontiac City Council schedules meetings of the Pontiac City Council for the purpose of reviewing and deliberating upon the Mayor of Pontiac's proposed City of Pontiac Budget for Fiscal Year 2024-2025 in the Council Chambers of Pontiac City Hall on the following dates:

Thursday, May 9, 2024 at 3:00 p.m.

Thursday, May 16, 2024 at 5:00 p.m.

Thursday, May 23, 2024 at 5:00 p.m.

Thursday, May 30, 2024 at 5:00 p.m.

And Further Resolved, the City Council schedules requests the Pontiac City Clerk to ensure those meeting dates and times are properly posted.

PONTIAC CITY COUNCIL • Pontiac, Michigan • March 12, 2024

Mike McGuinness, Council President

Mikal Goodman, Councilmember

Brett Nicholson, Councilmember

Melanie Rutherford, Councilmember

William A. Carrington, President Pro Tem

Kathalee James, Councilmember

William Parker, Jr., Councilmember



**CONSENT
AGENDA
H**



PONTIAC CITY COUNCIL RESOLUTION

Scheduling Public Hearing on the Proposed Fiscal Year 2024-2025 City of Pontiac Budget

Hereby, Be It Resolved, the Pontiac City Council schedules the Public Hearing for the proposed City of Pontiac Budget for Fiscal Year 2024-2025 in the Council Chambers of Pontiac City Hall on the following date:

Tuesday, May 21, 2024 at 6:00 p.m.

And Further Resolved, the City Council schedules requests the Pontiac City Clerk to ensure those meeting dates and times are properly posted.

PONTIAC CITY COUNCIL • *Pontiac, Michigan* • *March 12, 2024*

Mike McGuinness, Council President
Mikal Goodman, Councilmember
Brett Nicholson, Councilmember
Melanie Rutherford, Councilmember

William A. Carrington, President Pro Tem
Kathalee James, Councilmember
William Parker, Jr., Councilmember



CONSENT AGENDA

I



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

To: Honorable City Council

From: Alicia Martin, Purchasing Manager
Cody MacPhee, Network Engineer

cc: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens

Date: March 12, 2024

Re: Resolution for Authorization to Renew the Annual City's Microsoft 365 Licenses with Insight Public Sector

The Purchasing Manager and Network Engineer request that the Pontiac City Council approve the annual renewal of the Microsoft 365 licenses for the City of Pontiac.

The renewal will cover the period of April 2, 2024, through April 1, 2025. Insight Public Sector is the selected first tier reseller of the Microsoft licenses. The cost to renew licenses for the period indicated is \$42,956.49, which is based on the number of personnel and users at the time of purchase. The City of Pontiac has approximately 192 licenses. A charge of \$250 will be added for each additional license beyond that.

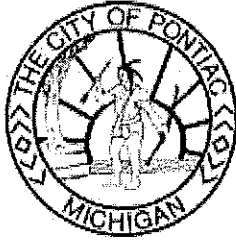
Microsoft 365 provides to the City the following applications:

- City's primary office applications such as Word, Excel, PowerPoint, and Outlook.
- Cloud and collaborative services such as OneDrive and Microsoft Teams for sharing documents and files.
- Security and compliance by protecting the City's network and emails.
- Additional services include survey and form creation tools, as well as task management tools.

Funding for these services will be as follows:

Dept.:	GL Account:	FY	Amount
IT 228	101-228-731.001 (Computer Supplies)	April 2024-April 2025	\$42,956.49
		Total:	\$42,956.49

Therefore, based on the information provided above and attached, the Purchasing Manager and the Network Engineer recommend that City Council authorize the renewal of the Microsoft 365 licenses to avoid disruption in the City's business operations.



CITY OF PONTIAC CITY COUNCIL

RESOLUTION FOR AUTHORIZATION TO RENEW THE MICROSOFT 365 SOFTWARE LICENSES WITH INSIGHT PUBLIC SECTOR FOR THE PERIOD OF APRIL 2, 2024, THROUGH APRIL 1, 2025

WHEREAS, the City of Pontiac uses Microsoft 365 for its primary office applications such as Word, Excel, PowerPoint, and Outlook; and

WHEREAS, Microsoft 365 also provides Cloud services, OneDrive, Microsoft Teams and security protection for the City's network and emails; and

WHEREAS, the renewal period for the annual subscription is April 2, 2024-April 1, 2025 so that City business operations are not disrupted; and

WHEREAS, Insight Public Sector is the authorized reseller of the Microsoft 365 licenses; and

WHEREAS, the cost to renew the current licenses is \$42,956.49 plus \$250 for each license beyond that; and

WHEREAS, the Purchasing Manager has met the competitive bid requirement of a major purchase by classifying this purchase as a Sole Source.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council authorizes the Mayor or the Mayor's Designee entering into a contract with Insight Public Sector to renew the Microsoft 365 licenses for the City of Pontiac for an amount Not-To-Exceed \$44,000.

FOR THE CITY:

APPROVED AS TO FORM:

City Attorney

FOR THE CITY COUNCIL:

City Council

City Clerk



Microsoft Cloud Solution Provider
New Commerce Quote

Insight Public Sector, Inc.
13755 Sunrise Valley Drive
Herndon, VA 20171
800.467.4448

Customer Name : City of Pontiac
Sold to : 10520447
Contact :
Contact Email :
Address : 47450 WOODWARD AVE
Address : PONTIAC, MI 48342-5009
City :
State :
Contract :

Quote Date : 3/1/2024
Price List : USDirectNCE02012024 Manager
Client Executive : Dan Trivett
License Type : New Commerce - License Based Services
Segment : Commercial
Cloud Care Support : Advanced

Zip :

Microsoft Cloud Subscriptions

Table with columns: Partner ID, Product Description, Subscription Term, Billing Frequency, Subscription Term Unit Price, QTY, Annual Payments. Includes rows for Microsoft 365 Business Premium and Microsoft 365 Business Basic.

Annual Payment Total : \$ 42,956.49

Advanced Cloud Care Support and Services:

- Assisted onboarding to our Cloud Management Platform (CMP)
• 24/7 Technical Support for Admins and End-Users
• Billing Support
• Best Practice Recommendations

*Note: All quotes expire at end of month.

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an invoice approach to extending your technology and developing a strategy to manage your financial options. This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case that separate agreement will govern. All prices online Terms of Sale can be found at: https://www.insight.com/en_US/insight/terms-of-sale-providers.html

The Cloud Solution Provider (CSP) Cancellation/Change Policy is 7 Days from Date/Time of Purchase.

Additionally, download data for software and software subscriptions purchased through Partner Center will have an expiry date of seven (7) days from initial download.

www.insight.com/en_US/insight/terms-of-sale-providers.html

CONSENT AGENDA

J



CITY OF PONTIAC RESOLUTION

Urging State Leaders to Address the Inadequacies of State Statutory Revenue Sharing

Whereas, the City of Pontiac, Michigan's local government, along with other local governments in Michigan, relies on state revenue sharing to provide essential services to its residents each year; and,

Whereas, state revenue sharing in the State of Michigan falls into the constitutional or statutory type, with statutory revenue sharing being determined by state legislative appropriations; and,

Whereas, through the years the City of Pontiac has experienced a significant reduction in statutory revenue sharing, impacting our City's ability to fund essential services adequately, a challenge shared by many cities throughout Michigan; and,

Whereas, State Revenue Sharing accounts for a substantial portion of the City of Pontiac's general fund budget and reductions in statutory revenue sharing has historically placed financial strain on the City and led to cuts in essential services for Pontiac residents over the years and contributed to past municipal financial strains; now,

Therefore, Be It Resolved, the Pontiac City Council hereby urges the Governor of Michigan, the Michigan State Legislature, and state administrators to reassess and amend the current approach to statutory revenue sharing to ensure more stable and adequate funding for local governments; and further

Resolved, the City Council emphasizes the harmful long-term implications of reduced statutory revenue sharing on the quality of life for the City of Pontiac and our citizens, and for cities throughout the great State of Michigan.

PONTIAC CITY COUNCIL • *Pontiac, Michigan* • *March 12, 2024*

Mike McGuinness, Council President

Mikal Goodman, Councilmember

Brett Nicholson, Councilmember

Melanie Rutherford, Councilmember

William A. Carrington, President Pro Tem

Kathalee James, Councilmember

William Parker, Jr., Councilmember



CONSENT AGENDA

K



PONTIAC CITY COUNCIL RESOLUTION

Congratulating City Councilwoman Melanie Rutherford on her Acceptance into the Michigan Municipal League Women's Elected Leadership Intensive

Whereas, the City Council for the City of Pontiac, Michigan strives to serve the citizens of our great City well as the legislative body of our municipal government; and,

Whereas, continuing education and professional development opportunities are pursued by City Councilmembers throughout the year to strengthen our abilities, understanding, and ideas to serve our residents as effectively as possible; and

Whereas, City Councilwoman Melanie Rutherford applied for and was selected for the Michigan Municipal League Women's Elected Leadership Intensive; and,

Whereas, Councilwoman Rutherford will be participating in the Women's Elected Leadership Intensive through the Michigan Municipal League this April and May; now,

Therefore, Be It Resolved, the Pontiac City Council congratulates City Councilwoman Melanie Rutherford on her acceptance into the Michigan Municipal League Elected Women's Leadership Intensive; and further

Resolved, we commend Councilwoman Rutherford on her commitment to continuing education and pursuing this professional development opportunity with the goal of strengthening the City Council's ability to serve the community effectively.

PONTIAC CITY COUNCIL • Pontiac, Michigan • March 12, 2024

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*



#10

ORDINANCE



TO: City Council

FROM: Mark Yandrick, Planning Manager

CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens

DATE: February 29, 2024

RE: PC 24-001, Zoning Map Amendment, 1590 N. Perry St.

Executive Summary

Application PC 24-001 is a request by Contour Windows, Inc. to rezone three (3) parcels on Perry Street between Pontiac Road and Giddings Road from the "R-1" One Family Dwelling District to the "C-3" Corridor Commercial District and is recommending approval with conditions to City Council. The applicant intends to construct a Window Fabrication Facility (Contour Windows) with accessory parking areas. The site consists of vacant parcels surrounded by residential and commercially zoned property with parklands to the southwest of the subject site. The applicant held a neighborhood community meeting on January 23, 2024, at City Hall to share what the applicant's proposal entailed.

Quick Facts	
Existing Zoning	R-1
Proposed Zoning	C-3
Area	19.5 Acres

Planning Commission recommended APPROVAL, 6-0, at a public hearing on February 7, 2024 with the conditions for this request.

