

# PONTIAC CITY COUNCIL

**Mike McGuinness, District 7**

**President**

**William A. Carrington, District 6**

**President Pro Tem**



**Melanie Rutherford, District 1**

**Brett Nicholson, District 2**

**Mikal Goodman, District 3**

**Kathalee James, District 4**

**William Parker, Jr., District 5**

*It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."*

47450 Woodward Pontiac, MI 48342

Phone: (248) 758-3200

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

**85<sup>th</sup> Session of the 11<sup>th</sup> Council**

**May 9, 2023 at 6:00 P.M.**

**Meeting Location: City Council Chambers 47450 Woodward Pontiac, MI 48342**

**Meeting Agenda**

**Call to Order**

**Invocation**

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

**Moment of Silence**

**Roll Call**

**Authorization to Excuse Councilmembers from the Meeting**

**Amendments to and Approval of the Agenda**

**Approval of the Consent Agenda**

- A. April 24, 2023 Law and the Courts Subcommittee meeting Minutes
- B. April 28, 2023 City Council Facilities and Property Subcommittee Meeting Minutes.
- C. May 1, 2023 City Council Economic Development, Housing, and Planning Subcommittee Meeting Minutes.
- D. May 2, 2023 City Council Meeting Minutes
- E. Resolution recognizing May as Asian Pacific Islander Heritage Month
- F. Resolution recognizing May as Mental Health Awareness Month
- G. Resolution recognizing May as Military Awareness Month

**Special Presentations**

- 1. General Motors Announcement of New \$200 Million Parts Plant to be Constructed at Former Palace of Auburn Hills Site, 1,000 Jobs at New Plant
- 2. Pontiac Skate Park Project Groundbreaking at Oakland Park, May 12, 2023 from 3:30 to 5:00 pm
- 3. Note of Thanks from Ronnie McNeir to Pontiac City Council

**Subcommittee Reports**

- 4. Communications, Engagement & Operations
- 5. Economic Development, Housing & Planning
- 6. Facilities & Property
- 7. Finance & Personnel
- 8. Law & The Courts
- 9. Parks, Recreation & Public Works

10. Public Safety, Health & Wellness

**Recognition of Elected Officials**

**Agenda Address (Two Minutes Time Limit)**

**Agenda Items**

**Resolutions**

City Council

11. Resolution recognizing and supporting Autism Awareness Walk
12. Resolution recognizing the Heroism of Randi Maddix
13. Resolution Honoring the Life of Pontiac Retiree Terry Jones

Economic Development

14. Resolution to execute a contract with Passport, Inc. for a Mobile Parking Application and Parking Violation Enforcement.

Finance

15. Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023 Increase the appropriation in the following GL account 101-201-818.000 Other Professional Services - \$100,000.

Grants

16. Resolution to express formal support for the City of Pontiac Adopt-A-Park Program

Mayor's Office

17. Resolution to approve permit for United Wholesale Mortgage request for Flock Camera System Right of Way Utilization.
18. Resolution approving Mayor's Appointment to Planning Commission Vacancy (**Postpone from May 2, 2023 Council Meeting**)

Planning

19. Resolution to extend the Carlisle Wortman contract for three (3) months.

Treasury

20. Resolution to schedule a Public Hearing on May 16, 2023 for the Annual Millage Rates for Fiscal Year 2023-2024

**Public Comment (Three Minutes Time Limit)**

**Public Communications**

**City Council**

21. Upcoming Fiscal Year 2023-24 Department Budget Hearings Schedule  
Thursday, May 11, 2023 – 5:00 pm Special Meeting on the Budget  
Community Development, Grants, Human Resources and 50<sup>th</sup> District Court

Thursday, May 18, 2023 – 5:00 pm Special Meeting on the Budget  
Finance, Communications and Information Technology (IT)

Thursday May 25, 2023 – 5:00 pm to 9:00 pm Special Meeting on the Budget

Department of Public Works (DPW) and Recreation

Tuesday, May 30, 2023 - Public Hearing on Proposed Budget and Fee Schedule 6:00 pm

22. Residents who are behind in paying their water bills or facing a service shut-off can get help from a partnership between the Oakland county Water Resources Commission and OLSHA. Those who qualify could get up to \$1,500 in payments on their water bills and stop a shut-off plan. This program is temporary and expires on September 30, 2023. Schedule an appointment with OLHSA to sign up by calling (248) 209-2600 or emailing [info@olhsa.org](mailto:info@olhsa.org)
23. Pontiac School District is seeking Mentors, Your Help is Needed for the Structured and Comprehensive Mentoring Program to Support Students at All Grade Levels, Email [communications@pontiacschools.org](mailto:communications@pontiacschools.org) for more information
24. Oakland County Michigan Works! Pontiac Summer Internship Program required Information Sessions, May 10 or May 17, 2023 from 5:30 to 7:30pm; Program is for Pontiac Young People Ages 16 to 24, Paid Internships Run from June 26 to August 18, 2023; Deadline to register is May 19, 2023; call (248) 276-1777 for more information
25. "Anything But Human" Music Fest May 11, 2023, held at Alley Cat Café, 31 N. Saginaw Street Downtown Pontiac
26. Garden of Cocktails Fundraiser for Micah 6 Community, May 11, 2023 from 7:00 to 10:00 pm, held at Golden Walsh Garden and Home, 559 Orchard Lake Road, Pontiac 48341. For tickets and more information, visit [micha6community.networkforgood.com](http://micha6community.networkforgood.com)
27. Bound Together Benefit Fundraiser for their Pontiac After-School Tutoring Program, May 13, 2023 from 4:00 to 6:00 pm, held at Sylvan Lake Community Center, 2456 Pontiac Drive, Sylvan Lake 48320, contact Executive Director Michele Wogaman for more information at (248) 875-5768
28. E-Community Outreach Services Presents Hoops for Youth Women's Basketball Game Fundraiser, May 13, 2023 from 1:00 to 4:00 pm, held at UWM Sports Complex, 867 South Boulevard East, Pontiac 48341
29. Alexander Zonjic and Friends elegant Mother's Day Concert, May 13, 2023 with doors at 6:30 pm and concert at 7:30 pm, tickets are \$40 and include a rose and CD, held at Pontiac's Little Arts Theatre, 47 N. Saginaw Street in Downtown Pontiac
30. Third Tuesdays Global Music Jam at the PLAT, May 16, 2023 at 6:00pm, held at Pontiac's Little Arts Theatre, 47 N. Saginaw Street in Downtown Pontiac, Oakland University Professors Mark Stone and Patrick Fitzgibbon lead a jam session of various musicians, from students to professional area musicians, creating a world music experience
31. Library Karaoke at Pontiac Public Library, May 18, 2023 at 6:00 pm, held at the Pontiac Library, 60 E. Pike Street, Pontiac 48342
32. Pontiac Community Foundation 5-Year Anniversary Celebration, May 19, 2023
33. Oakland County's Historical Society 147<sup>th</sup> Annual Meeting, May 20, 2023 at 11:00 am, held at Wisner School, 441 Cesar E. Chavez Avenue, Pontiac 48342
34. 13<sup>th</sup> Annual Stomp Out Violence: Community Healing Fair by the Identify Your Dream Foundation, May 29, 2023 at 11:00 am, held at Wisner Memorial Stadium, 441 Cesar E. Chavez Avenue, Pontiac 48342

35. Third Annual Bunny Shelter Fundraiser, June 2, 2023, held at Alley Cat Café, 31 N. Saginaw Street, Pontiac 48342
36. Save the Date: Pontiac Collective Impact Partnership Youth Expo set for June 10, 2023
37. Art Fish Fun Festival at Beaudette Park, June 10, 2023 from 11:00 to 4:00 pm, held at Beaudette Park, Orchard Lake Road, Pontiac 48341
38. Growing Pontiac Session on Protecting Your Harvest: Controlling Pests, Critters and Disease, June 15, 2023 from 6:00 to 8:00 pm, held at Micah 6 Community, 32 Newberry Street, Pontiac 48341
39. M1 Concourse Cars Under the Stars Fireworks Spectacular, June 25, 2023 starting at 5:00 pm with fireworks at dusk, held at M1 Concourse at South Boulevard and Woodward Avenue in Pontiac
40. 40th Anniversary Celebration of the Pontiac Fiero, Happening July 12-16 Throughout Pontiac and at the CenterPoint Pontiac Marriott
41. Elam Family and Friends Block Party, July 15, 2023 from 11:00 am to 7:00 pm, held at 485 S. Sanford, Pontiac 48341
42. Pontiac Theatre IV Auditions for Aladdin, Jr. on July 30, 2023 from 3:00 to 6:00 pm, July 31 from 6:00 to 8:00 pm, and August 1 from 6:00 to 8:00 pm. Contact Director Laura Johns at [redskyatnight35@aol.com](mailto:redskyatnight35@aol.com) for more information
43. M1 Concourse Cruise-In and Woodward Dream Parade, August 19, 2023 at 8:00 am, held at M1 Concourse, South Boulevard and Woodward Avenue in Pontiac
44. Pontiac Second Annual Praise Festival, August 27, 2023 from 2:00 to 7:00 pm, held at Wisner Stadium track Field on Cesar Chavez Avenue in Pontiac

#### **Mayor's Office**

45. Special Planning Commission Meeting, May 10, 2023 at 6:00 pm, meetings held at Pontiac City Hall in the Council Chambers
46. Pontiac Skate Park Project Groundbreaking Ceremony, May 12, 2023 from 3:30 to 5:00 pm, held at Oakland Park in Pontiac
47. Woodward Avenue Southbound from Rapid Street Boulevard Remains Closed for Construction as Michigan Department of transportation makes Improvements to the Intersections, the State has given May 26, 2023 as the anticipated date for Road Reopening

#### **Closing Comments**

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

#### **Adjournment**

# **CONSENT AGENDA A**

# **PONTIAC CITY COUNCIL LAW AND THE COURTS SUBCOMMITTEE - April 24, 2023 Meeting Minutes**

Held at Pontiac City Hall in the Legislative Conference Room

*In Attendance: Councilman William Parker, Jr. (Chair), Councilman Brett Nicholson, Councilwoman Melanie Rutherford, Mayor Tim Greimel, Deputy Mayor Khalfani Stephens, Chief Judge Cynthia Walker, Lynette Ward, Al Cooley, Jack McIntyre, Darryl Earl, Stephanie Crider, Julie Walker, Kimber Bishop-Yanke*

Meeting Called to Order at 4:00 pm

Agenda Items Addressed:

- I. 50<sup>th</sup> District Court – Update
  - a. HVAC RFP Update
  - b. Prisoner Entrance Repair (Pending Eval RFP)
  - c. Parking for Judges (painting of spots)
  - d. Issues with Microphone Cords
- II. Code Enforcement Update
  - a. Landlord Eviction Notice Update
  - b. Pending Issues for City Districts
- III. Report from Oakland County Prosecutors Office (OCPO)
- IV. Administrative Update
  - a. City Legal Issues
  - b. Contracts Pending
- V. New Business
  - a. Poverty/Homelessness Update
- VI. Items for Future Consideration by Subcommittee
- VII. Public Comments – Opportunity for Public Comments Given
- VIII. Adjournment – Meeting Adjourned at 5:48 p.m.