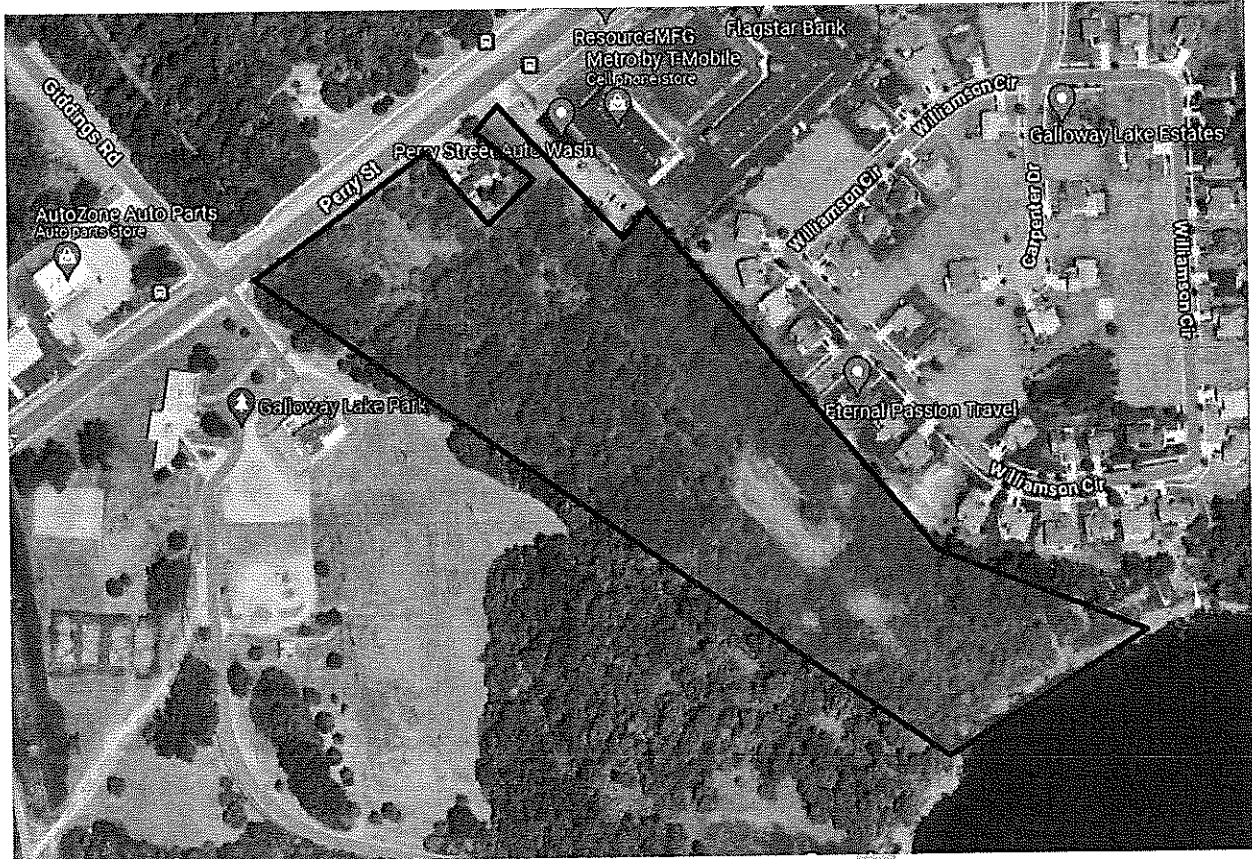
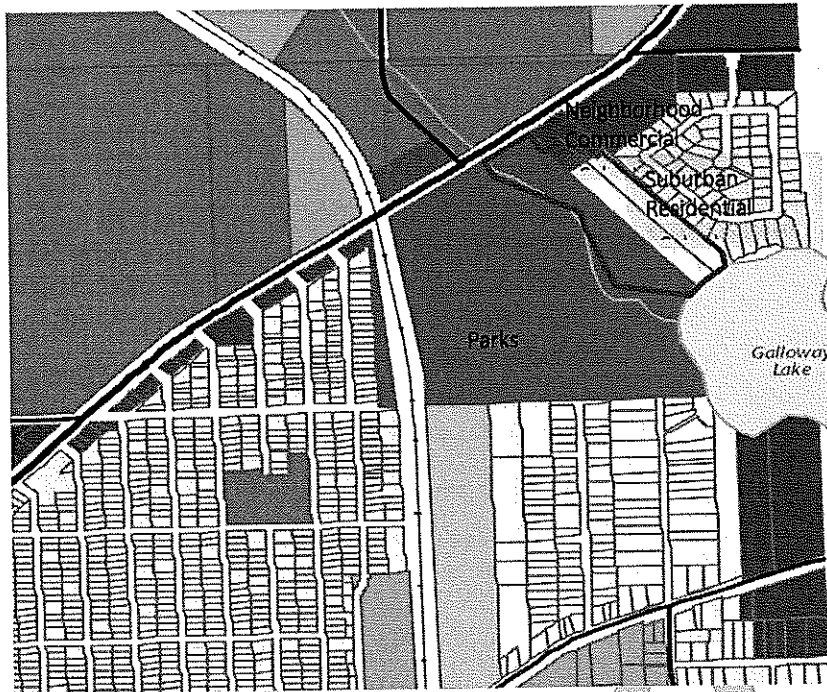


Figure 1 – site location map

Overview and History

The applicant intends to develop three (3) parcels for window fabrication. The property is currently vacant and inactive. The R-1 zoning classification is intended to “, encourage a suitable environment for families typically with children”.



Under this zoning district, single-family dwellings are the primary general use to establish in such districts. The R-1 Zoning classification is fairly restrictive with most permitted uses. In contrast, the C-3 Zoning classification permits a much broader range of commercial/mixed-use, retail, manufacturing, fabricating, and processing within this major thoroughfare area of the city.

The property has historically been used for agricultural and residential purposes. The Galloway Lake Estates developer

Figure 2 – Master Plan – Future Land Use Map

slated the site for future phasing of the residential development. However, no residential uses have been proposed for this site and no plans have been submitted to establish the parcel for residential purposes; the site remains in its natural setting.

Location and Zoning Classification

Perry Street is a State of Michigan Trunkline within the City, and is signed as the Interstate 75 Business Route. This well-trafficked corridor comprises mostly commercial uses inter-mixed with residential and parklands. The Southeast Metro Council of Governments (SEMCOG) reports an average daily traffic volume of 11,700 from their most recent study in 2016. Currently, the site is vacant with no improvements.

The location of the proposed rezoning can be seen in Figures 1 and 2. The property is zoned R-1 and adjacent to R-1, R-1a, C-0, C-1, and C-3 zoned parcels. The applicant is requesting to rezone the parcels to the C-3 zoning category due to the commonality of the zoning district on this corridor thoroughfare and because industrial fabrication uses are permitted by right on this very active mixed-use corridor.

If approved, these parcels rezoned to C-3 will be near other C-3, C-O, and C-1 properties in the immediate vicinity along Perry Street. For this reason, approval would not constitute “spot zoning.”

The future land use map classifies this property as, “Neighborhood Commercial (along Perry), Suburban Residential (the interior portions of the land to Galloway Lake), and Parkland (the southwestern parcel).” These land use classifications are intended to encourage development focused on residential and commercial uses. The Master Plan identifies “suburban residential” supporting “Single Family, School and Civic uses”, “Neighborhood Commercial” supporting “ “Commercial/ Retail/ Office” “Health

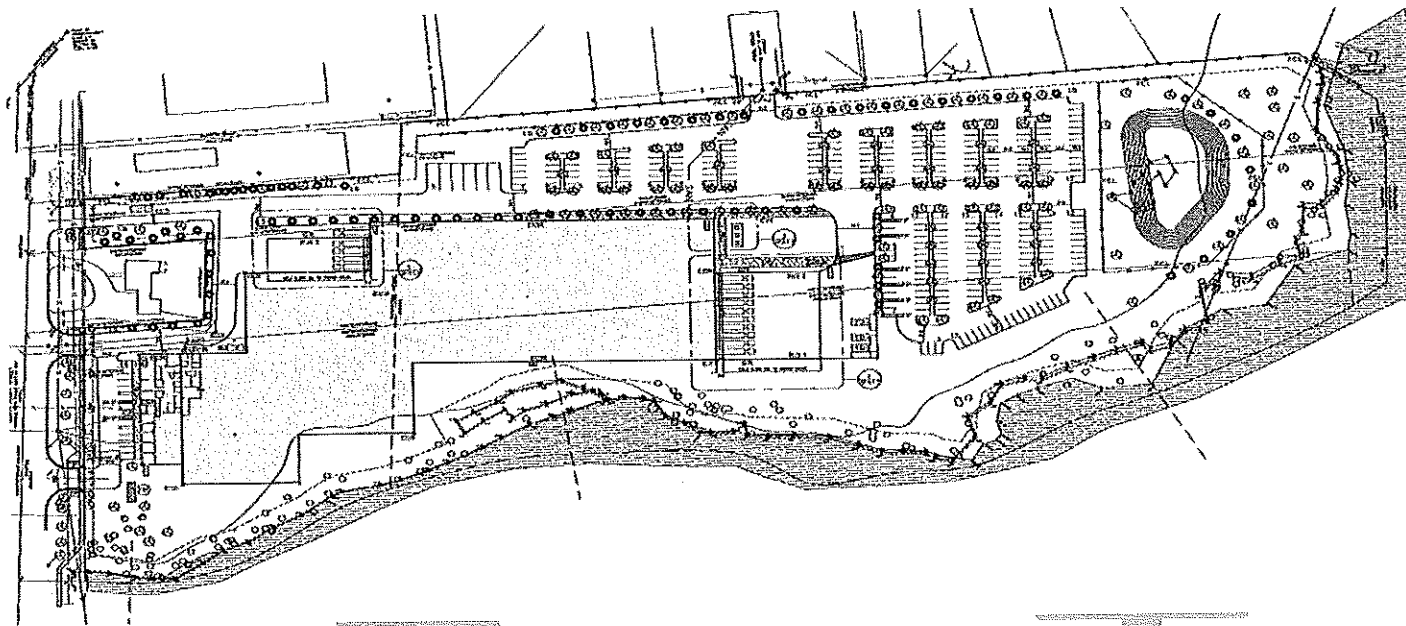


Figure 3 – Concept Plan of Proposed Facility

Care” “Townhouses” and “Park” supporting “Parkland” For this reason, the C-3 zoning district represents the least change necessary to allow for such redevelopment focused on the neighborhood commercial designation, however, with the Suburban Residential and Park master plan designations, these will have significant change. A Master Plan amendment will have to be completed for this request in the future if the request is successful.

Uses permitted in the C-3 district by right or by special exception include:

- Mixed Use Buildings
- Automobile service
- Bakeries or Confectionaries
- Banks or financial institutions
- Bars and taverns
- Business Service Establishments
- Childcare Centers
- Funeral Homes
- Galleries or Studios
- Lodging Uses (Inn or Hotel)
- Learning Centers
- Medical Clinics
- Medical Marihuana Uses
- Offices
- Pawn Shops
- Personal Service Establishments
- Pet Boarding Facilities
- Places of Assembly (any size)
- Restaurants
- Retail (any size except “large indoor”)
- Light manufacturing
- Workshops
- Mini-Warehouses
- Film and Television Production
- Public Transit Terminals
- Wholesale Storage (nonhazardous)
- Assisted Living Facilities
- Cemeteries or Crematoriums
- Community Centers
- Cultural or Municipal Uses
- Hospitals
- Nursing Homes
- Parking Lots
- Religious Institutions
- Schools
- Utilities

- Private Recreation
- Parks
- Urban Agriculture
- Greenhouses/Nurseries
- Veterinary Hospitals
- Drive Thru Facilities
- Mobile Food Vendors
- Outdoor Retail
- Outdoor Storage
- Sustainable Energy Generation
- Wireless Telecommunication Facilities

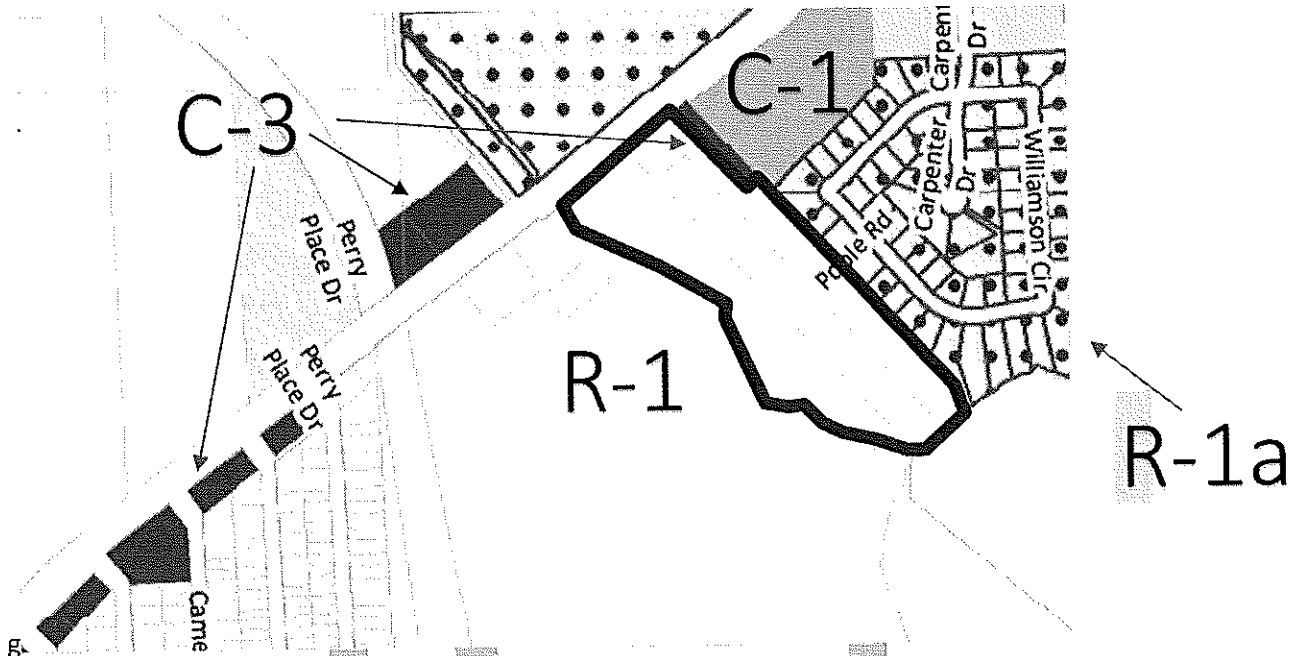


Exhibit 4 – Zoning Map

Approval of this request would alter the dimensional requirements for these parcels. The C-3 district permits zero-foot front yard setbacks, 5-foot side yard setbacks 20-foot rear yard setbacks, and a maximum height of 35 feet.

Conditional Rezoning

The applicant voluntarily offered on February 6, 2024 the following one (1) land use condition and five (5) dimensional site plan conditions for this Zoning Map Amendment.