*Next Meeting: Monday, May 22, 2023, 4:00 pm Pontiac City Hall, City Council Conference Room*

# **CONSENT AGENDA B**

# **Pontiac City Council Facilities and Property Subcommittee**

## **April 28, 2023 Meeting Minutes**

Held at Pontiac City Hall Legislative Conference Room

### In Attendance

City Councilwoman Melanie Rutherford (Chair)

City Council President Mike McGuinness

City Council Outreach Specialist Darryl Earl

Mayor Tim Greimel

Public Works Director Al Cooley III

Public Works Superintendent Larry Robinson

Grants and Philanthropy Director Alexandra Borngesser

Economic Development Manager Debra Younger

**CALL TO ORDER** – Meeting Called to Order at 3:01 p.m.

### **STATUS UPDATES PROVIDED**

- I. City-Owned Properties Future Sale Plans
- II. Facilities Condition Assessment Status
- III. Public Works Yard Facility Status
- IV. Youth Recreation Center Next Steps
- V. Senior Center Improvements
- VI. Cemeteries Requests for Proposals Status
- VII. University Drive Facility Demolition, Cleanup
- VIII. Perdue School Demolition, Cleanup, Sale, or Use
- IX. City Hall Parking Lot Resurfacing
- X. Staffing Capacity Needs
- XI. Sheriff Substation Facility Work Status
- XII. District Courthouse Facility Work Status



XIII. Phoenix Center Status and Next Steps

XIV. Clearing of Debris Under Phoenix Center

**NEW BUSINESS ITEMS**

**PUBLIC COMMENT** – Opportunity for public comment provided. There were no requests for public comment at this meeting.

**ADJOURNMENT** – Meeting Adjourned at 3:48 p.m.

# **CONSENT AGENDA C**

# **Pontiac City Council Economic Development, Housing, and Planning Subcommittee May 1, 2023 Meeting Minutes**

Held at Pontiac City Hall Legislative Conference Room

## **In Attendance**

City Council President Mike McGuinness  
Council Outreach Specialist Darryl Earl  
Mayor Tim Greimel  
Deputy Mayor Khalfani Stephens  
City Attorney Morgan McAtamney  
Community Development Director Rachel Loughrin  
Code Enforcement Manager Jack McIntyre  
Economic Development Manager Debra Younger  
Planning Manager Mark Yandrick  
Pontiac Housing Commission Staff Natalie Broda  
Pontiac Regional Chamber of Commerce Director Damany Head  
Resident Regina Campbell  
Resident Darlene Clark  
Resident Carlton Jones

**CALL TO ORDER** – Meeting Called to Order at 9:04 a.m.

## **STATUS UPDATES PROVIDED**

1. **Economic Development Updates**
  - a. Downtown Pontiac Economic Development
  - b. Parking Kiosks Status
  - c. OPRA for 46 N. Saginaw
  - d. Current and Forthcoming Requests for Liquor Permits
  - e. Housing Developments and Citywide Housing Study
  - f. Home Repair Program Status
2. **Planning Updates**
  - a. Summary of Last 30 Days Boards and Commissions
  - b. Upcoming Boards and Commissions Agenda Items

c. Strategic Efforts

a. Upcoming Zoning Code Amendments

- May 2 - City Council: Donation Bins, Container PODs, Mixed Used District standards
- May 3 - Planning Commission: Chickens and Group Homes
- May 10 – Planning Commission: Stormwater
- May 16 – City Council – First Reading for Zoning Ordinance

b. Planning Process Improvements (Site Plan Process)

c. Master Plan

d. Board and Commission Training (May 10: PC, May 15, ZBA)

3. Building Department Updates

- b. Noteworthy Project Updates
- c. Hearing Officer Update
- d. Board of Appeals Update
- e. Demolition Update

4. Code Enforcement Updates

- a. Unsafe Structures
- b. Court Updates
- c. Noteworthy Updates – Residential
- d. Noteworthy Updates – Commercial

5. General Community Development Updates

- a. Capacity Planning and Hiring

**NEW BUSINESS ITEMS** – Natalie Broda from the Pontiac Housing Commission informed City Council of the Commission's Report on Audit of Basic Financial Statements, Supplemental Information and Single Audit for the Year Ended March 31, 2022 and Submitted a Copy of the Report to City Council

**PUBLIC COMMENT** – Residents Darlene Clark and Carlton Jones spoke during public comment and asked multiple questions regarding items discussed during the meeting.

**ADJOURNMENT** – Meeting Adjourned at 10:15 a.m.

# **CONSENT AGENDA D**

May 2, 2023 Draft

**Official Proceedings  
Pontiac City Council  
83<sup>rd</sup> Session of the Eleventh Council**

**Call to order**

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, May 2, 2023 at 6:04 p.m. by Council President Mike McGuinness.

**Invocation** – Rev. Michael Garrett, Hopewell Baptist Church, 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, William Parker, Jr. and Melanie Rutherford

Mayor Greimel was present  
A quorum was announced.

**Excuse Councilmembers**

**Motion to excuse Councilman Brett Nicholson for personal reasons.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

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

No: None

**Motion Carried**

**Amendments to and Approval of the Agenda**

**Motion to remove item #6 (Resolution approving Mayor's appointment to the Planning Commission vacancy) and add a new Resolution to amend the DRJ Corporation (Bostick) Lease and add a discussion regarding Warrant Clinic to the agenda.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

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

No: None

**Motion Carried**

The vote was taken to approve the agenda as amended.

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

No: None

**Motion Carried**

**Consent Agenda**

23-160 **Resolution to approve the consent agenda for May 2, 2023.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

Whereas, the City Council has reviewed the consent agenda for May 2, 2023.

May 2, 2023 Draft

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for May 2, 2023 including April 25, 2023 City Council Meeting Minutes.

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

No: None

**Resolution Passed**

### **Special Presentations**

Pontiac Funders Collaborative Additional Investments in Pontiac

Resources and Services Available by Center for Employment Opportunities

Presentation Presenter: Konrad Cowell, Outreach Specialist, P2E Instructor, and Job Coach, Center for Employment Opportunities

**Recognition of Elected Officials – None**

### **Agenda Address**

1. Carlton Jones addressed items #2
2. Dr. Deirdre Waterman addressed items #6 & #7
3. Darlene Clark addressed item #3
4. Chuck Johnson addressed item #3 & #4
5. Gloria Miller addressed item #3

### **Ordinance**

**Motion to amend Donation Boxes Section 4.104(c)(4) Waiver of Permit Fee of a Zoning Text Amendment for Mixed Use District Language Updates including Zoning Text Amendment regulating Donation Bins and Zoning Text Amendment regulating Container Pods.**  
Moved by Councilperson Rutherford and second by Councilperson James.

Section 4.104(C)(4) Waiver of Permit Fee.

- a. The City will waive the permit fee if the Applicant can provide the following:
  - i. Documentation showing that the organization is a registered 501(C)(3) Charitable Organization as defined by the Internal Revenue Service.
  - ii. Proof of ownership of both the proposed donation box(es) and the real property on which the donation box is proposed to be located, as well as documentation showing that the Charitable Organization intends to utilize the items donated to benefit the charitable purpose for which the organization was organized. Proof of ownership of the real property must be in the form of a property deed recorded with the Oakland County Register of Deeds. Proof of ownership of the donation box can come in the form of an affidavit executed by the owner of the donation box. Similarly, documentation of intent can come in the form of an affidavit executed by the owner of the donation box and real property.
- b. The intent of this waiver provision is to encourage charitable donations to charitable organizations located within the City of Pontiac which regularly maintain their property and contribute to the health, safety, and welfare of the residents of the City.

Ayes: Parker, Rutherford, Goodman, James and McGuinness

No: Carrington

**Motion Carried**

**Motion to amend PODS Section 4.105 B Permitted Usage of a Zoning Text Amendment for Mixed use District Language Updates including Zoning Text Amendment**

May 2, 2023 Draft

**regulating Donation Bins and Zoning Text Amendment regulating Container Pods.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

**Section 4.105(B) Permitted Usage**

The use of PODs for storage is prohibited within the city of Pontiac for any period longer than thirty (30) days in a 12 month period. In the event a resident would like to utilize a POD for storage, they must submit an application on a prescribed form to the City Planner's office to notify the City of the intended use of a POD for a period of no longer than thirty (30) days prior to the installation of the POD. This application must be signed by a member of the Planning Division before installation of the POD. This first thirty (30) day period shall begin upon the installation of the POD by the resident. Residents are entitled to seek a maximum of two (2) extensions from the initial thirty (30) day approval. In order to seek an extension of the initial approval, a resident must provide proof of an open building permit to substantiate the need for additional storage due to an ongoing construction project. In no circumstances can any resident utilize a POD for a period longer than ninety (90) days in one (1) twelve-month period.

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

No: None

**Motion Carried**

**Motion to amend MUD Section 3.704 (O)(2) and Section 3.704 (O)(3) Principal Permitted Uses and/or Exceptions of a Zoning Text Amendment for Mixed use District Language Updates including Zoning Text Amendment regulating Donation Bins and Zoning Text Amendment regulating Container Pods.** Moved by Councilperson Rutherford and seconded by Councilperson Goodman.

Section 3.704(O)(2): A separate drop off and pick up area shall be provided adjacent to the main building entrance, located off a public street and the parking access lane and shall be of sufficient size so as not to create congestion on the site or within a public roadway unless otherwise stated in the Development Agreement approved by City Council.

Section 3.704(O)(3): There shall be an outdoor play area of at least five hundred (500) square feet provided on the premises. Said play area shall not be located within the front setback unless otherwise stated in the Development Agreement approved by City Council.

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

No: None

**Motion Carried**

**2409 Adoption of a Zoning Text Amendment for Mixed use District Language Updates including Zoning Text Amendment regulating Donations Bins and Zoning Text Amendment regulating Container Pods. (Second Reading postponed from 4/25/2023 Council Meeting)** Moved by Councilperson Rutherford and second by Councilperson Goodman.