- The Property shall not be used for the sale, grow, storage, transport, process or manufacture of marihuana or marihuana products, a pet boarding facility, community service facility, or for any lodging use.*
- Any approved site plan for the Property must contain the following:*
 - The minimum building setback from the Galloway Lake Estates property shall be 100 feet;*
 - The buffer distance between Galloway Lake Estates and the Property shall be 30 feet wide;*
 - The required landscaping abutting Galloway Lake Park shall exceed the requirements of the Zoning Ordinance by no less than 50%;*
 - A four (4) foot berm shall be constructed on the side of the Property which abuts*

- Galloway Lake Park; and*
- e. *The number of windows on the façade of the side of the building facing Galloway Lake Park shall exceed the requirements in the Zoning Ordinance.*
 - iii. Contour Windows shall not be entitled to use Poole Road for ingress or egress with the exception of emergency or fire access.

Regarding the last condition, staff is working with the applicant to come up with an enforceable condition for windows. The City's Zoning Code only requires windows and transparency along the Perry Street façade. There are not window and/or transparency requirements along the Galloway Lake Park Side so the City hopes the applicant can provide a percentage (15%) or total area for the proposed windows. While the applicant is not ready to commit to a metric for this condition, staff still requests that something be specified to make this condition enforceable.

Standards of Approval

When considering rezonings, the Planning Commission and City Council shall consider the following criteria.

- A. Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.
The Master Plan's Future Land Use map classifies the subject property as "Neighborhood Commercial" Suburban Residential" and "Park". The Neighborhood Commercial classification is intended, "for smaller scale commercial development that is designed to serve the needs of the surrounding neighborhood". The Parks classification is designated to include "parkland, cemeteries, and sensitive natural resources with buffering from natural features and not intended for intense development and require the strictest limitation of impervious surface and the most innovative stormwater detention/treatment requirements" Suburban Residential classification "covers the large-lot post-war suburban neighborhoods characterized by large lots, front-facing garages designed to automotive scale" Approval of this rezoning will be a deviation from the plan and require a master plan amendment in the future to focus on intensive commercial fabricating uses which may establish at this subject site.
- B. Compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.
The property is located within a floodplain or wetland. The topography of the site slopes from its high point at Perry Street, and slopes down to Galloway Lake. The site has historically been vacant land. Floodplains exist on portions of the southwestern parcel and at the rear of the three (3) parcels abutting Galloway Lake. Any future development will have to comply with required setbacks and regulations that prohibit construction within designated wetlands.

- C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning. *Under the current designations, the property is permitted to be used for single-family residence or for institutional uses such as community centers or schools, which has not garnered much interest since the Galloway Estates development was established in the early 2000s.*

- D. Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.



Figure 5 – photo of site from the Car Wash

The C-3 Corridor Commercial zoning district is compatible with the subject parcel's general vicinity along Perry Street, which has just under 12,000 vehicles per day per SEMCOG records. There are parcels zoned C-3, C-1, and C-0 on Perry to the north and the south. C-3 uses are for more intense commercial uses that primarily serve the residential and commercial uses of the immediate area.

- E. The capacity of the City's utilities and services are sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.
The City's utilities and services are sufficient to accommodate the proposed use. Engineering and Oakland County Water Resource Commission comments include enough capacity to support the rezoning .

- F. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
Perry Street is designated a State of Michigan Trunkline/ major corridor with 11,700 vehicles daily (2017) that is well suited to accommodate higher commercial traffic volumes.

While MDOT several years ago added a bike lane and reduced the vehicular lanes between

this site and Downtown Pontiac, there remains two (2) lanes in each direction plus a center turn lane from this subject site the northeast with connection the Interstate 75 exit for Perry Street.

- G. The boundaries of the requested rezoning district are reasonable in relationship to the surroundings, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

The boundaries of the requested rezoning district are sufficient for the development. The applicant's concept plans show plenty of space to meet the zoning code requirements, including setback, buffer yard, distance from floodplains/wetlands, and stormwater regulations. The floodplain portion of the site will need to be investigated regarding increased buffering per Federal and State regulations.



Figure – Photo of Site from Perry Street.

- H. If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.
The applicant worked with City Staff to determine the appropriate zoning district for this property and the type of use proposed. The C-3 zoning district was selected because it continues the continuity of the commercial corridor providing the opportunity for the development of uses on this high-intensity commercial corridor, which comprises C-0, C-1, and C-3 districts.
- I. If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use. *Based on the Master Plan the front portions of the parcels bounding Perry are designated Neighborhood Commercial and current zoning does consist of a C-3 zoning abutting the subject site at the north. A light manufacturing use is compatible with the proposed zoning district. This change will increase the intensity of the area but with the restrictions of permitted and special uses of the zoning ordinance.*

- J. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

The proposed C-3 zoning would be adjacent to existing C-3 parcels to the north and far northwestern and existing C-1, Local Business properties to the northeast along Perry Street. This rezoning is an extension of the thoroughfare area of Perry Street going east and west. Additionally, this use will not bring any traffic into the adjacent neighborhood as the vehicle and truck entrances are proposed to be located on Perry Street. The Pool Street right-of-way within the Galloway Lake Estates development will be gated and locked, with authorization for emergency vehicles only. A KNOX Box will be provided for emergency access.

Planning Commission Recommendation

Planning Commission recommended APPROVAL, 6-0, at a public hearing on February 7, 2024 with the conditions for this request.

SAMPLE MOTION TO APPROVE:

I move to RECOMMEND APPROVAL of the proposed rezoning of the Contour Perry Street parcels from R-1 Single Family Dwelling District to C-3 Local Business District based on the findings of fact identified in the staff report.

SAMPLE MOTION TO DENY:

I move to RECOMMEND DENIAL of the requested rezoning of the Contour Perry Street parcels R-1 Single Family Dwelling District to C-3 Corridor Commercial based on the following findings of fact:

1. It does not meet standard ___ based on the fact that...

SAMPLE MOTION TO POSTPONE

I move to POSTPONE the requested rezoning of the Contour Perry Street Parcels from R-1 Single Family Dwelling District to C-3 Local Business until the regularly scheduled March 13, 2024 Planning Commission meeting.



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 1590 N. Perry St.

Office Use Only

PF Number: _____

Sidwell Number: _____

Date: 1/12/24

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Contour Windows Inc.		
Address	40950 Woodward Ave.		
City	Bloomfield Hills		
State	MI		
ZIP Code	48304		
Telephone	Main: 248-761-2007	Cell:	Fax:
E-Mail	DAVID@contourcompanies.com		

Project and Property Information

Name of Proposed Development: Contour Windows

The subject property is location at N. Perry on the N/S/E/W side of Pontiac rd between Giddings and _____.

The property is zoned: ~~R-1~~ R-1

Proposed Zoning District: ~~EM~~ C-3

It is proposed that the property will be used as: Light Industrial

The subject property is legally described as follows (include sidwell numbers):

1415426008 - 016 - 022

~~1.5~~ Acre 19.5

Property Owner Information

Name	Cantover Companies		
Address	40950 Woodward Ave		
City	Bloomfield Hills		
State	MI		
ZIP Code	48304		
Telephone	Main: 248-761-2007	Cell:	Fax:
E-Mail	DAVID@cantover-companies.com		

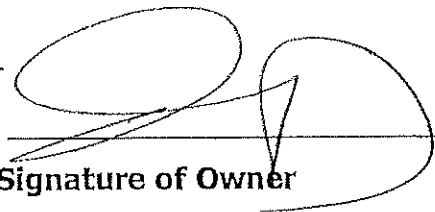
Are you the Owner Agent/rep. of the owner Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

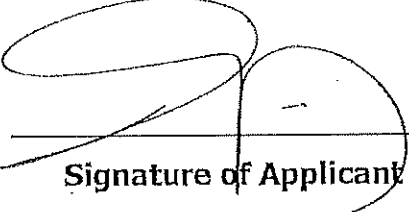
Asphalt

State the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.

Asphalt



 Signature of Owner

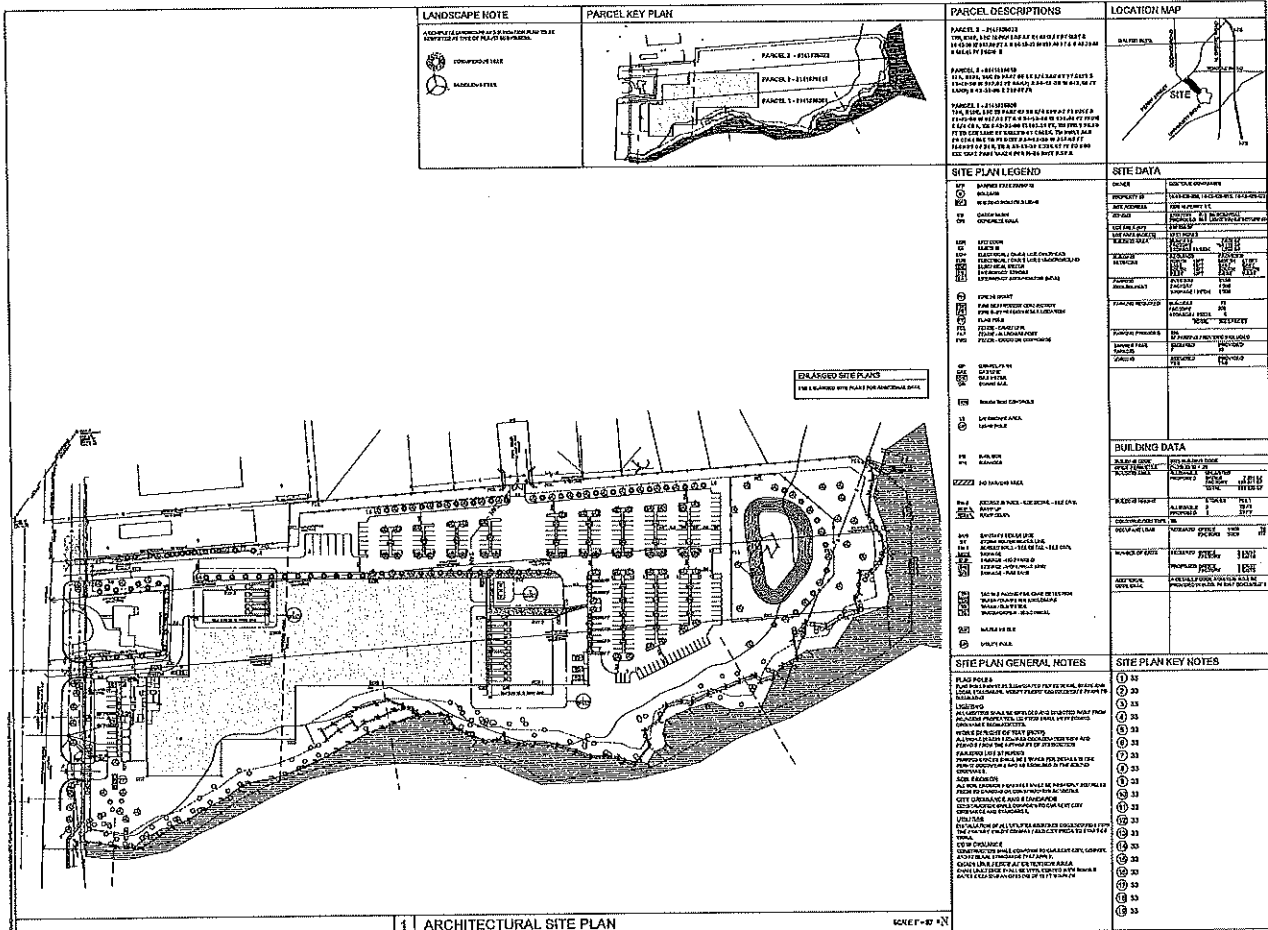


 Signature of Applicant

State of Michigan
 County of Oakland

On this _____ day of _____, A.D., 20____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

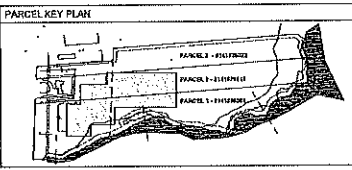
Notary Public, Oakland County, Michigan
 My Commission Expires: _____



LANDSCAPE NOTE

INDICATE LANDSCAPING AND SITE UTILIZATION TO BE COMPLETE AT TIME OF PLANT CONSTRUCTION.

 CONTOUR LINE
 BOUNDARY LINE

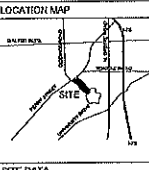


PARCEL DESCRIPTIONS

PARCEL 1 - 1000000
 TOTAL AREA OF 100,000 SQ FT. BOUNDARY LINE AS SHOWN ON PLAT OF 10/15/14. 1000000 1000000 1000000 1000000 1000000 1000000

PARCEL 2 - 1000000
 TOTAL AREA OF 100,000 SQ FT. BOUNDARY LINE AS SHOWN ON PLAT OF 10/15/14. 1000000 1000000 1000000 1000000 1000000 1000000

PARCEL 3 - 1000000
 TOTAL AREA OF 100,000 SQ FT. BOUNDARY LINE AS SHOWN ON PLAT OF 10/15/14. 1000000 1000000 1000000 1000000 1000000 1000000



SITE PLAN LEGEND

 BUILDING FOOTPRINT
 DRIVEWAY
 WALKWAY
 CONCOURSE
 DRIVEWAY
 DRIVEWAY
 DRIVEWAY
 DRIVEWAY

SITE DATA

OWNER: CONTOUR ARCHITECTS
 PROJECT NO.: 23.100
 DATE: 10/15/14
 SCALE: 1/8" = 1'-0"
 SHEET: SPA 1

ENLARGED SITE PLANS

SEE ENLARGED SITE PLANS FOR ADDITIONAL DETAILS.

SITE PLAN GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) HAZARDOUS MATERIAL HANDBOOK.

3. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

4. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

5. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

6. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

7. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

8. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

9. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

10. ALL UTILITIES SHALL BE SHOWN AND DELETED FROM THE PLANS AS SHOWN ON THE SITE SURVEY.

BUILDING DATA

BUILDING NAME: CONTOUR WINDOW MANUFACTURING
 ADDRESS: 1500 N. PERRY ST. PONTIAC, MI 48106
 PHONE: (313) 486-1111
 FAX: (313) 486-1112
 WEBSITE: WWW.CONTOURARCHITECTS.COM

SITE PLAN KEY NOTES

1. 1/8" = 1'-0"
 2. 1/8" = 1'-0"
 3. 1/8" = 1'-0"
 4. 1/8" = 1'-0"
 5. 1/8" = 1'-0"
 6. 1/8" = 1'-0"
 7. 1/8" = 1'-0"
 8. 1/8" = 1'-0"
 9. 1/8" = 1'-0"
 10. 1/8" = 1'-0"

1 ARCHITECTURAL SITE PLAN SCALE: 1/8" = 1'-0"

CONTOUR ARCHITECTS
 10955 Woodward Avenue, Suite 500
 Edsel Ford Plaza, Detroit, MI 48202
 (313) 486-1111

www.contourarchitects.com

Date: 10/15/14
 Sheet No.: SPA 1

Job No.: 23.100
 Project Title: CONTOUR WINDOW MANUFACTURING
 1500 N. PERRY ST. PONTIAC, MI

Sheet Title: Architectural Site Plan
 "DO NOT SCALE DRAWINGS"

Sheet No.: SPA 1.1





Resolution to Approve First Reading of Zoning Ordinance Map Amendment to Rezone 17.6 Acres of Parcels 64-14-15-426-008, and 64-14-15-426-016 and 64-14-15-426-022 from R-1 (One Family Dwelling) to C-3 (Corridor Commercial)

At a meeting of the City Council (“Board”) of the City of Pontiac, County of Oakland, State of Michigan (the “City”) held on February 29, 2024, at 47450 Woodward Ave, Pontiac, MI 48342 at 6:00 p.m. or thereafter, there were:

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and seconded by _____:

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend the City of Pontiac Zoning Ordinance Map to rezone parcels 64-14-15-426-008, 64-14-15-426-016 and 64-14-15-426-022 totaling 17.6 acres; specifically, to amend the Zoning Ordinance Map which lists this property as R-1 One-Family Dwelling to C-3 Corridor Commercial.

WHEREAS, the City of Pontiac City Council finds it is in the best interest of the health, safety, and welfare, to accept the Planning Commission’s Recommendation and approve the amendments to the Zoning Ordinance Map as presented.

NOW THEREFORE, BE IT RESOLVED by the Pontiac City Council that it hereby adopts the first reading of the amendments as presented to the City Council on February 29, 2024.

A roll call vote on the foregoing resolution was taken, the result of which is as follows:

YES:

NO:

ABSTAIN:

THE RESOLUTION WAS THEREUPON DECLARED ADOPTED.

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the City of Pontiac, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held on _____, the original of which is on file in my office, and that such meeting was conducted and public notice thereof was given pursuant to and in compliance with Act No. 267, Michigan Public Acts of 1976, as amended, and that minutes of such meeting were kept and are available as required by such Act.

By: _____

Dated: February 29 ____, 2024

Its: City Clerk

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC**

ORDINANCE NO. _____

ZONING ORDINANCE MAP AMENDMENT

AN ORDINANCE TO AMEND APPENDIX B OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC, AMENDING ARTICLE 2, SECTION 2.103—ZONING MAP, TO CHANGE THE ZONING CLASSIFICATIONS FOR A SPECIFIC PARCEL ON THE EAST SIDE OF NORTH PERRY STREET BETWEEN PONTIAC ROAD AND GIDDINGS ROAD, SUBJECT TO THE AGREED UPON CONDITIONS.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

That the Zoning Map of the City of Pontiac, said map being incorporated by reference in the Zoning Ordinance for the City of Pontiac pursuant to Article 2 therefor, be and the same is hereby amended, changed, and altered so that hereafter the zoning classifications for the below legal description, commonly referred to as 1590 N. Perry St., Parcel ID: 14-15-426-022, from One Family Dwelling District (R-1) to Corridor Mixed-Use District (C-3) with CR Conditional Rezoning, this Amendment is subject to the Conditions as described in Section 3.

Provided Legal Description:

The land referred to herein below is situated in the City of Pontiac, County of Oakland, State of Michigan, and is described as follows:

[ADD LEGAL DESCRIPTION]

Section 2. Conditions.

Said amendment is conditioned as provided in the voluntarily agreed Conditional Rezoning Agreement entered into between the City of Pontiac and Contour Windows, Inc., which include:

- i. The Property shall not be used for the sale, grow, storage, transport, process or manufacture of marihuana or marihuana products, a pet boarding facility, community service facility, or for any lodging use.
- ii. Any approved site plan for the Property must contain the following:

- a. The minimum building setback from the Galloway Lake Estates property shall be 100 feet;
 - b. The buffer distance between Galloway Lake Estates and the Property shall be 30 feet wide;
 - c. The required landscaping abutting Galloway Lake Estates shall exceed the requirements of the Zoning Ordinance by no less than 50%;
 - d. A four (4) foot berm shall be constructed on the side of the Property which abuts Galloway Lake Estates; and
 - e. The elevation facing Galloway Lake Park and the elevation facing Galloway Lake Estates shall include windows in a number to be determined.
- iii. Contour Windows shall not be entitled to use Poole Road for ingress or egress with the exception of emergency or fire access.

If the conditions as described above, and any other conditions as provided in the Conditional Rezoning Agreement, are not adhered to, the property in this Amendment will revert back to One Family Dwelling District (R-1).

Section 3. Repealer and Severability.

All other parts and provisions of the Zoning Ordinance shall remain in effect, amended only as provided above. If any section, clause 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 this Ordinance shall stand and be in full force and effect.

Section 4. Effective Date

The foregoing amendment to the City of Pontiac Zoning Map was approved and adopted by the City Council on _____, 2024, after a public hearing as required pursuant to the Michigan Act 110 of 2006, as amended. The Ordinance shall be effective on _____, 2024, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map Amendment in a publication in a newspaper of general circulation in the zoning district as required by Section 401 of Act 110 of 2006, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

ORDINANCE DECLARED ADOPTED.

Tim Greimel, Mayor
City of Pontiac, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Pontiac, County Oakland, State of Michigan, at a regular meeting of the City Council held on _____ day of _____, 2024, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: _____

Members Absent: _____

It was moved by Member _____ and supported by Member _____ to adopt the Ordinance.

Members voting yes: _____

Members voting no: _____

Members abstaining: _____

The Ordinance was declared adopted by the Mayor and has been recorded with the City of Pontiac.

Garland Doyle, City Clerk
City of Pontiac, Michigan

ADOPTED:

PUBLISHED:

EFFECTIVE:

**CITY OF PONTIAC
CONDITIONAL REZONING AGREEMENT**

This Conditional Rezoning Agreement (the “**Agreement**”) is made this ____ day of _____, 2024, by and between THE CITY OF PONTIAC, with its offices located at 47450 Woodward Ave., Pontiac, MI 48342 (the “**City**”), and Contour Windows, Inc. (“**Contour Windows**”) whose address is 40950 Woodward Ave., Ste. 300, Bloomfield, Hills, MI 48304.

THE PARTIES RECITE THAT:

WHEREAS, Contour Windows owns a certain parcel of real property located within the City of Pontiac, which is commonly described as follows:

1590 N. Perry St., Parcel ID Number: 14-15-426-022

WHEREAS, Contour Windows seeks re-zoning of the referenced parcel, as shown on **Exhibit A**. The parcel where rezoning is sought shall be referred to herein as the “**Property**.” The Property is currently zoned as follows and the legal description for the Property is on **Exhibit A** attached hereto:

Parcel Number(s)	Previous Zoning District	Rezoned to the following Zoning District:
14-15-426-022	One-Family Dwelling District (R-1)	Corridor Mixed Use District (C-3)

WHEREAS, under and pursuant to Section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL §125.3405 *et seq*), certain conditions voluntarily offered by the owner of land, including an agreement between the City and Contour Windows, may become a condition of rezoning of the Property; and

WHEREAS, Contour Windows submitted the Application for Conditional Rezoning on or about January 12, 2024 and an Offer of Conditions on February 6, 2024, attached as **Exhibit B** (collectively “**Application**”), voluntarily offering, in writing, certain conditions to rezone the Property as set forth in the table above, subject to the conditions of this Agreement; and

WHEREAS, the City’s Planning Commission on February 7, 2024, held a Public Hearing on the request for Conditional Rezoning and proposed amendment to the City’s Zoning Map Ordinance; and

WHEREAS, the City Council on _____, 2024, voted to approve the request for Conditional Rezoning and adopted Ordinance No. _____ to amend the City’s Zoning Map Ordinance based upon the conditions set forth in this Agreement and the attached Exhibits;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises hereinafter set forth, the City and Contour Windows agree as follows:

1. **CONDITIONAL REZONING, PROJECT DEVELOPMENT, AND CONDITIONS AND EXCEPTIONS TO USE OF PROPERTY**

A. **Conditional Rezoning.** Consistent with MCL §125.3405, the Property has been conditionally rezoned from the classification(s) One-Family Dwelling District (R-1) to Corridor Mixed Use District (C-3) as set forth in table A1 above, with conditions as approved by the City Council based upon Contour Windows’s Offer of Conditions, subject to and in accordance with this Agreement, unless this Agreement is amended by mutual agreement of the City and Contour Windows, following public hearing, or unless Contour Windows determines to use the Property in accordance with the zoning applicable to the Property under and in accordance with the termination provisions set forth herein. Contour Windows and future owners of the Property shall not develop and use the Property in a manner inconsistent with this Agreement.

B. **Project Definition.** The Project shall be based on a future approved development agreement and approved site plan submitted for the development of this Property. Except as modified herein or pursuant to any variances or deviations approved by the City, the Property shall remain subject to all other zoning and use district regulations of the City Zoning Ordinance, for property zoned Corridor Mixed Use District (C-3), as applicable in accordance with the zoning of each respective parcel as set forth in Table A1 above, and as limited by Contour Windows’s Offer of Conditions, and shall remain subject to all other requirements of the City’s building, zoning, and other land use regulations.

C. **Offered Conditions.** Contour Windows has voluntarily offered the following condition in consideration for the City’s granting of the rezoning:

- i. The Property shall not be used for the sale, grow, storage, transport, process or manufacture of marihuana or marihuana products, a pet boarding facility, community service facility, or for any lodging use.
- ii. Any approved site plan for the Property must contain the following:
 - a. The minimum building setback from the Galloway Lake Estates property shall be 100 feet;
 - b. The buffer distance between Galloway Lake Estates and the Property shall be 30 feet wide;
 - c. The required landscaping abutting Galloway Lake Estates shall exceed the requirements of the Zoning Ordinance by no less than 50%;
 - d. A four (4) foot berm shall be constructed on the side of the Property which abuts Galloway Lake Estates; and
 - e. The elevation facing Galloway Lake Park and the elevation facing Galloway Lake Estates shall include windows in a number to be determined.
- iii. Contour Windows shall not be entitled to use Poole Road for ingress or egress with the exception of emergency or fire access.

D. **Acknowledgement.** Contour Windows hereby acknowledges that the rezoning with conditions was proposed by Contour Windows to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms spelled out in the conditional rezoning agreement; and, Contour Windows further agrees and acknowledges that the conditions and conditional rezoning agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis, and represents a permissible exercise of authority by the City. Contour Windows further represents and warrants that it agrees to all of the following:

- i. The Property in question shall not be developed or used in a manner inconsistent with this conditional rezoning agreement.
- ii. Each of the requirements and conditions set forth in this Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved rezoning with conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
- iii. Nothing in this Agreement shall be construed as replacing the requirement for Contour Windows to obtain preliminary and final Site Plan, subdivision, condominium, or special land use review and approval, as applicable.