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

No: None

**Ordinance Adopted**

**\*\*See Ordinance #2409 as Exhibit A after the minutes\*\***

**Resolutions**

Economic Development



May 2, 2023 Draft

23-161            **Resolution to approve the Traffic and Safety Control Systems, Inc. for parking kiosk repair and monthly maintenance.** Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, The Purchasing Manager has ensured that the purchase is classified as a Sole Source and is following the City's municipal code, Division II. Purchasing, Section 2-517, 2-518, and 2-519 pertaining to major purchases;

WHEREAS, the Purchasing Manager is requesting approval to execute a City contract with Traffic & Safety Control Systems, Inc.;

NOW, THEREFORE, The Pontiac City Council approves the Mayor or Mayor Designee to execute a City contract with Traffic & Safety Control Systems, Inc.

Ayes: Goodman, James, McGuinness, Parker and Rutherford

No: Carrington

**Resolution Passed**

Grants

23-162            **Resolution to approve and execution of a grant agreement with the Michigan Economic Development Corporation for the Enhancement Grant Program award in the amount of \$7,500,000 for the Meadow Street Extension and Clinton River Trail Expansion Project.** Moved by Councilperson Rutherford and second by Councilperson Parker.

WHEREAS, the City of Pontiac was awarded \$7,500,000 assigned to the Meadow Street Extension and Clinton River Trail Expansion Project through the Michigan Economic Development Corporation's Enhancement Grant Program; and,

WHEREAS, the grant will allow the City to extend Meadow Drive to connect with Opdyke Road, extend Clinton River Trail to connect to Murphy Park and to M-59, and to repair the concrete on Centerpointe Parkway North; and,

WHEREAS, this grant is part of a larger strategic project to acquire at least 40 acres of land to offset the City's park deficit; and,

WHEREAS, the MEDC agrees to pay the Grantee a sum not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000). A disbursement of 50% of the funds may be made following Grant Agreement execution and authorization by the Grant Administrator. Additional funds shall only be disbursed after verification that the previous payment has been expended, in full, in accordance with the Agreement; and,

WHEREAS, the Grantee agrees to submit documentation of the expenditures of funds in accordance with Exhibit A and submit quarterly progress reports in a form and to the satisfaction of the MEDC, that provides at a minimum the status of the project and an accounting of all funds expended on Grant Activities during that quarter; and,

WHEREAS, during the Term, and for seven (7) years after the Ending Date, the Grantee shall maintain reasonable records, including evidence that the services were performed and the identity of all individuals paid for such services, and shall allow access to those records by the MEDC or their authorized representative at any time during this period.

NOW THEREFORE, be it resolved that the Pontiac City Council hereby authorizes Mayor Tim Greimel to execute the Agreement with the Michigan Economic Development Corporation for the Enhancement Grant Program award for the Meadow Street Extension and Clinton River Trail Expansion Project.

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

No: None

**Resolution Passed**

May 2, 2023 Draft

Department of Public Works (DPW)

23-163      **Resolution proposal to amend the contract with DRJ Corporation. (Bostick)**  
**(Agenda Add-on)** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, the City of Pontiac lease with DRJ ends on May 7, 2023; and,  
Whereas, the City of Pontiac still needs space for DPW operations, and;  
Whereas, Bostick has agreed to lease the city adjacent space at the same price, and;  
Whereas, the City of Pontiac DPW Director finds the new space to be adequate for the short term needs;  
Now, Therefore, Be It Resolved that the Pontiac City Council authorizes the Mayor to execute an amendment to the agreement DRJ Corporation (Bostick) in a form to be approved by the City Attorney.

Ayes: McGuinness, Parker, Rutherford, Carrington, James

No: None

**Resolution Passed**

Councilman Goodman was absent during the vote

#### **Public Comment**

1. Carlton Jones
2. Beatrice Wright
3. Robert Bass
4. Deirdre Waterman
5. Darlene Clark
6. Chuck Johnson
7. Gloria Miller

#### **Discussions**

City Council Budget Hearings for Fiscal Year 2023-2024 Schedule

Thursday, May 4, 2023 – 5:00 pm to 9:00 pm Special Meeting on the Budget

Thursday, May 11, 2023 – 5:00 pm to 9:00 pm Special Meeting on the Budget

Thursday, May 18, 2023 – 5:00 pm to 9:00 pm Special Meeting on the Budget

Thursday, May 25, 2023 – 5:00 pm to 9:00 pm Special Meeting on the Budget

Tuesday, May 30, 2023 – Public Hearing on Proposal Budget and Fee Schedule 6:00 pm

Tuesday, June 6, 2023 – First Reading of 2023-2024 Fiscal Year Budget Ordinance 6:00 pm

Tuesday, June 13, 2023 – Second Reading of 2023-2024 Fiscal Year Budget Ordinance 6:00 pm

Warren Clinic (Agenda Add-on)

#### **Closed Session**

23-164      **Resolution to proceed in Closed Session at 8:42 p.m. to consider and discuss the confidential legal opinion concerning collective bargaining strategy.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, the Mayor directed the City's outside legal counsel, Clark Hill PLC, to provide an attorney-client privileged legal opinion addressing legal issues related to the union election results of April 26, 2023 and the upcoming collective bargaining process with the IUOE and Clark Hill PLC has prepared a Memorandum dated April 27, 2023; and

Whereas, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to discuss collective bargaining strategy pursuant to Section 8© of the Open Meetings Act, MCL 15.268(c); and

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

May 2, 2023 Draft

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

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Sections 8(c), (h) of the Open Meetings Act, MCL 15.268(c)), (h), to review and discuss the confidential attorney-client Memorandum dated April 27, 2023 concerning legal issues in connection with the April 26, 2023 union election results and upcoming collective bargaining process.

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

No: None

**Resolution Passed**

**Motion to come out of Closed Session at 10:00 p.m.** Moved by Councilperson Goodman and second by Councilperson Parker.

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

No: None

**Motion Carried**

#### **Communications**

City Council and Mayor's Office

#### **Mayor, Clerk and Council Closing Comments**

Councilwoman Melanie Rutherford, Council President Pro-Tem William Carrington and Council President Mike McGuinness made closing comments.

#### **Adjournment**

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

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

No: None

**Motion Carried**

Council President Mike McGuinness adjourn the meeting at 10:07 p.m.

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Garland S. Doyle  
City Clerk

CITY OF PONTIAC

ORDINANCE No. 2409

AN ORDINANCE TO AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO TO AMEND ARTICLE 3, CHAPTER 7 REGARDING MIXED USE DEVELOPMENT STANDARDS, INCLUDE REGULATION OF PODS AND DONATION BINSAS FOLLOWS:

ARTICLE 3, CHAPTER 7

ARTICLE 4, CHAPTER 1, SECTION 4.104 and SECTION 4.105

The City of Pontiac Ordains:

Amend Article 3, Chapter 7.

Amend Article 4, Chapter 1 – Accessory Structures and Fences is amended to add Section 4.104 Donation Boxes

Amend Article 4, Chapter 1 – Accessory Structures and Fences is amended to add Section 4.105

**Chapter 7**  
**MUD Mixed Use District**

**3.701 Intent.**

The Michigan Zoning Enabling Act, PA 110 of 2006, as amended, authorizes the creation of one (1) or more planned development districts designed to achieve specific objectives of the Zoning Ordinance and implement the goals and policies of the Master Plan. This

The Mixed-Use District (MUD) is a planned district that may be applied for in any district as set forth herein. The MUD District is dedicated ~~solely~~ to the former Clinton Valley Center premises (the “CVC property”), current and former General Motors/R.A.C.E.R. (Revitalizing Auto Communities Environmental Response) Trust property, or any other property that ~~is similar in size~~ the City determines, in its sole discretion, will advance the goals and policies, of the Master Plan and meet the intent of this district. This district is designed to serve a variety of urban functions through the provision of a mixture of residential, office, light industrial, research and development, governmental, educational, and low intensity commercial uses pursuant to the City’s ~~comprehensive~~ Master p-Plan, as amended. It is the intent of this

section that the basic principles of good land use planning, including an orderly and compatible relationship between various uses, be maintained, and that the sound zoning standards as set forth in this MUD, and statutes concerning land use, be maintained.

It is the intent of the MUD District to encourage the development of traditional neighborhoods through a coordinated land use pattern of residential, office, research and development, and local commercial uses. Upper floor residential, above retail, or office uses is encouraged. It is further the intent of this District to encourage the use of land in accordance with its character and adaptability, promote excellence in the design of buildings and sites, maintain the existing natural features and natural resources, ensure compatibility of design and use between neighboring properties, and to encourage safe vehicular and pedestrian movement within the development. The MUD is designed to give the City and applicant more flexibility than would be allowed under the existing zoning, and encouraging development of property according to its unique characteristics.

The specific goals which the MUD Mixed Use District ("MUD") seeks to implement include the following:

- A. Provide for planned growth, ~~which maintains the~~ that will result in long-term contribution to social, economic, and environmental sustainability and overall livability of the City;
- B. Maintain and encourage a diversity of housing;
- C. Provide commercial, education and recreational facilities and employment opportunities conveniently located in relation to housing;
- D. Promote efficiency and economy in the use of land and energy, in the development of land, and in the provision of public services and facilities;
- E. Create new and innovative residential, industrial, and commercial development opportunities.
- F. Encourage flexibility in design and use that will result in a higher quality of development and a better overall project than would be accomplished under conventional zoning, and which can be accommodated without sacrificing established community values.
- G. Encourage the use, redevelopment and improvement of existing sites where current ordinances do not provide adequate protection and safeguards for the site or its surrounding areas, or where current ordinances do not provide the flexibility to consider redevelopment, replacement, or adaptive re-use of existing structures and sites.