2. **PERIOD OF APPROVAL.** Unless extended by the City Council for good cause, the rezoning with conditions shall expire following a period of two (2) years from the effective date of the rezoning unless bona fide development of the Property pursuant to approved building and other permits required by the City commences within the two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.

A. **Expiration.** In the event bona fide development has not commenced within two (2) years from the effective date of the rezoning, the rezoning with conditions and the conditional rezoning agreement shall be void and of no effect. Contour Windows may apply for a one (1) year extension one (1) time. The request must be submitted to the City Clerk before the two (2) year time limit expires. Contour Windows must show good cause as to why the extension should be granted.

B. **Effect of Expiration.** If the rezoning with conditions becomes void in the manner provided in this section, no development shall be undertaken or permits for development issued until a new zoning district classification of the Property has been established. Either or both of the following actions may be taken:

- i. Contour Windows may seek a new rezoning of the Property and the City may approve same; and/or
- ii. Pursuant to MCL 125.3405, the Property shall revert to its former zoning classification following the process for approval of a rezoning with conditions.

C. **Extension.** If an extension of approval is granted by the City Council, a new conditional rezoning agreement with the new expiration date shall be recorded.

3. **RECORDATION.** This Agreement shall become effective following publication in the manner provided by law and recording of this Agreement with the County Register of Deeds.

4. **DEFAULT.** If development and/or actions are undertaken on or with respect to the Property in violation of the conditional rezoning agreement, such development and/or actions shall constitute a nuisance per se. In such case, the City may issue a stop work order relative to the Property and seek any other lawful remedies. Until curative action is taken to bring the Property into compliance with the conditional rezoning agreement, the City may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates in addition to or in lieu of such other lawful action to achieve compliance. In the event that Contour Windows defaults on the condition(s) of this Agreement, then, the City may, at its option and within its sole discretion, terminate this Agreement. In the event that this Agreement is terminated by then, by written notice given by the City to Contour Windows within three (3)

months following such failure by Contour Windows, the City may, at its option and within its sole discretion, declare the Property to revert back to its previous Zoning District(s) and terminate the approval of any Site Plan for the Project.

5. **ENTIRE AGREEMENT.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the City and Contour Windows concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises, conditions or understandings, either oral or written, between them other than as set forth herein.

6. **RELATIONSHIP OF THE PARTIES.** The relationship of the City and Contour Windows shall be defined solely by the expressed terms of this Agreement, including the implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the City and Contour Windows, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.

7. **MODIFICATION.** This Agreement can be modified or amended only by a written instrument expressly referring hereto and executed by the City and Contour Windows.

8. **MICHIGAN LAW TO CONTROL.** This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.

9. **DUE AUTHORIZATION.** The City and Contour Windows each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the City, its City Board and all other governmental agencies whose approval may be required as a precondition to the effectiveness hereof, and as to Contour Windows, by the members thereof, and that the persons who have executed this Agreement below have been duly authorized to do so. The parties hereto agree to provide such opinions of counsel as to the due authorization and binding effect of this Agreement and the collateral documents contemplated hereby as the other party shall reasonably request.

10. **SUCCESSORS AND ASSIGNS.** The approval of the terms, provisions, and conditions of this Agreement are for the benefit of the Property and shall run with the Property and shall bind and inure to the benefit of the parties to this Agreement and their respective successors, assigns, and transferees.

11. **NO PERSONAL LIABILITY.** The obligations hereunder of the City and Contour Windows shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, Board member, agent, employee or partner of any

of said entities shall have any personal obligation, responsibility or liability for the performance of the terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first set forth above.

SIGNED:

CITY OF PONTIAC

By:
Its:

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this ____ day of _____,
_____, by _____.

_____, Notary Public

County, Michigan

My Commission expires _____.

SIGNED:

Contour Windows Inc.

By: David Dedvukaj
Its: President

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by David Dedvukaj, President of Contour Windows Inc., on behalf of said company.

_____, Notary Public

_____ County, Michigan

My Commission expires _____.

Drafted by:
Morgan A. McAtamney (P80047)
The Kelly Firm, PLC
2825 University Dr.
Auburn Hills, MI 48236

When Recorded Return to:
Contour Windows
40950 Woodward Ave., Ste. 300
Bloomfield Hills, MI 48304

EXHIBIT A

(Legal Description)

Tax Parcel No. 14-15-426-022

EXHIBIT B

Copy of Application for Conditional Rezoning

(See following pages)

#11

RESOLUTION



CITY OF PONTIAC RESOLUTION

Commending Federal Funding for the City of Pontiac Martin Luther King, Jr. Boulevard Bridge Replacement Project

Whereas, the City of Pontiac, Michigan has a substantial infrastructure project need with the replacement of the Martin Luther King, Jr. Boulevard Bridge, which has been closed to vehicular traffic and pedestrians for safety reasons since the summer of 2022; and,

Whereas, the City was approved for \$10 Million in state funding through the Michigan Department of Transportation, with the Pontiac City Council voting to approve the contract with the State for that funding at the March 5, 2024 City Council meeting; and,

Whereas, the City has repeatedly expressed our gratitude to State Representative Brenda Carter, State Senator Jeremy Moss, State Speaker of the House Joe Tate, State Senate Leader Winnie Brinks, and Governor Gretchen Whitmer for their work and approval in making that state funding possible; and,

Whereas, Congresswoman Haley Stevens, who represents Pontiac in the United States House of Representatives, has been steadfast in advocating for federal funding to cover the remaining bulk of costs of for the vitally important bridge reconstruction project, and formally requested \$4,116,279 in funding as a Community Project request; and,

Whereas, after her persistent and ongoing pursuit of federal funding, the U.S. House and U.S. Senate have passed appropriation bills that include that Community Project funding for the bridge reconstruction project, and President of the United States Joseph R. Biden has just signed that appropriations legislation into law on March 9, 2024; now,

Therefore, Be It Resolved, the Pontiac City Council commends the federal government for investing \$4,116,279 in federal funding for the City of Pontiac Martin Luther King, Jr. Boulevard Bridge Replacement Project; and further

Resolved, the City Council expresses the deep gratitude on behalf of all Pontiac residents to our Congresswoman Haley Stevens for requesting that crucial funding, advocating for its passage, and working hard to partner with our City on this and other priorities to serve the citizens of Pontiac.

PONTIAC CITY COUNCIL • Pontiac, Michigan • March 12, 2024

Mike McGuinness, Council President

William A. Carrington, President Pro Tem

Mikal Goodman, Councilmember

Kathalee James, Councilmember

Brett Nicholson, Councilmember

William Parker, Jr., Councilmember

Melanie Rutherford, Councilmember

with Tim Greimel, Mayor

#12

RESOLUTION



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

To: Honorable City Council

From: Deborah Younger, Manager Economic Development

**cc: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens**

Date: March 12, 2024

**Re: Resolution for Approval to sell the Kennett Road Landfill to Pontiac Parc
pursuant to Section 3.113**

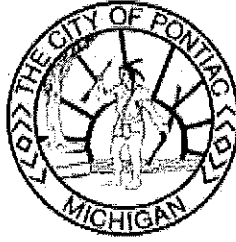
In accordance with Section 3.113 of the City Charter, the Economic Development Division seeks approval to sell the Kennett Road Landfill for the development of an industrial complex focused on the Semiconductor supply chain companies and Project Lift youth training facility.

A Public Hearing on the sale of vacant lots was authorized by the Pontiac City Council and held on December 19, 2023, in the City Council Chamber.

Pontiac Parc, a Limited Liability Company to be formed by developer Brad Taube, will purchase Parcel No. 14-18-301-002 at the established price of Five-Hundred-Thousand Dollars and 0/100 (\$500,000.00). As part of the sale, all environmental studies must be shared with the City of Pontiac. Additionally, an agreed upon number of Pontiac youth will be represented in Project Lift and Pontiac residents considered for construction jobs.

The project must also be completed within three (3) years of the execution of the Purchase and Development Agreements, or the property will revert to the City of Pontiac.

Therefore, based on the information provided above, the Economic Development Division requests that City Council approve the sale of the Kennett Road Landfill to Pontiac Parc, a limited liability company to be formed for this project by developer Brad Taube.



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO AUTHORIZE THE SALE OF THE CITY-OWNED KENNETT ROAD LANDFILL

WHEREAS, the Economic Development Division seeks to sell the vacant, City-owned parcel commonly known as the Kennett Road Landfill, in accordance with Section 3.113 of the Pontiac Home Rule Charter; and

WHEREAS, the Kennett Road Landfill is a 74-acre property with Parcel No. 14-18-301-002; and

WHEREAS, Pontiac Parc, a limited liability company to be formed, has agreed to purchase the property for Five-Hundred-Thousand Dollars and 0/100 (\$500,000.00); and

WHEREAS, a public hearing on the sale of this parcel was authorized by the Pontiac City Council and held on December 19, 2023; and

WHEREAS, the parcel will be developed into a new industrial complex focused on the semiconductor supply chain and Project Lift, a youth training facility; and

WHEREAS, the project must be completed within three (3) years of the execution of the Purchase and Development Agreements, or the property will revert to the City of Pontiac; and

WHEREAS, the Purchaser will provide the City of Pontiac with all environmental studies; and

WHEREAS, an agreed upon number of construction jobs and youth training members will be offered to Pontiac residents.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby approves the sale of the Kennett Road Landfill, Parcel No. 14-18-301-002.

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor or the Mayor's Designee to execute Purchase and Development Agreements including but not limited to the terms provided herein.

FOR THE CITY:

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

#13

RESOLUTION



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

To: Honorable City Council
From: Department of Grants & Philanthropy
cc: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens
Date: March 12, 2024
Re: Resolution to Request City Council Approval to Hold Two Public Hearings
to Introduce the Updated Citizen Participation Plan to Residents

The City's Department of Grants & Philanthropy is charged with the responsibility of fundraising, grant-writing, administration, compliance, oversight, and project management support for City Departments and subrecipients with active grants in both pre- and post-award phases.

Currently, the City is in the process of revising its Citizen Participation Plan (CPP), a prerequisite of federal rule 24 CFR Part 91.105 and HUD notices related to allocating the Community Development Block Grant ("CDBG"). CDBG provides funding opportunities for community groups and programs that meet certain guidelines.

The overall purpose of the CPP is to provide for and encourage citizens to participate in an advisory role in planning, implementing, and assessing programs that City of Pontiac's Department of Grants & Philanthropy may fund through CDBG. Thus, the City must hold public hearings to receive input from residents.

The initial public hearing is scheduled for Wednesday, April 3, 2024, from 6:00 p.m. to 8:00 p.m. at the Robert Bowens Senior Center. The second hearing is scheduled for Wednesday, April 17, 2024, in Council Chambers from 5:30-7:30pm.

Based on the information provided above, the Department of Grants & Philanthropy requests that City Council approve scheduling two (2) public hearings to introduce the updated Citizen Participation Plan as required for the Community Development Block Grant under federal law.



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO REQUEST CITY COUNCIL APPROVAL TO HOLD TWO PUBLIC HEARINGS TO INTRODUCE THE UPDATED CITIZEN PARTICIPATION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the Citizen Participation Plan must align with the requirements listed in the 24 CFR Part 91.105 (Citizen Participation Plan for local governments) and the HUD requirements contained in any applicable Federal Register Notices allocating funds; and

WHEREAS, the Citizen Participation Plan will encourage citizen participation related to planning, implementation, and assessment of proposed and actual programs that will be funded with Community Development Block Grant (CDBG) federal dollars; and

WHEREAS, the City of Pontiac will hold two public hearings, Wednesday, April 3, 2024, from 6:00 p.m. to 8:00 p.m. at the Robert Bowens Senior Center. The second hearing is scheduled for Wednesday, April 17, 2024, in Council Chambers from 5:30-7:30pm.

to obtain citizen participation and to respond to proposals and questions related to CDBG as required by federal law.

NOW THEREFORE BE IT RESOLVED that City Council hereby approves holding two public hearings for the introduction of the updated Citizen Participation Plan and to receive community feedback on proposed and actual programs funded through the Community Development Block Grant federal program.

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

#14

RESOLUTION



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

TO: Honorable City Council

FROM: Alicia Martin, Purchasing Manager
Deborah Younger, Economic Development Manager

CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens

DATE: March 12, 2024

RE: **Resolution for Approval to Execute a Contract With McKenna Associates, Inc. to Provide a Housing Study and Needs Assessment Services**

The City of Pontiac requested a housing study and needs assessment to gain a meaningful understanding of the housing market, key issues, and how those issues impact this community. The Purchasing Division posted the initial Request for Proposal (RFP) for a Housing Study and Needs Assessment to BidNet on June 20, 2023 which resulted in fourteen (14) firms pulling down partial or all the bid documents. Eight (8) companies submitted proposals. Seven (7) firms were interviewed.

The evaluation committee recommends awarding the bid to McKenna Associates, Inc, a Novi, Michigan company. McKenna has experience performing housing studies for other Michigan cities similar to Pontiac's demographics and economic state. McKenna's proposal also addresses the needs of Pontiac, including a local community engagement person, which they anticipate bringing on board as a subcontractor.

The Purchasing Division has completed McKenna's debarment check using Sam.gov. The company is also registered to conduct business in the State of Michigan according to Licensing and Regulatory Affairs (LARA). McKenna's bid to complete the Housing Study and Needs Assessment is \$59,971. It expects to complete the work within eight (8) months upon execution of their contract.

Funding for these services will be as follows:

Dept.:	GL Account:	FY	Amount
690	101-690-818.000 (Redev. & Housing)	March-June 2024	\$29,985.50
		July-October 2024	\$29,985.50
		Total:	\$59,971.00

Based on the information provided and attached, the Purchasing Manager recommends that City Council award McKenna Associates, Inc. a contract to conduct a Housing Study and Needs Assessment for the City of Pontiac.



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO AUTHORIZE APPROVAL TO EXECUTE A CONTRACT WITH MCKENNA ASSOCIATES, INC. TO PROVIDE A HOUSING STUDY AND NEEDS ASSESSMENT FOR THE CITY OF PONTIAC

WHEREAS, the Purchasing Division advertised a Request for Proposals for a Housing Study and Needs Assessment on BidNet on June 20, 2023; and

WHEREAS, eight (8) companies submitted proposals for consideration; and

WHEREAS, the Evaluation Committee selected McKenna Associates, Inc, a Novi, Michigan company to conduct the Housing Study and Needs Assessment for a fee of \$59,971.00; and

WHEREAS, McKenna Associates, Inc. has agreed to complete the project within eight months following the execution of a contract; and

WHEREAS, the Purchasing Division has met the competitive bid requirements for this referenced project; and

WHEREAS, the Purchasing Manager recommends awarding the bid to McKenna Associates, Inc. to conduct the Pontiac Housing Study and Needs Assessment.

NOW THEREFORE BE IT RESOLVED that the City Council approves awarding McKenna Associates, Inc., a contract to conduct a Housing Study and Needs Assessment.

BE IT FURTHER RESOLVED that the City Council authorizes the Mayor or the Mayor's Designee to execute a contract with McKenna Associates, Inc. for an amount Not-to-Exceed \$59,971.00 from GL Account .

FOR THE CITY:

City Attorney

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

MCKENNA



March 7, 2024

City Council
City of Pontiac
47450 Woodward Ave., 2nd Floor
Pontiac, MI, 48342

Subject: Housing Study and Needs Assessment Detailed Schedule

Dear Council Members,

Our project team of professionals from McKenna brings diverse expertise to the Pontiac Housing Study and Needs Assessment, from housing market analysis to zoning to comprehensive planning. We are partnering with E. Austell Associates, Inc. (EAA) for public engagement, and the expertise of our professionals at both EAA and McKenna will ensure the priorities of City residents and stakeholders guide the preparation of the City's Housing Study.

On the following page is our proposed tentative timeline of tasks, estimated to take 8 months. We can work with the City to revise the schedule desired. Specific dates and locations for engagement events are to be decided as we develop specifics around the engagement strategy such as venue, times, etc. Estimated time to conduct each task is indicated with the grey cells, with specific meetings for each called out below with tentative dates.

We look forward to discussing this exciting project with you at the March 12th Council meeting and are happy to answer any questions. Thank you, as always, for considering our team.

Respectfully submitted,

MCKENNA

A handwritten signature in black ink, appearing to read 'Christopher Khorey'.

Christopher Khorey, AICP
Project Director
Senior Principal Planner

A handwritten signature in black ink, appearing to read 'Alexis Farrell'.

Alexis Farrell,
Project Manager
Associate Planner

Cc: John Jackson, AICP, President

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

☎ 248.596.0920
☎ 248.596.0930
MCKA.COM

Communities for real life.



PROPOSED PROJECT SCHEDULE

TASKS	MONTH							
	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT
1. Kick-off and Strategic Issues								
2. Community Engagement								
3. Housing Analysis								
4. Housing Action Plan								
5. Presentations to City Council								
MEETINGS	AUDIENCE							
Project Kick-off Meeting	City Staff (Economic Development Division)							
	3/28							
Housing Workshop 1	City Staff (Community Development Department)							
			TBD	TBD	TBD			
Housing Workshop 2	City Boards and Commissions							
			TBD	TBD	TBD			
Community Housing Summits (7 total – 1 per Council District)	Community Members							
			TBD	TBD	TBD			
Stakeholder Interviews (5)	Subgroups: • Affordable Housing Service Providers/Advocates • Developers/Landlords/Realtors							
			TBD	TBD	TBD			
Focus Groups (2)	Targeted Demographic Groups (TBD; ex.: seniors, young adults)							
			TBD	TBD	TBD			
Packet Deadline for Materials							9/10	
Council Meeting 1: Present draft findings for discussion and feedback							9/17	
Packet Deadline for Materials								10/15
Council Meeting 2: Present the final housing study for adoption.								10/22
Administrative Check-In Meetings (as needed)*

*McKenna to attend virtually

#15

ORDINANCE



Resolution to Approve First Reading of Zoning Ordinance Text Amendment to Article 2, Chapter 2, Section 2.303; Article 2 Chapter 5 Sections, 2.551, 2.552, 2.553, 2.554, 2.555, 2.556, 2.557, 2.559 and 3.1208 regarding Marihuana

At a meeting of the City Council (“Council”) of the City of Pontiac, County of Oakland, State of Michigan (the “City”) at a meeting held on March 5, 2024, at 47450 Woodward Ave, Pontiac, MI 48342 at 6:00 p.m., there were:

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and seconded by _____:

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend the City of Pontiac Zoning Ordinance Article 2, Chapter 2, Section 2.303; and Article 2, Chapter 5, Sections 2.551, 2.552, 2.553, 2.554, 2.555, 2.556, 2.557, 2.559 and 3.1208.

WHEREAS, the City of Pontiac City Council finds it is in the best interest for the health, safety, and welfare, to accept the Planning Commission’s Recommendation and approve the amendments to the

Zoning Ordinance Text Amendments as presented.

NOW THEREFORE, BE IT RESOLVED that the Pontiac City Council adopts the first reading of the amendments to the Zoning Ordinance as presented to the City Council on March 5, 2024.

A roll call vote on the foregoing resolution was taken, the result of which is as follows:

YES: _____

NO: _____

ABSTAIN: _____

THE RESOLUTION WAS THERE UPON DECLARED ADOPTED.

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the City of Pontiac, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held on _____ the original of which is on file in my office, and that such meeting was conducted and public notice thereof was given pursuant to and in compliance with Act No. 267, Michigan Public Acts of 1976, as amended, and that minutes of such meeting were kept and are available as required by such Act.

Dated: March ____, 2024

By: _____

Its: City Clerk

THE PROPOSED ORDINANCE WOULD AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO PROHIBIT GREEN PAINT ON SIGNAGE AND EXTERIORS OF ADULT-USE MARIHUANA BUSINESSES IN DESIGNATED OVERLAY DISTRICTS AND LIMIT CAREGIVER FACILITIES TO 2,000 SQUARE FEET, ADDING:

Uses Permitted, Technical Correction

ARTICLE 2, CHAPTER 2, SECTION 2.303 Table 2.1 (Uses Permitted by District) and Table 2.2 (Adult Marihuana Uses By Overlay District)

Not more than eight ~~(8)~~ five (5) (Marihuana) Retailers are to be located in any one of the four (4) Adult-Use Marihuana Business Overlay Districts; Social Equity Retailers authorized by City ordinance are allowed in any one of the four (4) ~~Downtown~~ Adult-Use Marihuana Business Overlay Districts; not more than five (5) Class A Microbusinesses are allowed across all Adult-Use Marihuana Business Overlay Districts; and not more than six (6) Designated Consumption Establishments shall be allowed in the Downtown Adult-Use Marihuana Business Overlay District with three (3) Designated Consumption Establishments permitted north of Huron Street and three (3) Designated Consumption Establishments permitted south of Huron Street; Grower, Safety Compliance Facility, Secure Transporter, are allowed in the East Walton Boulevard and Cesar E. Chavez Adult-Use Marihuana Business Overlay Districts; Temporary Marihuana Events shall be allowed only in the Downtown Adult-Use Marihuana Business Overlay District; and Primary Caregivers or Caregivers, shall be located by special exception approval in the IP-1 and M-1 Zoning Districts.

Adult Use Marihuana Grower

ARTICLE 2, CHAPTER 5, SECTION 2.551(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.551(J)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.551(J)(4) EXTERIOR FACADE AND SIGNAGE

4. Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marijuana Grower Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Processor

ARTICLE 2, CHAPTER 5, SECTION 2.552(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.552(J)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.552(J)(4) EXTERIOR FACADE AND SIGNAGE

4. Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marihuana Processor as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Retailer

ARTICLE 2, CHAPTER 5, SECTION 2.553(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.553(J)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.553(I)(6) EXTERIOR FACADE AND SIGNAGE

6. Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marihuana Retailer or Social Equity Retailer as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Class A Micro Business

ARTICLE 2, CHAPTER 5, SECTION 2.554(H)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.554(J)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.554(J)(5) EXTERIOR FACADE AND SIGNAGE

5. Exterior Facade and Signage. Exterior surfaces and signage of a Class A Microbusiness as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Designated Consumption Establishment

ARTICLE 2, CHAPTER 5, SECTION 2.555(F)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.555(H)(5).

ARTICLE 2, CHAPTER 5, SECTION 2.555(H)(5) EXTERIOR FACADE AND SIGNAGE

5. Exterior Facade and Signage. Exterior surfaces and signage of a Designated Consumption Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Safety Compliance Facility

ARTICLE 2, CHAPTER 5, SECTION 2.556(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.556(H)(3).

ARTICLE 2, CHAPTER 5, SECTION 2.556(H)(3) EXTERIOR FACADE AND SIGNAGE

3. Exterior Facade and Signage. Exterior surfaces and signage of a Safety Compliance Facility as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Secure Transporter

ARTICLE 2, CHAPTER 5, SECTION 2.557(F)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.557(H)(5).

ARTICLE 2, CHAPTER 5, SECTION 2.557(H)(5) EXTERIOR FACADE AND SIGNAGE

5. Exterior Facade and Signage. Exterior surfaces and signage of a Secure Transporter Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

Adult Use Marihuana Primary Caregiver

ARTICLE 2, CHAPTER 5, SECTION 2.559(A)(7) CERTIFICATE OF OCCUPANCY

7. A certificate of occupancy shall be required for any Caregiver licensed under this Article. No certificate of occupancy shall be issued for any Caregiver facility exceeding 2,000 square feet, regardless of the number of caregivers on site at any time.

ARTICLE 2, CHAPTER 5, SECTION 2.559(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.559(I)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.559(I)(4) EXTERIOR FACADE AND SIGNAGE

4. Exterior Facade and Signage. Exterior surfaces and signage of a Primary Caregiver Facility as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance.

ARTICLE 3, CHAPTER 12 ADULT USE MARIHUANA BUSINESS DISTRICTS, SECTION 8 BUFFER DISTANCE REQUIREMENTS

- B. Such distance between the school, childcare center, public park, or religious institution, and the contemplated location shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting

straight lines at right angles to the centerline from the primary point of ingress to the school, childcare center, or religious institution, ~~residential dwelling unit~~ or from the entrance to a public park, and from the primary point of ingress to the adult-use marijuana business along the centerline to the primary street address building entrance.

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC**

ORDINANCE NO.