~~This designation is intended to encourage the development of traditional neighborhoods through a coordinated land use pattern of residential, office, research and development, and local commercial uses. Upper floor residential above retail or office is encouraged. It is further the intent of this district to promote excellence in the use of land and the design of buildings and sites, maintain the existing natural features, ensure compatible land use, and improve the visual image for safe vehicular and pedestrian movement.~~

(Ord. No. 2291, § 1(E), 6-27-13)

### **3.702 Procedure for Review and Approval.**

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- A. The granting of a MUD application shall require a rezoning by way of amendment to this Ordinance upon the recommendation of the Planning Commission and approval of the City Council. The procedure for rezoning is that which is authorized by the Zoning Enabling Act (Public Act 110 of 2006, as amended), as contained in Section 503.
- B. Prior to the submission of an application for planned unit development approval, the applicant, with appropriate experts, shall meet with the Planning Department, together with applicable City staff and consultants. The applicant shall present at such conference, or conferences, a sketch plan of the proposed mixed-use development meeting the requirements set forth in Section 6.208 , as well as the following information:
  - 1) Total number of acres in the project;
  - 2) A statement of the number of residential units, if any, the number and type of nonresidential units, and the number of acres to be occupied by each type of use;
  - 3) The known deviations from Ordinance regulations to be sought;
  - 4) The number of acres to be preserved as open or recreational space; and
  - 5) All known natural resources and natural features and/or historic resources and historic features to be preserved.
- C. Following the meeting with the Planning Department, an applicant may request a -pre-application review of the rezoning application and site plan prior to submittal of a formal application with the Planning Commission. The scheduling of a brief review by the Planning Commission shall be

subject to the availability of time on the agenda or determined by the Chairperson of the Planning Commission.

D. The applicant shall submit to the Planning Department copies of a ~~final-site~~ sketch plan conforming with the requirements set forth in Section ~~6.201-D~~ 6.208. This plan shall constitute an application to amend this Ordinance and shall be noticed for public hearing before the Planning Commission. With and in addition to the regular report submitted by the Planning Commission in connection with a rezoning application, the Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the project, including, without limitation, recommendations with respect to matters on which the City Council must exercise discretion and shall review the ~~Final-Site-Plan~~ application and shall take one of the following actions:

1) Approval. Upon finding that the ~~Final-Plan~~ application meets the criteria set forth in the intent of this section, the Planning Commission may recommend Final Plan approval to the City Council.

2) Approval with Changes or Conditions. The Planning Commission may recommend to the City Council conditional approval, subject to modifications as performed by the applicant. These conditions may include review and approval of Easements and Rights-of-Way Instruments by the Building Department, Assessor's Office, City Attorney, or City Planning and Engineering consultants.

3) Postponement. Upon finding that the ~~Final-Plan~~ application does not meet the criteria set forth in this intent of this section, but could meet such criteria if revised, the Planning Commission may recommend postponing action to the City Council until a revised Final Plan is submitted.

4) Denial. Upon finding that the ~~Final-Plan~~ application does not meet the criteria set forth in the intent of this section, the Planning Commission shall recommend denial of the ~~Final-Plan~~ application to the City Council.

5) Request Changes. If the Planning Commission requests changes, the applicant shall submit the revised drawings and/or information within the time frame expressly approved by the Planning Commission. Failure to submit the revised plans and/or information within the requisite time frame shall void all prior approvals.

- E. Upon receiving a recommendation from the Planning Commission a Public Hearing shall be scheduled before the City Council, at which time Council will consider the proposal along with the recommendations of the Planning Commission, the City staff, and comments of all interested parties. The City Council shall then take action to approve, approve with conditions, deny, or refer back to the Planning Commission the application for rezoning to MUD, MUD site sketch plan and Development Agreement. The City Council shall set forth in their resolution the reasons for such action, including reasons for approval, conditional approval, postponement, denial, or referral back to the Planning Commission.
  
- F. Following approval by the City Council, and the signing of the plans, the City Planner shall amend the City zoning map to reflect the MUD approval by amending the zoning designation. Final site plan approval in accordance with Chapter 2, Site Plan shall be required for an approved MUD project. Final site plan approval may be submitted in phases, as set forth in the Development Agreement with consideration for required improvements.

### **3.703 Mixed Use District (MUD) Conditions**

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- A. Reasonable conditions may be required by the Planning Commission and City Council before the approval of a MUD, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment, and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. The conditions of approval may be drafted in writing, specifying conditions of approval and use. Conditions may stipulate that the MUD may only be used for selective land uses, provided the restraints advance (rather than injure) the interests of adjacent landowners; are a means of harmonizing private interests in land, thus benefiting the public interest; are for the purposes of ensuring that the MUD fulfills the purposes and intent of this section and thus, benefits the public interest; and/or possess a reasonable relationship to the promotion of the public health, safety, and welfare.
  
- B. Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, and the community as



a whole; reasonably related to the purposes affected by the MUD; and, necessary to meet the intent and purpose of this Ordinance and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the written record of the Final Plan that shall include a site plan and written Development Agreement signed by the City Mayor and the applicant.

- C. In the event that conditions set forth herein are not complied with, then the Mayor shall have the right to compel a show cause hearing by the Planning Commission or issue a violation pursuant to Section 6-26 of this Ordinance. At the show cause hearing, additional conditions may be imposed by the City and/or a new MUD application required.

### **3.7042 Principal Permitted Uses and/or Exceptions.**

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Subject to the applicable standards, requirements, and other provisions of the MUD and subject to final site plan review by the Planning Commission:

- A. One-family dwellings detached or attached, two-family or townhouse, or multiple-family dwellings, aesthetically compatible in design and appearance within the MUD.
- B. Residential dwellings as the exclusive occupant of a lot or as a mixed use with a permitted non-residential use.
- C. Neighborhood public parks, libraries, playgrounds, recreational facilities, and community facilities primarily for the use of neighborhood residents.
- D. Public and private; pre-school, elementary, middle, and high schools.
- E. Training and/or educational schools licensed by the State of Michigan, where such schools are designed and intended to provide training at the business, technical, or professional level.
- F. Any Principal Permitted Use allowed in the C-1 Local Business District.
- G. Utility structures, Tele-Communication facilities such as electrical receiving or transformer stations, radio and television broadcasting stations, wireless communication equipment, public service buildings and uses (without storage yards), as required to provide necessary services to the businesses and residents in the immediate vicinity. However, such facilities shall be setback from residential uses a distance equal to their height.

H. Research, Development and Light Industrial Uses. It is recognized by this MUD that the value to the public of designating certain areas of this District for a compatible mixture of uses within a campus type environment is represented in the employment opportunities to the citizens and the resultant economic benefits to the City. These Uses are characterized by an insignificant amount of such nuisance factors as noise, heat, glare, and the emission of air pollutants and are permitted no less than ~~fifty (50)~~ *two hundred and fifty (250) feet* from any residential use and all products or equipment shall be stored within enclosed buildings.

- 1) Any use which is charged with the principal business function of research, such as scientific, business, industrial research developments, training centers, and testing laboratories.
- 2) The manufacturing, compounding, processing, or treatment of such products as drugs, pharmaceuticals, and medical devices.
- 3) Assembly of merchandise such as electrical appliances, electronic or precision instruments, and articles of similar nature.
- 4) Manufacturing of machine vision systems, robotics, automated testing and manufacturing systems, drugs, jewelry, musical instruments, sporting goods, glass products, small household appliances, electronic and fiber optic products, cameras and photographic equipment and supplies, printed matter, and other similar uses.
- 5) Any other Principal Permitted Use allowed in the IP-1 Industrial Park District.

I. Unimproved Open Space.

- 1) Woodlands.
- 2) Wetlands.
- 3) Undeveloped Portions of Floodplains.

J. Improved Open Space.

- 1) Public or private playgrounds, picnic areas, water sports areas, and similar outdoor recreation areas.

- 2) Educational facilities, such as zoological gardens, wilderness preserves and sanctuaries, botanical gardens and arboretums which necessarily include open space as an integral part of the facility.
- K. Business, professional, and medical offices.
- L. Banks, credit unions, and savings and loan associations.
- M. Personal service establishments, such as, but not limited to, repair shops (watches, radio, television, shoes, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographers, and dry cleaners.
- N. Sidewalk cafe service, operated by a restaurant or other food establishment which sells food for immediate consumption, subject to the following:
- 1) An application depicting the location and layout of the cafe facility shall be submitted to the Office of Land Use and Strategic Planning for review, prior to an occupancy permit being granted by the Building Department. The permit shall remain in effect, unless there is a change in ownership, or the operation of the cafe fails to meet the standards contained herein.
  - 2) A sidewalk cafe may be located in front or adjacent to the establishment. A sidewalk cafe that extends beyond the applicant's property lines shall require the permission of the affected property owners.
  - 3) Sidewalk cafes shall be located on a public sidewalk only by approval of the City Engineering Division and in accordance with the City Subdivision Code.
  - 4) A sidewalk cafe shall be allowed during normal operating hours of the establishment.
  - 5) The exterior of the premises shall be kept clean, orderly, and maintained or the permit may be revoked. All food preparation shall be inside the premises.
  - 6) The City shall not be held liable or responsible for any type of damage, theft, or personal injury, which may occur as a result of a sidewalk cafe operation.

- 7) All sidewalk cafes shall comply with applicable regulations of the County Health Department and the State.

O. Child Day-Care Centers subject to the following:

- 1) The property is maintained in a manner that is consistent with the character of the neighborhood and surrounding uses.
- 2) A separate drop off and pick up area shall be provided adjacent to the main building entrance, located off a public street and the parking access lane and shall be of sufficient size so as not to create congestion on the site or within a public roadway unless otherwise stated in the Development Agreement approved by City Council.
- 3) There shall be an outdoor play area of at least five hundred (500) square feet provided on the premises. Said play area shall not be located within the front setback unless otherwise stated in the Development Agreement approved by City Council.
- 4) An ornamental fence that is designed to discourage climbing and is at least four (4) feet high but no higher than six (6) feet shall enclose all outdoor play areas.
- 5) Appropriate licenses with the State of Michigan shall be maintained.

P. Housing for the Elderly, subject to the following conditions:

- 1) All housing for the elderly shall provide for the following:
  - a. Cottage-type dwellings and/or non-rental apartment-type dwelling units; and,
  - b. Activity space, including, but not limited to, central dining rooms, library/reading rooms/barber/beauty shops, card rooms, recreational rooms, central lounges, and workshops.
- 2) All developments shall have a density consistent with the approved overall density of the development.

**3.7053 Permitted Accessory Uses.**

- A. Permitted accessory uses as specified in the Development Agreement.

- B. Off-Street parking and loading.
- C. Home occupations subject to the requirements of Section 2.536.
- D. Any use customarily incidental to the permitted principal use.

**3.706 Area, Height, Bulk and Placement.**

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- A. For areas dedicated to the former Clinton Valley Center premises (the "CVC" property) and current or former General Motors/R. A. C. E. R. (Revitalizing Auto Communities Environmental Response) Trust property, the following Area, height, bulk, and placement regulation as specified in the Development Agreement, shall apply:
  - 1) ~~A.~~ **Minimum District Size** shall be two hundred (200) gross acres.
  - 2) ~~B.~~ The **Residential Community** shall occupy approximately one hundred twenty-six (126) acres in the southern portion of the District, as designated on the conceptual Site Plan, that was prepared on December 14, 2000 for review and approved by the City Council and then revised on January 22, 2001 and labeled a Neo-Traditional Neighborhood Plan for use in this MUD. The Mixed-Use Residential Development will not exceed a density greater than five (5) Units per Gross Acre or approximately six hundred thirty (630) Residential Units. Approximately fifty percent (50%) of the six hundred thirty (630) Residential Units or approximately three hundred (300) units will be dedicated to Single-Family Low-Density Units; approximately thirty-five percent (35%) of the Residential Units or approximately two hundred thirty (230) units will be Medium Density Housing Units; and approximately fifteen percent (15%) of the Residential Units or approximately one hundred (100) units will be Higher Density Housing Units.
  - 3) ~~C.~~ **Mixed Use/Commercial/Office Uses.** No more than 50,000 square feet of floor area within the District shall be allocated to commercial and/or office uses.
  - 4) ~~D.~~ **Research, Development and Light Industrial Uses.** Maximum acreage allocated to research, development and light industrial uses shall not exceed forty-five percent (45%) of the overall District. These uses shall be located in the northern portion of the District per the Neo-Traditional Neighborhood Plan developed for use in this MUD and dated January 22, 2001.

- B. For all properties, other than those designated in Section 3.705 A, area, height, bulk, and placement regulations shall be specified on the MUD Site Plan and Development Agreement. The Planning Commission and City Council may use reasonable discretion in evaluating the area, height, bulk, and placement regulations proposed by the applicant based upon Zoning Ordinance standards for similar uses.
- C. The **Residential Community** of single-family, two-family, and multiple-family uses may occupy a minimum of 25% and a maximum of 90% of the total floor area of all structures in the entire Mixed-Use Development. This floor area calculation does not include the area of any accessory structures within the development. The City Council may grant a deviation from the requirement upon a finding that the mix of uses is consistent with the Master Plan and provides overall benefit to both the uses of the project and the City as a whole.

### **3.7075 Development Regulations.**

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Uses located within the MUD Mixed Use District are subject to the following development standards and regulations, in addition to standards set forth in the Development Agreement.

- A. **Open Space Requirement and Computation.** A minimum of fifteen percent (15%) of the gross area of the District shall be maintained as landscaped open space. All required setbacks may be included in the landscape computation; however, public, or private street right-of-way and parking lots may not be included. These areas shall be planted and maintained in accordance with a landscape plan approved by the Planning Commission. Up to fifty percent (50%) of the required open space may be included in a public plaza element or elements. "Public Plaza" for purposes of this section is defined as "a community amenity or space that serves a variety of users including building tenants, visitors, and members of the public."
- B. **District Access.** Access to public roads for both pedestrians and vehicles shall be controlled in the interest of public safety. Each building or group of buildings and its parking or service area, shall be subject to the following restrictions:
  - 1) Provisions for circulation between adjacent parcels are required through coordinated or joint parking systems.

- 2) Driveway placement must be such that loading and unloading activities will not hinder vehicle ingress or egress.
  - 3) When applicable, the primary access point into the District may be permitted to be via a rear access drive/alley to be shared by all adjoining uses. The drive shall be no less than twenty (20) feet wide within a twenty-five (25) foot easement and shall be subject to approval by the City Engineering Division.
- C. **Pedestrian Pathways and Sidewalks.** Vehicular access and circulation shall be planned to ensure safe pedestrian movement within the development. Pedestrian systems shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall District design concept. Pedestrian pathway connections to parking areas, buildings, other amenities and between on-site and perimeter pedestrian systems shall be planned and installed wherever feasible. All paths and sidewalks shall be constructed in accordance with the City Subdivision Code.
- D. **Signage.** Signs in the MUD district shall comply with the requirements for signs in the C-2 district. See Article 5 for sign regulations.
- E. **Lighting.** All lighting shall conform to the requirements of this MUD, in order to maintain vehicle and pedestrian safety, site security, and accentuate architectural details. Architectural lighting, where used, shall articulate the particular building design, as well as provide the required functional lighting for safety of pedestrian movement.
- F. **Landscaping/Greenbelts/Buffers/Screening Elements.** All landscape features of the District shall ensure that the image of the City is promoted by the organization, unification, and character of the Mixed-Use District. A landscape plan shall be provided along with the Site Plan for the entire District.
- G. **General District Design/Architectural Guidelines:** It is the intent of this District to provide an environment of high quality and complementary building architecture and District design. Special emphasis shall be placed upon methods that tend to reduce the large-scale visual impact of buildings, to encourage tasteful, imaginative design for individual buildings, and to create a complex of buildings compatible with the streetscape.
- H. **Screening of Exterior Electrical Equipment and Transformers.**

- 1) Transformers that may be visible from any primary visual exposure area shall be screened with either plantings or a durable non-combustible enclosure, which are unified and harmonious with the overall architectural theme.
- 2) Exterior-mounted electrical equipment shall be mounted on the interior of a building wherever possible, or shall be located where it is substantially screened from public view. Such equipment shall never be located on the street side or primary exposure side of any building.

**I. Utilities and Communication Devices.**

- 1) All exterior on-site utilities, including but not limited to, drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communication wires and equipment, shall be installed and maintained underground whenever possible.
- 2) On-site underground utilities shall be designed and installed to minimize disruption of off-site utilities, paving, and landscaping during construction and maintenance.

**3.7086 Development Agreement.**

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No development shall proceed within the District without the execution of a mutually acceptable Development Agreement between the City and the applicant. The Development Agreement shall be drafted in a form acceptable to the City Attorney and shall specify the uses permitted, all regulations and requirements to ensure protection of the health, safety and welfare of the citizens, a quality development, and the responsibilities of the developer and the City. Strict adherence to the terms of the Development Agreement shall be required.

In addition to the design guidelines specified above, the Development Agreement shall address the following items in detail:

- A. Site Plan Review according to the requirements of this Zoning Ordinance.
- B. Building elevations / Pattern book, materials used, facade treatments including windows, porches etc. Building placement, area, height, bulk, and placement regulations.
- C. Trash Receptacles – location and screening.



- D. Conformance with the City's Land Use Plan.
- E. A phasing plan if the project is proposed to be constructed in phases. Each phase should be capable of standing on its own in terms of services, facilities and shall contain the necessary components to ensure protection of the health, safety, and welfare of the residents.
- F. Improvements to be covered by performance guarantee, the amount required to guarantee completion of the improvements plus an administrative fee in an amount approved by the City Council, and the time for completion of the improvement.
- G. The relative mix of different uses and the scheduled completion of construction dates.

### **3.7097 Planning Commission Review and Decision.**

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If an application for a site plan amendment for a project located in areas zoned MUD at the time of passage of this Ordinance amendment is submitted, the Planning Commission shall review and approve or reject the proposed District plans of all proposed project developments, in accordance with the standards and requirements of this MUD and the Development Agreement.

For proposed projects that are not zoned MUD at the time of passage of this Ordinance amendment, the Planning Commission shall make a recommendation to the City Council on the zoning map amendment along with the MUD Sketch Plan and Development Agreement.

### **Sec. 4.104 – Donation Boxes.**

#### **A. Intent and definitions.**

1. The donation boxes ordinance is intended to be a regulatory ordinance in the public's health, safety and welfare for the protection of all citizens who use donation boxes. The intent of this ordinance is to impose restrictions and conditions on all donation boxes in the city so that they are, and remain, clean, safe and do not create hazards to pedestrians and to vehicular traffic. The article is passed under the city's regulatory authority pursuant to MCLA 117.4 et seq., and the Pontiac City Charter.
2. Definitions:
  - a. Donation box means any metal container, receptacle, or similar device that is located on any parcel or lot of record within the city and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for

the collection of recyclable material, any rubbish or garbage receptacle or any collection box located within an enclosed building.

- b. Operator means a person who owns, operates or otherwise is in control of donation boxes to solicit collections of salvageable personal property.
- c. Permittee means a person over 18 years of age or an entity who is issued a permit authorizing placement of donation box(es) on real property.
- d. Property owner means the person who is an owner of real property where the donation box(es) are located.
- e. Real property, property or land means a lot of record located in the City of Pontiac.

B. Donation box permit.

No later than 30 days from the effective date of this ordinance, no person shall place, operate, maintain or allow any donation box on any real property without first obtaining an annual permit issued by the Department of Building and Safety ("department"), to locate a donation box.

C. Application for a permit.

1. Any person desiring to secure a permit shall make an application to the Department of Building and Safety.
2. A permit shall be obtained for each donation box(es) proposed. Combining fees for donation box(es) located on a lot of record may be addressed in the fee resolution.
3. The application for a permit shall be upon a form provided by the department and be signed by an individual who is an officer, director, member or manager of an entity applicant. The applicant shall furnish the following information:
  - a. Name, address and email of all partners or limited partners of a partnership applicant, all members of an LLC applicant, all officers and directors of a non-publicly traded corporation applicant, all stockholders owning more than five percent of the stock of a non- publicly traded corporate applicant, and any other person who is financially interested directly in the ownership or operation of the business, including all aliases.
  - b. Date of birth of individuals and date of establishment of an entity or the birthdate of an individual applicant.
  - c. Whether the applicant has previously received a permit for a donation box in the city or operates a donation box or similar type receptacle without a permit in the city.
  - d. The name, address, email and telephone number of a contact person for all matters relating to a donation box located in the city.
  - e. The physical address of the real property where the donation box is proposed to be located.
  - f. A scaled drawing sufficient to illustrate the proposed location of the donation box on the real property, the dimensions of the proposed donation box and

that the location complies with all code requirements.

- g. If not the owner of the real property, an affidavit from the property owner providing written permission to place the donation box(es) on the property, as well as an acknowledgment from the property owner of receipt of a copy of this article, shall be provided on a form provided by the director. For purposes of this subsection, the affidavit and acknowledgment may be executed by an individual who is an officer, director, member or manager of an entity owning the property.
- h. A nonrefundable fee in an amount established by resolution of city council.
- i. A payment in the amount of \$500.00 which shall be held in escrow to ensure compliance with this Ordinance;
- j. Proof of general liability insurance no less than \$1 million per occurrence.