ZONING ORDINANCE TEXT AMENDMENT

AN ORDINANCE TO AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO AMEND REQUIREMENTS FOR ADULT-USE MARIHUANA RETAIL ESTABLISHMENTS IN DESIGNATED OVERLAY DISTRICTS AND CAREGIVERS TO INCLUDE:

ARTICLE 2, CHAPTER 2, SECTION 2.303 TABLE 2.1;

ARTICLE 2, CHAPTER 5, SECTION 2.551(G)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.551(J)(4) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.552(G)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.552(J)(4) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.553(G)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.553(I)(6) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.554(H)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.554(J)(5) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.555(F)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.555(H)(5) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.556(G)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.556(H)(3) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.557(F)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.557(H)(5) TO ADD EXTERIOR FACADE AND

SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.559(A)(7) TO ADD REQUIREMENTS TO OBTAIN CERTIFICATE OF OCCUPANCY;

ARTICLE 2, CHAPTER 5, SECTION 2.559(G)(5) TO ADD SIGNAGE REQUIREMENTS;

ARTICLE 2, CHAPTER 5, SECTION 2.559(I)(4) TO ADD EXTERIOR FACADE AND SIGNAGE REQUIREMENTS;

ARTICLE 3, CHAPTER 12, SECTION 3.1207(A)(1) TO REDUCE THE NUMBER OF PERMITS AVAILABLE IN THE EAST WALTON OVERLAY DISTRICT;

ARTICLE 3, CHAPTER 12 ADULT USE MARIHUANA BUSINESS DISTRICTS, SECTION 3.1208 TO CLARIFY BUFFER DISTANCE REQUIREMENTS;

THE CITY OF PONTIAC ORDAINS:

Uses Permitted, Technical Correction

ARTICLE 2, CHAPTER 2, SECTION 2.303 Table 2.1 (Uses Permitted by District) and Table 2.2 (Adult Marihuana Uses By Overlay District)

Not more than eight ~~(8)~~ *five (5)* (Marihuana) Retailers are to be located in any one of the four (4) Adult-Use Marihuana Business Overlay Districts; Social Equity Retailers authorized by City ordinance are allowed in any one of the four (4) ~~Downtown~~ Adult-Use Marihuana Business Overlay Districts; not more than five (5) Class A Microbusinesses are allowed across all Adult-Use Marihuana Business Overlay Districts; and not more than six (6) Designated Consumption Establishments shall be allowed in the Downtown Adult-Use Marihuana Business Overlay District with three (3) Designated Consumption Establishments permitted north of Huron Street and three (3) Designated Consumption Establishments permitted south of Huron Street; Grower, Safety Compliance Facility, Secure Transporter, are allowed in the East Walton Boulevard and Cesar E. Chavez Adult-Use Marihuana Business Overlay Districts; Temporary Marihuana Events shall be allowed only in the Downtown Adult-Use Marihuana Business Overlay District; and Primary Caregivers or Caregivers, shall be located by special exception approval in the IP-1 and M-1 Zoning Districts and shall be limited to no greater than 2,000 square feet in size.

Adult Use Marihuana Grower

ARTICLE 2, CHAPTER 5, SECTION 2.551(G)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that*

is green in appearance, consistent with Section 2.551(J)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.551(J)(4) EXTERIOR FACADE AND SIGNAGE

4. *Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marijuana Grower Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marijuana Processor

ARTICLE 2, CHAPTER 5, SECTION 2.552(G)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.552(J)(4).*

ARTICLE 2, CHAPTER 5, SECTION 2.552(J)(4) EXTERIOR FACADE AND SIGNAGE

4. *Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marijuana Processor as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marijuana Retailer

ARTICLE 2, CHAPTER 5, SECTION 2.553(G)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.553(J)(4).*

ARTICLE 2, CHAPTER 5, SECTION 2.553(I)(6) EXTERIOR FACADE AND SIGNAGE

6. *Exterior Facade and Signage. Exterior surfaces and signage of an Adult-use Marijuana Retailer or Social Equity Retailer as defined herein shall not be painted any shade of*

green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.

Adult Use Marihuana Class A Micro Business

ARTICLE 2, CHAPTER 5, SECTION 2.554(H)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.554(J)(4).*

ARTICLE 2, CHAPTER 5, SECTION 2.554(J)(5) EXTERIOR FACADE AND SIGNAGE

5. *Exterior Facade and Signage. Exterior surfaces and signage of a Class A Microbusiness as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marihuana Designated Consumption Establishment

ARTICLE 2, CHAPTER 5, SECTION 2.555(F)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.555(H)(5).*

ARTICLE 2, CHAPTER 5, SECTION 2.555(H)(5) EXTERIOR FACADE AND SIGNAGE

6. *Exterior Facade and Signage. Exterior surfaces and signage of a Designated Consumption Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marihuana Safety Compliance Facility

ARTICLE 2, CHAPTER 5, SECTION 2.556(G)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.556(H)(3).*

ARTICLE 2, CHAPTER 5, SECTION 2.556(H)(3) EXTERIOR FACADE AND SIGNAGE

3. *Exterior Facade and Signage. Exterior surfaces and signage of a Safety Compliance Facility as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marihuana Secure Transporter

ARTICLE 2, CHAPTER 5, SECTION 2.557(F)(5) SIGNAGE

5. *Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.557(H)(5).*

ARTICLE 2, CHAPTER 5, SECTION 2.557(H)(5) EXTERIOR FACADE AND SIGNAGE

5. *Exterior Facade and Signage. Exterior surfaces and signage of a Secure Transporter Establishment as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.*

Adult Use Marihuana Primary Caregiver

ARTICLE 2, CHAPTER 5, SECTION 2.559(A)(7) CERTIFICATE OF OCCUPANCY

7. A certificate of occupancy shall be required for any Caregiver licensed under this Article. No certificate of occupancy shall be issued for any Caregiver facility exceeding 2,000 square feet, regardless of the number of caregivers on site at any time.

ARTICLE 2, CHAPTER 5, SECTION 2.559(G)(5) SIGNAGE

5. Signage shall not be painted any shade of green or be constructed of any material that is green in appearance, consistent with Section 2.559(I)(4).

ARTICLE 2, CHAPTER 5, SECTION 2.559(I)(4) EXTERIOR FACADE AND SIGNAGE

4. Exterior Facade and Signage. Exterior surfaces and signage of a Primary Caregiver Facility as defined herein shall not be painted any shade of green or be constructed of any material that is green in appearance. The use of any shade of green either in the façade of the building or otherwise visible from the exterior of the building shall be strictly prohibited, including, but not limited to, the use of paint, lighting, window coverings, and/or any other building materials.

ARTICLE 3, CHAPTER 12 ADULT USE MARIHUANA BUSINESS DISTRICTS, SECTION 3.1207(A)(1) ADULT-USE MARIHUANA BUSINESS OVERLAY DISTRICT LOCATION AND DESCRIPTION

1. Not more than ~~eight (8)~~ *seven (7)* permits to operate an Adult-Use Marihuana Retailer and/or Adult-Use Social Equity Retailer shall be awarded in this Overlay District No. 1. See Overlay Map 1 for this Adult-Use Marihuana Business Overlay District.

ARTICLE 3, CHAPTER 12 ADULT USE MARIHUANA BUSINESS DISTRICTS, SECTION 3.1208(B) BUFFER DISTANCE REQUIREMENTS

B. Such distance between the school, childcare center, public park, or religious institution, and the contemplated location shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines at right angles to the centerline from the primary point of ingress to the school, childcare center, or religious institution, ~~residential dwelling unit~~ or from the entrance to a public park, and from the primary point of ingress to the adult-use marihuana business along the centerline to the primary street address building entrance.

#16

ORDINANCE



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

To: Honorable City Council

**From: JoAnne Gurley
Law Director**

**cc: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens**

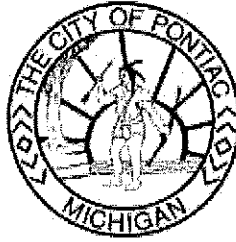
Date: March 12, 2024

**Re: Request for Postponement of the Vote on the Adult-Use Marihuana and
Caregiver Ordinance Amendments**

At the March 5, 2024 City Council Meeting, this honorable body voted to postpone its vote on the proposed Adult-Use and Caregiver Ordinance Amendments for one week to allow for certain corrections.

Consequently, thorough review of the proposed amendments requires additional time.

Therefore, the Law Director is requesting that City Council postpone the vote on the proposed ordinance amendments until March 19, 2024.



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO AUTHORIZE POSTPONEMENT OF THE VOTE ON THE ADULT-USE AND CAREGIVER ORDINANCE AMENDMENTS UNTIL MARCH 19, 2024

WHEREAS, on March 5, 2024, the Pontiac City Council voted to postpone its vote on the proposed Adult-Use and Caregiver Ordinance Amendments to allow for certain corrections; and

WHEREAS, the Law Department is requesting an additional week to review the proposed amendments.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby approves postponing the vote on the Adult-Use and Caregivers Ordinance Amendments until March 19, 2024.

FOR THE CITY:

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

#17

ORDINANCE

CITY OF PONTIAC
ORDINANCE No. _____

AN ORDINANCE TO AMEND THE CITY OF PONTIAC MUNICIPAL CODE ARTICLE III, DIVISION 1, CHAPTER 78, SECTIONS 56 THROUGH 65 TO INCLUDE HUMAN RIGHTS PROTECTIONS AND ARTICLE III, DIVISION 2, CHAPTER 78, SECTION 66 TO PROHIBIT HOUSING DISCRIMINATION BASED ON SOURCE OF LEGAL INCOME TO INCLUDE:

ARTICLE III, DIVISION 1, CHAPTER 78, SECTIONS 56-65

ARTICLE III, DIVISION 2, CHAPTER 78, SECTION 66

The City of Pontiac Ordains:

Amend Article III, Division 1, Chapter 78, Sections 56-65 are amended to include Human Rights protections.

Amend Article III, Division 2, Chapter 78, Section 66 is amended to prohibit housing discrimination based on source of legal income.

Chapter 78- HUMAN RELATIONS

ARTICLE III. DISCRIMINATION

DIVISION 1. GENERALLY

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78-56— Intent.

It is hereby declared to be contrary to the public policy of the City of Pontiac (City) for any person to deny any individual the enjoyment of civil rights, or for any person to discriminate against any individual in the exercise of civil rights because of actual or perceived color, race, religion or creed, sex, gender identity or expression, sexual orientation, national origin, genotype, age, marital status, familial status, medical condition, disability, height, weight, or source of lawful income (cumulatively known as protected classes).

78-57 Definitions.

As used in this Chapter, the following words and phrases shall mean:

- (1) Age: The length of time in years that an individual has lived.
- (2) Agent: Any person acting on behalf of an employment, housing, public accommodation, or public services entity.

- (3) Bias: A tendency, opinion, or inclination that is preconceived, unreasoned or based on protected class status including, but not limited to, prejudice in favor of or against one person, or group compared with another, usually in a way considered to be unfair or based on stereotypes.
- (4) Bona Fide Occupational Qualification: A condition, characteristic, or factor which informs decisions and conduct with respect to a protected class in the area of employment when there are no less discriminatory means, but which is lawful, reasonable, necessary, and narrowly tailored to the safe, efficient, and standard operation of the employer, as further described in this Chapter.
- (5) City: The City of Pontiac, Michigan.
- (6) Color: pigmentation of the skin.
- (7) Conviction Record: the history of all criminal convictions of an individual in any jurisdiction, including time served in prison, jail, juvenile detention, probation, rehabilitation or diversionary programs, or placement on a sex offender registry.
- (8) Creed: A system of beliefs, principles, or opinions that guides an individual's actions.
- (9) Disability: A physical or mental characteristic of an individual which may result from disease, injury, congenital condition, or functional disorder, if the characteristic:
- (a) For purposes of employment, substantially limits one or more of the major life activities of an individual but is unrelated to that individual's qualifications for employment or ability to perform the duties of a particular job or position; or
 - (b) For purposes of public accommodation, is unrelated to an individual's ability to use and benefit from a place of public accommodation or public service; or
 - (c) For purposes of housing, substantially limits one or more of an individual's major life activities but is unrelated to that individual's ability to acquire, rent or maintain property.
 - (d) For the purposes of this Chapter, disability shall include, but not be limited to, the use of adaptive aids, devices, or guides, but shall not include temporary impairments associated with drug or alcohol consumption
- (10) Discrimination: To make or refrain from making a decision, selectively furnish or withhold access, or act or threaten to act in an adverse way in the areas of employment, housing, public accommodation, public services, or other benefit, based in whole or in part on the actual or perceived status of an individual as a member of a protected class. Discrimination includes:
- (a) The use of facially neutral practices that have an adverse impact on members of a protected class.
 - (b) Harassment directed at a protected class; harassment does not need to be both severe and pervasive.

(c) Any act which results in unequal treatment or segregation of an individual.

- (11) Employee: An individual performing lawful work for another person who does not share familial status with that person, in exchange for monetary compensation.
- (12) Employer: Any person compensating one or more individuals for the performance of work in a lawful business or enterprise.
- (13) Equal: Subject alike to all requirements, qualifications, conditions, and considerations that are not prohibited grounds of discrimination.
- (14) Familial Status: An individual's position within the network of that individual's biological and legal relations within three degrees of consanguinity, or through marriage, adoption or other legal custodial relationship.
- (15) Gender Identity or Expression: An individual's actual or perceived sex including identity, self-image, appearance, expression, or behavior, whether or not that identity, self-image, appearance, expression, or behavior is different from that traditionally associated with the individual's biological sex assigned at birth.
- (16) Genotype: The genetic constitution of an individual.
- (17) Harassment: Conduct or communication directed at another individual intentionally for the purpose or effect of creating an intimidating, hostile, or offensive environment with regard to employment, public accommodation, public services, or housing.
- (18) Height: Length of an individual's body as measured in feet and inches.
- (19) Housing: Any real property, building, structure, or portion thereof which is used or occupied, or is intended to be used or occupied, as the home or residence of one or more individuals. This includes, but is not limited to, a house, apartment, condominium unit, rooming house, housing cooperative, homeless shelter, hotel, motel, tourist home, retirement home, or nursing home.
- (20) Marital Status: The state of being married, remarried, never married, divorced, or widowed.
- (21) Medical Condition: All past or present physical or mental health diagnoses, treatments, and procedures an individual has received, associated symptoms and risk factors, and effects of such diagnoses, treatments, and procedures.
- (22) National Origin: An individual's nation of origin, or the physical, cultural, or linguistic characteristics associated with that nation or a part thereof.
- (23) Perceived: The perception of the person who committed the action, but not necessarily the perception of the individual for or against whom the action was taken.