4. Waiver of Permit Fee.

- a. The City will waive the permit fee if the Applicant can provide the following:
    - i. Documentation showing that the organization is a registered 501(C)(3) Charitable Organization as defined by the Internal Revenue Service.
    - ii. Proof of ownership of both the proposed donation box(es) and the real property on which the donation box is proposed to be located, as well as documentation showing that the Charitable Organization intends to utilize the items donated to benefit the charitable purpose for which the organization was organized. Proof of ownership of the real property must be in the form of a property deed recorded with the Oakland County Register of Deeds. Proof of ownership of the donation box can come in the form of an affidavit executed by the owner of the donation box. Similarly, documentation of intent can come in the form of an affidavit executed by the owner of the donation box and real property.
  - b. The intent of this waiver provision is to encourage charitable donations to charitable organizations located within the City of Pontiac which regularly maintain their property and contribute to the health, safety, and welfare of the residents of the City.
5. Within ten days of receiving an application for a permit, the director shall notify the applicant whether the permit is granted or denied. If the director denies an application, the director shall state in writing the specific reasons for denial.
6. No person to whom a permit has been issued shall transfer, assign, or convey such permit to another person or legal entity.
7. A person shall be issued a permit by the director if the requirements of this article are satisfied.

D. Requirements for a permit.

- 1. A permittee shall operate and maintain, or cause to be operated and maintained, all donation boxes located in the city for which the permittee has been granted a permit as follows:

- a. Donation boxes shall be metal and be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti.
- b. Donation boxes shall be locked or otherwise secured in such a manner that the contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.
- c. Donation boxes shall have, at minimum, one-half-inch type visible from the front of each donation box the name, address, email, website and phone number of the operator, as well as whether the donation box is owned and operated by a for profit company or a not-for-profit company. The donation box shall not have information, advertising or logos other than those relating to the operator.
- d. Donation boxes shall be serviced and emptied as needed, but at least every 30 days.
- e. The permittee and property owner shall maintain, or cause to be maintained, the area surrounding the donation boxes, free from any junk, debris or other material. The property owner shall be responsible to the extent provided by law for the city's cost to abate any nuisance, in accordance with the City Code.
- f. Donation boxes shall:
  - i. Not be permitted on any land used for residential purposes;
  - ii. Not be permitted on any unimproved parcel, nor where the principal use of the land has been closed or unoccupied for more than 30 days;
  - iii. Not be less than 1,000 feet from another donation box as measured along a straight line from one box to the other. Notwithstanding this separation requirement, up to two donation boxes on a single lot of record are permitted if the two donation boxes are side by side and are no more than one foot apart;
  - iv. Not exceed seven feet in height, six feet in width and six feet in depth;
  - v. Not cause a visual obstruction to vehicular or pedestrian traffic;
  - vi. Not be placed closer than ten feet from: (i) a public or private sidewalk; (ii) a public right-of-way; (iii) a driveway; or (iv) a side or rear property line of adjacent property used for residential purposes;
  - vii. Not be placed within any public easement;
  - viii. Not cause safety hazards with regard to a designated fire lane or building exit;
  - ix. Not: (i) interfere with an access drive, off-street parking lot maneuvering lane and/or required off-street parking space to an extent which would cause safety hazards and/or unnecessary inconvenience to vehicular or pedestrian traffic; or (ii) encroach upon an access drive, off-street parking lot maneuvering lane and/or required off-street parking space; and

- x. Be placed on a level, hard (asphalt or concrete) paved, dust-free surface.
- xi. Shall have adequate screening to shield the same from neighboring properties.

E. Term of permit and renewal of permit.

1. The permit year shall begin on January 1 in each year and shall terminate on December 31 of the same calendar year. An annual permit issued between December 1 and December 31 of any year shall expire on December 31 of the calendar year next following issuance thereof. For year 2023 only, the annual permit fee shall be prorated.
2. A donation box permit shall be renewed annually. The application for renewal must be filed not later than 30 days before the permit expires. The application for renewal shall be upon a form provided by the director.
3. The director shall either approve or deny the renewal of a permit within ten days of receipt of the complete renewal application and payment of the renewal fee. Failure of the director to act before expiration of the permit shall constitute approval of the renewal of the permit.
4. A permit renewal fee set by resolution of the city council shall be submitted with the application for renewal.
5. Prior to expiration of the permit, the permittee may voluntarily cancel the permit by notifying the director in writing of the intent to cancel the permit. The permit shall become void upon the director's receipt of a written notice of intent to cancel the permit.
6. The director shall approve the renewal of a permit if the director finds that no circumstances existed during the term of the permit which would cause a violation to exist, and that at the time of submission of the application for renewal, or at any time during the renewal of the application for renewal, there were not circumstances inconsistent with any finding required for approval of a new permit. Any permittee whose permit has been revoked shall be denied renewal of the permit for the subsequent calendar year.
7. If the permit expires and is not renewed, the donation box(es) must be removed from the real property within a maximum of ten days after expiration of the permit.

F. Revocation of permit, removal of donation boxes and liability.

1. The director shall have the right to revoke any permit issued hereunder for a violation of this ordinance. Any of the grounds upon which the director may refuse to issue an initial permit shall also constitute grounds for such revocation. In addition, the failure of the permittee to comply with the provisions of this ordinance or other provisions of this Code or other law shall also constitute grounds for revocation of the permit. The director shall provide a written notification to the permittee and property owner stating the specific grounds for a revocation and a demand for correction and abatement. The notice shall allow a maximum of ten days from mailing of the notice to correct or abate the violation. Upon failure to make the correction or abatement, the permit shall be revoked by the director and, thereafter, the permittee shall not be eligible for a permit on the property for the subsequent calendar year.

2. Upon revocation, the donation box shall be removed from the real property within ten days and, if not so removed within the time period, the city may remove, store or dispose of the donation box at the expense of the permittee and/or real property owner, the cost of which shall be paid from the escrow fee secured at the time of the permit application. All costs exceeding the escrow fee associated with the removal of the donation box incurred by the city, or the city's contractor shall be the responsibility of the property owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the city may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this state against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the city, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.
3. A permit for a donation box may be revoked if any governmental authority or agency determines that the donation box has violated the Michigan Consumer Protection Act and/or the Charitable Organizations and Solicitations Act.

G. Appeal to Planning Commission.

Any person aggrieved by the decision rendered by the director in granting or denying an application for a permit under this ordinance or in revoking a permit issued under this ordinance may appeal the decision to the Planning Commission. The appeal shall be made by filing a written notice thereof with the Department of Community Development setting forth the grounds for the appeal not later than ten days after receiving notice of the decision of the director. The planning commission may grant relief if the applicant presents clear and convincing evidence that there was an error in the decision of the director.

H. Penalty and remedies.

1. In addition to revocation of permit pursuant to Section F, any person violating the provisions of this ordinance is guilty of a civil infraction.
  2. In addition to the penalty provided in subsection 1 of this section, any condition caused or permitted to exist in violation of the provisions of this ordinance, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.
  3. Nothing in this ordinance shall prevent the city from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this section for violation of this ordinance.
  4. The real property owner and permittee shall be jointly and severally liable for each violation and for payment of any fine and costs of abatement.
  5. No fines shall be imposed for a violation of this ordinance until 90 days after its effective date. All donation boxes existing at the effective date of the article shall apply for a permit as required herein within 30 days of the effective date. Any donation boxes not in compliance with this ordinance after 90 days of the effective date shall be subject to all remedies for violation as provided herein.
- I. Repeal. All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

## Sec. 4.105 – PODs

### A. Intent and definitions.

1. The PODs ordinance is intended to be a regulatory ordinance in the public's health, safety and welfare for the protection of all citizens who use donation boxes. The intent of this ordinance is to restrict the use of PODs in the city as they are unsafe, unsanitary and create hazards to pedestrians and to vehicular traffic. The article is passed under the city's regulatory authority pursuant to MCLA 117.4 et seq., and the Pontiac City Charter.
2. PODs are defined as portable containers that are placed on a property for the purpose of storing, loading, and/or unloading furniture, clothing, or other personal or household belongings other than donation boxes as defined in Sec. 4.104.

### B. Permitted Usage

*The use of PODs for storage is prohibited within the city of Pontiac for any period longer than thirty (30) days in a 12 month period. In the event a resident would like to utilize a POD for storage, they must submit an application on a prescribed form to the City Planner's office to notify the City of the intended use of a POD for a period of no longer than thirty (30) days prior to the installation of the POD. This application must be signed by a member of the Planning Division before installation of the POD. This first thirty (30) day period shall begin upon the installation of the POD by the resident. Residents are entitled to seek a maximum of two (2) extensions from the initial thirty (30) day approval. In order to seek an extension of the initial approval, a resident must provide proof of an open building permit to substantiate the need for additional storage due to an ongoing construction project. In no circumstances can any resident utilize a POD for a period longer than ninety (90) days in one (1) twelve-month period.*

### C. Penalty and remedies.

1. Any person violating the provisions of this ordinance is guilty of a civil infraction.
2. In addition to the penalty provided in subsection 1 of this section, any condition caused or permitted to exist in violation of the provisions of this ordinance, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.
3. Nothing in this ordinance shall prevent the city from pursuing any other remedy provided by law in conjunction with or in lieu of prosecuting persons under this section for violation of this ordinance.
4. Any PODs not in compliance with this ordinance after 90 days of the effective date shall be subject to all remedies for violation as provided herein.

### D. Repeal. All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

# **CONSENT AGENDA E**





# PONTIAC CITY COUNCIL RESOLUTION

## Recognizing May as Asian American and Pacific Islander Heritage Month in Pontiac

**Whereas**, the United States celebrates Asian American and Pacific Islander Heritage Month during the month of May, with this month chosen in part because it commemorates the immigration of the first Japanese people to the United States on May 7, 1843, though Asians first migrated to what is now known as North America over 15,000 years ago; and,

**Whereas**, there are 23 million people of Asian or Pacific Islander descent in the United States, a diverse and growing group that makes up about seven percent of the total United States population and is the fastest growing racial group in the nation; and,

**Whereas**, the Asian American and Pacific Islander umbrella includes cultures from the entire Asian continent including East, Southeast, and South Asia, and the Pacific Islands of Melanesia, Micronesia, and Polynesia, spanning many countries of origin; and,

**Whereas**, the City of Pontiac and State of Michigan has been positively shaped by past and present Asian American and Pacific Islander residents and business owners, and that our many Hmong neighbors are a beloved and cherished part of the fabric of our community; and,

**Whereas**, many Asian Americans and Pacific Islanders have encountered xenophobia, racism, bias, and violence through the centuries, including as part of official federal governmental policies, and that tragically this targeted xenophobia, racism, bias, and violence continues to the present day; and,

**Whereas**, as a haunting local reminder of that targeted violence, over forty years ago the brutal racially-motivated murder of Chinese American Vincent Chin in nearby Highland Park, Michigan, as well as the shocking fact that his murderers received zero jail time sparked local and nationwide movements for Asian American and Pacific Islander civil rights organizations being formed, protests held, and laws changed; and,

**Whereas**, during an era of heightened racism, bigotry, and hate crimes, it is critically important to share accurate information, support diverse cultures, overcome stereotypes, and empower future generations; now,

**Therefore, Be It Resolved**, the Pontiac City Council, in partnership with Mayor Tim Greimel, hereby recognizes May 2023 as Asian American and Pacific Islander Heritage Month in the City of Pontiac; and further

**Resolved**, the Pontiac City Council pays tribute to the generations of Asian Americans and Pacific Islanders who have enriched our history, and we celebrate their many noteworthy contributions to our community and to our country; and further

**Resolved**, the City Council reaffirms the integral nature of our Asian American and Pacific Islander neighbors as an important part of our community, with great respect and affection for our substantial Hmong population in Pontiac, and recognizes their community as being instrumental to our community's future success; and further

**Resolved**, we condemn the xenophobia, racism, bias, and violence targeted at our Asian American and Pacific Islander neighbors locally and in all parts of the nation; and further

**Resolved**, the City of Pontiac and our City Council welcomes additional opportunities to commemorate and celebrate the people, places, events, traditions, and cultures that have contributed to making the Asian American and Pacific Islander community such an important part of Pontiac and of Michigan.

*Pontiac City Council      •      Pontiac, Michigan      •      May 9, 2023*

**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*



**#11**

**RESOLUTION**



# PONTIAC CITY COUNCIL RESOLUTION

## Recognizing and Supporting the 3<sup>rd</sup> Annual Autism Walk in Pontiac

**Whereas**, the 3<sup>rd</sup> Annual Autism Walk is being held at Wisner Stadium in Pontiac, Michigan on Saturday, May 20, 2023 from 11:00 a.m. to 2:00 p.m.; and,

**Whereas**, Ms. Marsha Easley and Inspirational Spectrum Heroes have organized and held this walk in our community, and are now working to bring people together for the third annual Autism Walk in Pontiac; and,

**Whereas**, autism spectrum disorders impact many people and their loved ones in the Pontiac community, and greater awareness is needed regarding autism spectrum disorders, what it means to be autistic, how to better support autistic people and their wellbeing, and the difficulties and discrimination autistic people face; now,

**Therefore, Be It Resolved**, the Pontiac City Council, in partnership with Mayor Tim Greimel, hereby recognizes the 3<sup>rd</sup> Annual Autism Walk at Wisner Stadium in Pontiac on May 20, 2023 and affirms our support for the event; and further

**Resolved**, on behalf of the entire Pontiac community, the City Council appreciates and celebrates the work of Ms. Marsha Easley and Inspirational Spectrum Heroes in spearheading the Autism Walk and for effectively advocating for greater autism awareness; and further

**Resolved**, the City Council encourages Pontiac residents to participate in the Autism Walk and further encourages residents to learn more about the needs and impact of autistic residents in our community.

*Pontiac City Council      •      Pontiac, Michigan      •      May 9, 2023*

**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*



**#13**

**RESOLUTION**



# PONTIAC CITY COUNCIL RESOLUTION

## Honoring the Life of Terry Jones

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

**Whereas**, Mr. Terry M. Jones worked for the City of Pontiac for 30 years, serving with dedication and commitment for those three decades and directly improving the quality of life and wellbeing of Pontiac residents; and

**Whereas**, Mr. Jones worked for the City of Pontiac Water Department for the entire duration of his employment with our City before his well-deserved retirement at the end of his long and productive career; and

**Whereas** Mr. Jones passed away on April 22, 2023 at the age of 69, which is a tremendous loss for both his family and our community; now, therefore be it

**Resolved**, the Pontiac City Council expresses our deepest gratitude for Mr. Jones' dedicated service to our City and to the citizens whose lives he protected and enriched; and further

**Resolved**, he will be remembered by this Council and the Pontiac community as a dedicated and hardworking person who made a positive difference in our City for many years; and further

**Resolved**, the City of Pontiac extends our deepest sympathies to his family, friends, neighbors, and colleagues.

*Pontiac City Council*



*Pontiac, Michigan*



*May 9, 2023*

**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*



**#14**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

*Executive Branch*

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**TO:** Honorable Mayor, Council President, and City Council Members

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

**DATE:** May 2, 2023

**RE:** The Purchasing Manager and the Economic Development Manager requests that City Council approves the Mayor or Mayor Designee to execute a contract with Passport, Inc. for a Mobile Parking Application and Parking Violation Enforcement.

The Purchasing Manager and the Economic Development Manager request that City Council approve the Mayor or Mayor Designee to execute the Traffic & Safety Control Systems, Inc. contract to provide a mobile parking violation application. The not-to-exceed amount for the contract shall be **\$20,000** for the fiscal year ending June 30, 2023, as the City's budget will allow. The contract term will be three years, commencing in May 2023 and expiring in May 2026.

WHEREAS, The Purchasing Manager has ensured that the purchase is classified as a Sole Source and is following the City's municipal code, Division II. Purchasing, Section 2-517, 2-518, and 2-519 pertaining to major purchases;

WHEREAS, the Purchasing Manager is requesting approval to execute a City contract with Passport, Inc.;

NOW, THEREFORE, The Pontiac City Council approves the Mayor or Mayor Designee to execute a City contract with Passport, Inc.

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**#15**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

Finance

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**TO:** Honorable City Council President and City Council

**FROM:** Sekar Bawa, Senior Accountant

**CC:** Timothy Sadowski, Finance Director, Mayor Tim Greimel, Khalfani Stephens, Deputy Mayor

**DATE:** May 03, 2023

**RE:** **Council Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023.**  
**Increase the appropriation in the following GL account 101-201-818.000**  
Other Professional Services -\$100,000.

The Finance Department is in dire need of continued assistance from a CPA firm to perform the critical accounting functions such as bank reconciliation, month end close, write adjusting journal entries etc. since the positions of the Finance Director, Senior Accountant and Grant Accountant positions were vacant for many months.

Consultants CVHT CPAs assisted Finance staff to complete the FY 2022 audit. Now, we need their continued assistance to complete the FY 2023 audit on time. Funds available in the budget is not sufficient to pay for their services through June, 2023.

This budget amendment adds \$100,000 to the Professional Service line item to pay CVHT through June 2023. This amendment will reduce the General Fund balance by the same amount

Increase the budget appropriation in the following GL accounts:

101-201-818.000	Other Professional Service	\$100,000
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*This item cannot be approved until after the resolution to authorize the city clerk to publish the notice of the budget amendment has been approved and one week after the publication of the notice.*



**Council Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023,**

**Increase the appropriation in the following GL account:**

101-201-818.000 Other Professional Services -\$100,000

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WHEREAS, the Finance Department is in dire need of continued assistance from a CPA firm to perform the critical accounting functions such as bank reconciliation, month end close, write adjusting journal entries etc. since the positions of the Finance Director, Senior Accountant and Grant Accountant positions were vacant for many months.; and,

WHEREAS, Consultants CVHT CPAs assisted Finance staff to complete the FY 2022 audit; and,

WHEREAS, we need their continued assistance to complete the FY 2023 audit on time; and,

WHEREAS, additional funding is needed to pay for this service; and,

WHEREAS, this budget amendment will decrease the fund balance in the Fund 101– General Fund by \$100,000;

**NOW THEREFORE, BE RESOLVED,** that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

Increase the budget appropriation in the following GL accounts:

101-201-818.000	Other Professional Services	\$100,000
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**#16**

**RESOLUTION**



## OFFICIAL MEMORANDUM

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**TO:** Honorable City Council President and City Council

**FROM:** Alexandra Borngesser, Director of Grants & Philanthropy

**DATE:** May 4<sup>th</sup>, 2023

**RE:** **Resolution in support of the City of Pontiac Adopt-A-Park Program**

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The City of Pontiac is home to a number of parks that are open to the public for residents and visitors to enjoy. The City of Pontiac's Adopt – A – Park program allows everyone to play a role in improving Pontiac's parks, whether it is participating in planned volunteer park clean-up, making a financial contribution towards major renovations, or making a commitment to provide all necessary funding to renovate and maintain a single park. Together, we can create safe, clean spaces where friends can gather, children can play, and neighborhoods can grow.



**Council resolution to express formal support for the City of Pontiac Adopt-A-Park Program**

**WHEREAS**, the City of Pontiac's Adopt – A – Park program allows everyone to play a role in improving Pontiac's parks, whether it is participating in planned volunteer park clean-up, making a financial contribution towards major renovations, or making a commitment to provide all necessary funding to renovate and maintain a single park, and;

**WHEREAS**, volunteering can make a big difference in the effort to keep Pontiac parks clean, and;

**WHEREAS**, financial and in-kind contributions are necessary for the renovation projects that many of the parks in Pontiac require, and;

**WHEREAS**, another way to contribute to park revitalization in the City of Pontiac is through interlocal agreements with other governmental entities, and;

**WHEREAS**, the City of Pontiac Adopt-A-Park Program will help create safe, clean spaces where friends can gather, children can play, and neighborhoods can grow.

**NOW THEREFORE**, be it resolved that the Pontiac City Council hereby issues its formal support for the Pontiac Adopt-A-Park Program.



## **Pontiac Adopt-A-Park**

The City of Pontiac is home to 32 parks that are open to the public for residents and visitors to enjoy. The City of Pontiac's Adopt – A – Park program allows everyone to play a role in improving Pontiac's parks, whether it is participating in planned volunteer park clean-up, making a financial contribution towards major renovations, or making a commitment to provide all necessary funding to renovate and maintain a single park. Together, we can create safe, clean spaces where friends can gather, children can play, and neighborhoods can grow.

### **Adopt-A-Park Stewardship Program**

Volunteering can make a big difference in the effort to keep Pontiac parks clean. Collecting and disposing of trash and debris, removing graffiti, and applying a fresh coat of paint to playground equipment are examples of activities that can be accomplished by Adopt-A-Park Stewards. The Adopt-A-Park Stewardship Program allows community groups, non-profits, businesses, and individuals to apply to become stewards of a local park and take an active role in beautifying and activating the park for the year. This program will be managed by the Department of Parks and Recreation.

The City will help connect Stewards with resources, such as potential grants, sponsorships, and trainings.