- (24) Person: An individual, association, partnership, agency, organization, or corporation, public or private, including all employees thereof. The term, when applied to partnerships, associations, and corporations, includes members and officers.
- (25) Protected Class: Any group or status identified in this Chapter.
- (26) Public Accommodation: A facility, including a governmental entity or business, offering or furnishing goods, services, places, privileges, or advantages to the general public for purchase, consumption, use, or acquisition, including, but not limited to, hotels, motels, housing, restaurants, taverns, concert and entertainment venues, retail and service enterprises, public services, and certain educational institutions. Public services include those goods or services provided by the City in the public interest to the people living within its jurisdiction, either directly or under contract.
- (27) Race: The perceived status of human beings as belonging to distinct groups based on inherited characteristics primarily identified by skin color, and which is a social construct unsupported by the science of genetics.
- (28) Religion: A particular system of faith and worship.
- (29) Retaliation: Adverse action taken against the person who filed a complaint or participated in a complaint investigation under the Human Rights Ordinance.
- (30) Sex: The biological designation of male or female assigned at birth. For gender, see subsection (16) above.
- (31) Sexual Harassment: A type of discrimination including, but not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:
- (a) Submission to such conduct or communication by an individual is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodation, public services, or housing.
 - (b) Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodation, public services, or housing.
 - (c) Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodation, public services, or housing, or creating an intimidating, hostile, or offensive employment, public accommodation, public services, or housing environment.
- (32) Sexual Orientation: An individual's sexual and/or romantic identity in relation to the gender(s) to which the individual is attracted, or the absence of such sexual and/or romantic identity.

(33) Source of lawful Income: Any lawful source of money paid directly to an individual or family or indirectly on behalf of an individual or family, including, but not limited to:

(a) Money derived from any lawful profession or occupation.

(b) Money derived from any contract, agreement, loan, or settlement; from any court order, such as court-ordered child support or alimony; from any gift or bequest; or from any annuity or life insurance policy.

(c) Money derived from any benefit or subsidy program, including, but not limited to, any housing assistance, such as Housing Choice Vouchers, Veterans Affairs Supportive Housing (VASH) Vouchers, or any other form of housing assistance payment or credit whether or not paid or attributed directly to a landlord; public assistance; emergency rental assistance; unemployment; child support; spousal support; disability benefits; veterans benefit; Social Security or other retirement program; supplemental security income; VA and FHA loans, or other program administered by any federal, state, or local agency or nonprofit entity.

(34) Weight: The body mass of an individual measured in pounds.

78-58 In General.

(1) No person shall adopt, enforce, or employ any policy, requirement, qualification, practice, or factor which has the effect of creating unequal treatment or opportunities relating to housing, employment, public accommodations or public services on the basis of actual or perceived membership in a protected class as defined in this Chapter, except as exempted under Section 64 Exceptions of this Chapter.

(2) The prohibitions against discrimination as provided for in this Chapter shall not be deemed preempted by state or federal law, but are intended to supplement such law.

(3) This Chapter shall be construed and applied in a manner consistent with the First and 14th Amendments of the U.S. Constitution and Art. I, § 2 of the Constitution of Michigan regarding freedom of speech and free exercise of religion.

78-59 Discriminatory Housing Practices.

(1) The opportunity to purchase, lease, rent, sell, use, convey, and finance housing without discrimination on the basis of actual or perceived membership in a protected class as identified in this Chapter is hereby recognized and declared to be a civil right.

- (2) The provisions of Chapter 78, Section 66 of the City Code shall also apply to discriminatory housing practices, including but not limited to those provisions governing discriminatory housing and financial practices, exceptions, blockbusting, and violations.
- (3) In addition to the exemptions contained in Chapter 78-66 of the City Code, the following considerations may result in exceptions to discriminatory housing practices:
- (a) Safety. Any decision based upon the reasonable and well-substantiated belief that an individual's physical or mental health poses a serious threat to the health, safety, and welfare of the individual, other residents, or other persons
 - (b) Conviction Record. History of criminal conviction may be considered in housing decisions, although arrest with no conviction may not be considered. An outright ban on prospective tenants with a criminal background is prohibited. Landlords must carefully consider, on a case-by-case basis, the nature and severity of the crime, the age of the individual at the time of the crime, whether there have been repeat offenses, whether the individual maintained a good tenant history before or after the conviction, evidence of rehabilitation efforts, and whether the crime for which the individual was convicted may pose a demonstrable risk to the health, safety or welfare of other residents or persons (which would include manufacturing or distributing illegal drugs) or to property.
 - (c) Competence. Any decision which is based upon the reasonable and well-substantiated belief that an individual is incapable of satisfactorily fulfilling reasonable responsibilities associated with the housing arrangement.
 - (d) The following are not legitimate exceptions:
 - i. The anticipated or actual objections of other residents, neighbors, or persons.
 - ii. Mere inconvenience, less than an undue hardship, to a housing agent in procuring or providing reasonable aid to a member of a protected class to accommodate that individual's needs.

78-60 Discriminatory Employment Practices.

- (1) No person shall discriminate in the hire, employment, compensation, work classifications, conditions or terms, promotion or demotion, or termination of employment of any individual.
- (2) No person shall discriminate in limiting membership, conditions of membership or termination of membership in any labor union or apprenticeship program.

78-61 Discriminatory Public Accommodation Practices.

No person shall discriminate in making available full and equal access to all goods, services, activities, privileges and accommodations of any place of public accommodation. No person shall prohibit a breastfeeding mother from or segregate a breastfeeding mother within any public accommodation where she and the child would otherwise be authorized to be.

78-62 Other Prohibited Practices.

- (1) No person shall adopt, enforce or employ any policy or requirement, publish, post or broadcast any advertisement, sign or notice which discriminates or indicates discrimination in providing housing, employment or public accommodations.
- (2) No person shall discriminate in the publication or distribution of advertising material, information or solicitation regarding housing, employment or public accommodations.
- (3) No agent, broker, labor union, employment agency or any other intermediary shall discriminate in making referrals, listings or providing information with regard to housing, employment or public accommodations. A report of the conviction of any such person for a violation of this chapter shall be made to the applicable licensing or regulatory agency for such person or business.
- (4) No person shall coerce, threaten or retaliate against an individual for making a complaint or assisting in the investigation regarding a violation or alleged violation of this chapter, nor require, conspire with, assist or coerce another person to retaliate against an individual for making a complaint or assisting in an investigation.
- (5) No person shall conspire with, assist or coerce another person to discriminate in any manner prohibited by this chapter.
- (6) No person shall discriminate against individuals based on their use of a government-issued identification card and all persons shall accept a government-issued identification card as valid identification unless:
 - (a) There are reasonable grounds for determining that the government-issued identification card is counterfeit, altered, or improperly issued to the individual or that the individual presenting the government-issued identification card is not the individual to whom it was issued; or
 - (b) Federal law, state law, or a valid court order requires the person to obtain different identification from the individual presenting the identification.

78-63 Nondiscrimination by City Contractors

- (1) All contractors proposing to do business with the City shall satisfy the City Code, and any policies based thereon as adopted by the City.
- (2) A contractor shall, as a condition of being deemed a responsible bidder, at the time of its submission to the City in responding to an invitation to bid or request for proposal, certify in writing that it is in compliance with the provisions of this Chapter, and any applicable policies.
- (3) Each City contract shall provide that a breach of the obligation not to discriminate shall be considered a material breach of the contract.

78-64 Exceptions

Notwithstanding anything contained in this chapter, the following practices shall not be violations of this chapter.

- (1) For a religious organization or institution to restrict any of its facilities of housing or accommodations which are operated as a direct part of religious activities to individuals of the denomination involved or to restrict employment opportunities for officers, religious instructors, and clergy to individuals of that denomination.
- (2) For the owner of an owner-occupied 1-family or 2-family dwelling, or a housing facility or public accommodation facility, respectively, devoted entirely to the housing and accommodation of individuals of 1 sex, to restrict occupancy and use on the basis of sex.
- (3) The sale or rental of any dwelling by an owner, provided the following condition is met, the person owning the dwelling does not own or have any interest in more than five (5) dwellings within the City at that time.
- (4) Rooms or units in a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the person owning the dwelling actually maintains and occupies one of such living quarters as his or her residence.
- (5) For the owner of a property where the property is subject to an agreement with the City, County, State, or Federal government that sets aside some or all units in the property for income-restricted housing to ensure access and/or affordability for low- income and moderate-income tenants or any tax-credit programs.
- (6) For the owner when any housing assistance is not approved by the appropriate agency within thirty (30) days after the landlord has provided all information required as a condition of the agency's approval, including evidence that all repairs required before occupancy have been completed.

- (7) Income that a prospective tenant cannot demonstrate is derived from sources and activities permitted by law and is provided on an ongoing basis.
- (8) To limit occupancy in a housing project or to provide public accommodations or employment privileges or assistance to individuals who are of low income, over 55 years of age or disabled, in circumstances in which such limitations are appropriately designated.
- (9) To engage in a bona fide effort to establish an affirmative action program to improve opportunities in employment for groups, including, but not limited to, minorities and women, where allowed or required by law.
- (10) To discriminate based on an individual's age when such discrimination is required by state, federal or local law.
- (11) To refuse to enter a contract with an unemancipated minor.
- (12) To refuse to admit to a place of public accommodation serving alcoholic beverages an individual under the legal age for purchasing alcoholic beverages.
- (13) To refuse to admit individuals under 18 years of age to a business providing entertainment or selling literature which the operator of said business deems unsuitable for minors.
- (14) For an educational institution to limit the use of its facilities to those affiliated with such institution.
- (15) To provide discounts on products or service to students, minors, veterans, and senior citizens.
- (16) To discriminate in any arrangement for the sharing of a dwelling unit by an individual who is sharing the unit.
- (17) To restrict use of lavatories and locker room facilities on the basis of sex.
- (18) For a governmental institution to restrict any of its facilities or to restrict employment opportunities based on duly adopted institutional policies that conform to federal and state laws and regulations.
- (19) To restrict participation in an instructional program, athletic event or on an athletic team on the basis of age or sex.
- (20) To restrict employment on the basis of a bona fide occupational qualification.
- (21) Nothing herein contained shall be construed to prohibit any affirmative action laws passed by any level of government. Preferential treatment of, or benefits conferred on any of the classes protected from discrimination under this chapter are permissible to the extent allowed by law.

78-65 Reserved. Right to Private Action.

- (1) Nothing contained in this Chapter shall be construed to limit in any way the remedies, legal or equitable, available to the City or any person for the prevention or correction of discrimination including, but not limited to false information pursuant to the City Code or false report of a crime

pursuant to the Michigan Penal Code, MCL 750.411a. Such remedies shall be governed by applicable law.

(2) To the extent allowed by law, an individual who is the victim of discriminatory action in violation of this ordinance may bring a civil action for appropriate injunctive relief or damages or both against the person(s) who acted in violation of this chapter.

(3) "Person aggrieved" includes a person whose right created, granted or protected by Article III, Division 2, Chapter 78, is violated by a covered entity directly or through conduct of the covered entity to which the person's agent or employee is subjected while the agent or employee was acting, or as a result of the agent or employee having acted, within the scope of the agency or employment relationship. For purposes of this subdivision, an agent or employee's protected status is imputed to that person's principal or employer when the agent or employee acts within the scope of the agency or employment relationship. It is irrelevant whether or not the covered entity knows of the agency or employment relationship.

(4) A person is aggrieved even if that person's only injury is the deprivation of a right granted or protected by Article III, Division 2, Chapter 78.

(5) As used in subsection (2), "damages" means damages for injury or loss caused by each violation of this chapter, including reasonable attorney fees.

DIVISION 2. HOUSING

78-66 Prohibited.

No owner of real property, lessee, sublessee, real estate broker or salesman, builder or supplier of building materials, lender, financial institution, advertiser, or agent of such designated persons, shall discriminate against any other person because of the religion, source of lawful income, race, color or national origin of such other person in regard to the sale, rental of or dealings concerning real property located in the city.

(Code 1985, § 14-149)

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