Adopt-A-Park Stewards will be responsible for:

- Completing a minimum of 3 clean-ups per year with the City helping to provide cleaning supplies (gloves, bags)
- Programming a minimum of 1 event in the park per year, with the City assisting with streamlining the event permitting process.
- Assisting Parks & Rec Marketing with park announcements
- Encouraging and fostering respect of the park and stewardship within the broader community

A sign will be placed in the park during the duration of the stewardship term of one year to celebrate the work of the stewardship group assigned to each park. Stewards may continue their stewardship over a number of years, so long as they submit an annual application and abide by the program guidelines. There is no fee or charge to be a park steward.

Applications are accepted on a rolling basis.

### **Adopt-A-Park Major Gift Program**

Financial and in-kind contributions are necessary for the renovation projects that many of the parks in Pontiac require. Many parks have bathrooms that are no longer in operation, tennis courts with broken pavement, damaged playground equipment, and other issues that require funding to remediate. The City of Pontiac is introducing a recognition opportunity for significant financial and in-kind contributions toward park revitalization. Financial and in-kind contributions will be managed by the Department of

Grants & Philanthropy. Gifts can be made to the City of Pontiac or to the City of Pontiac Fund, a tax deductible 501(c)(3).

There are three levels of sponsorship with associated types of recognition.

\$10,000 - \$99,999 – Plaque displayed with a newly planted tree.

\$100,000 - \$999,999 – New park bench with attached recognition plaque.

\$1,000,000 and beyond – Prominent Sign at entry of park adjacent to the entryway sign.

#### **Adopt-A-Park Management Program**

Another way to contribute to park revitalization in the City of Pontiac is through interlocal agreements with other governmental entities. This allows other governmental entities to completely renovate and maintain a Pontiac park at their expense. Through this program, the City of Pontiac will retain ownership of the property and the relationship will be acknowledged via execution of an interlocal, management, or maintenance agreement. This process will require formal Pontiac City Council approval and is managed by the City's legal team.



**#19**

**RESOLUTION**

## **Community Development Department**

Rachel Loughrin, Director  
Larry Domski, Building Official  
Jack McIntyre, Code Enforcement Manager  
Deborah Younger, Economic Development Manager  
Mark Yandrick, Planning Manager



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**To:** City Council

**FROM:** Mark Yandrick, Planning Manager

**DATE:** May 5, 2023

**RE:** Resolution for Three (3) month contract extension with Carlisle Wortman Associates for Planning Consultant Services

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### **Executive Summary**

The Planning Division is requesting City Council to authorize the Mayor to sign a three (3) month contract extension with the Carlisle Wortman Associates.

### **Background**

City Council authorized the Mayor to enter into a three (3) month contract on November 22, 2022 for Planning Consultant Services while the Planning Department had a new Planning Manager and no Planning staff or any historic knowledge. While the Carlisle Wortman contract is for a year, these resolutions authorize the Mayor to sign three (3) month extensions.

City Council authorized an extension on February 7, 2023, and approved a budget amendment at the February 21, 2023 meeting to authorize up to \$35,000 for this contract.

For work performed up to April 30, 2023, the City has spent \$21,780 towards this contract. The completed work includes Ordinance Review for Adult-Use Marihuana and the Mixed-Use District standards. They have also completed approximately 14 plan reviews for Planning Commission, the Zoning Board of Appeals and administrative zoning reviews.

The City hired two (2) planners in March 2023 and a third planner begins on May 22. Planning Staff is now managing most of the site plan reviews. This contract extension allows Carlisle Wortman and Associates is being requested to finish some of the projects they are working on and allows for any additional plan review if the number of applications exceed the Planning Division's capacity as the Planning Division is training and moving to operational efficiencies.

### **Recommendation**

Staff recommend City Council consider this resolution for Authorization of the three (3) month contract extension.

Mark Yandrick  
Planning Manager  
myandrick@pontiac.mi.us  
248-758-2824

Community Development  
Department  
Planning Division  
47450 Woodward Avenue  
Pontiac, MI 48342



**TO:** Honorable Mayor, Council President, and City Council Members

**FROM:** Rachel Loughrin, Community Development Director  
Mark Yandrick, Planning Manager

**DATE:** April 27, 2023

**RE:** **Resolution to Extend Carlisle Wortman and Associates Agreement  
For a Three (3) Month Period.**

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The Pontiac City Council approved a three-month Contract for Carlisle Wortman and Associates, Inc. ("Carlisle Wortman") on November 29, 2022 ("Contract") for Planning Services. City Council subsequently approved a 3-month extension of the Contract on February 7, 2023 (through May 31, 2023). The Contract authorizes extensions in 3-month increments for up to one year (*i.e.*, through November 29, 2023).

City Staff recommend utilizing plan review resources from Carlisle Wortman for an additional three (3) month period so that Carlisle Wortman may wrap up existing projects. This Contract is being funded by an existing Planning division budget item under the general ledger for consultant services. There is no budget increase requested.

If approved, the Contract will be extended through **August 31, 2023.**

**WHEREAS,** The City's Planning Consultant, Carlisle Wortman, has performed consultant work since December 1, 2022, for plan review services on a temporary basis as internal City Planning Staff have continued to be hired and trained; and

**WHEREAS,** Pursuant to Sec. 7.0 of the Contract between the City and Carlisle Wortman, the City Council may approve extensions of the Agreement in 3-month increments for up to 1 year; and

**WHEREAS,** City Staff have requested a three-month extension through August 31, 2023, to allow Carlisle Wortman to complete and finalize existing projects assigned by the City.

**NOW, THEREFORE  
BE IT RESOLVED,** The Pontiac City Council hereby authorizes a 3-month extension of the Contract between the City and Carlisle Wortman and Associates, Inc., for consulting services, which shall terminate on August 31, 2023, unless otherwise extended, pursuant to the terms of the Parties' Agreement.

Attachments  
Resolution Staff Review Form  
Current Carlisle Wortman Contract



## Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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### AGREEMENT FOR CONSULTING SERVICES

THIS AGREEMENT ("Agreement"), entered into this 22nd day of November 2022 ("Effective Date"), by the City of Pontiac, a Michigan municipal corporation, whose address is 47450 Woodward Ave., Pontiac, Michigan (hereinafter referred to as the "Client") and Carlisle/Wortman Associates, Inc. (hereinafter referred to as the "Consultant."). In this Agreement, either the Client or Contractor may also be referred to individually as a "Party" or jointly as the "Parties."

WHEREAS, The Client desires to engage the Consultant to provide assistance in connection with the City's planning and zoning administration services.

NOW, THEREFORE, In consideration of the foregoing, and of the mutual agreement hereinafter set forth, the Parties hereto legally intending to be bound hereby do agree for themselves and their respective successors and assigns as follows:

#### SECTION 1.0

#### PLANNING SERVICES

The Consultant for his part agrees to provide Interim support services in accordance with a Scope of Work as requested by the Client. The Scope of Work will include, but may not be limited to following:

- 1.1 Development Review – Consultant shall review and provide a written report of site plans, rezoning requests, special land use, planned unit development and variance requests.
- 1.2 Planning Studies and Analysis – Consultant shall provide studies analyses and opinion on matters requested by Client.

#### SECTION 2.0

#### COLLECTION OF DATA

It is understood that the Consultant will have the cooperation of the Client in the collection of basic data including maps, ordinances, and amendments, plans and studies, and other information that supports the performance of services set forth in Section 1.0. This shall include the transmittal of base maps in AutoCad files, if available.

#### SECTION 3.0

#### PAYMENT FOR SERVICES

- 3.1 For interim planning support services, the Consultant shall be paid in accordance at an hourly rate based on Attachment I.
- 3.2 Terms of Payment - No more than once a month, the Consultant shall submit an invoice to the Client, which shall itemize all amounts due and/or owing by the City under this Agreement based on work performed in the previous month. Invoices shall be paid within thirty (30) days after receipt by the Client.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Senior Associate* Paul Montagno, *Senior Associate* Megan Masson-Minock, *Senior Associate*

#### **SECTION 4.0 REPRESENTATION**

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It is understood and agreed that **Richard K. Carlisle** will represent the Consultant in all matters pertaining to this Agreement. From time to time, the Consultant may use additional personnel within the firm or sub-consultants to assist in the execution of matters pertaining to this Agreement.

Consultant will employ and assign qualified employees as necessary and appropriate to provide the services under this Agreement. Consultant will ensure all Consultant's personnel or sub-consultants have all the necessary knowledge, skill, and qualifications necessary to perform the required services and possess any necessary licenses, permits, certificates, and governmental authorizations as may required by law.

Consultant assures that all services performed hereunder will be performed in a manner that complies with all applicable laws, statutes, regulations, ordinances, and professional standards.

The Consultant will obtain and maintain at all times during the term of this Agreement all applicable business and professional licenses necessary to provide the contracted services.

The Consultant will pay, its own local, state, and federal taxes, including without limitation, social security taxes, and unemployment compensation taxes. The Client shall not be liable to or required to reimburse the Consultant for any federal, state, and local taxes or fees of any kind.

Except as otherwise expressly provided in this Agreement, the Consultant shall be solely responsible and liable for all costs and expenses incident to the performance of all services for the Client including, but not limited to, any professional dues, association fees, license fees, fines, taxes, and penalties.

Nothing in this Agreement is intended to establish an employer-employee relationship between the Client and the Consultant or Consultant's personnel or subconsultants. All Consultant's personnel assigned to provide services under this Agreement shall, in all cases, be deemed employees of the Consultant and not employees of the Client.

#### **SECTION 5.0**

#### **OWNERSHIP OF MATERIALS**

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All documents or other materials prepared by the Consultant under this Agreement shall be considered the property of the Client.

#### **SECTION 6.0**

#### **LIMITATION OF LIABILITY AND INSURANCE**

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The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold the Client harmless from damages and losses arising from the negligent acts, errors or omissions of the Consultant in the performance of professional services under this Agreement, to the extent that the Consultant is responsible for such damages and losses on a comparative basis of fault and responsibility between the Consultant and the Client. The Consultant is not obligated to indemnify the Client for the Client's own negligence.

Insurance. At all times during this Agreement, Consultant shall obtain and maintain the following insurance according to the specifications indicated:

- Professional Liability or Errors and Omissions with minimum limits of \$1,000,000.00 per claim and \$2,000,000.00 aggregate.

- Workers' Compensation
  - Statutory Coverage as required by law
  - Employer's Liability: \$500,000.00 / \$500,000.00 / \$500,000.00
- Automobile Liability with minimum limits of \$1,000,000.00 per occurrence Combined Single Limit Liability, including hired and leased vehicles, and owned and non-owned.

Any and all deductibles in the above-described insurance policies shall be assumed by and be or the amount of, and at sole risk of, the Consultant.

All Certificates are to provide 30-day notice of material change or cancellation. Certificates of Insurance and insurance binders must be provided to the City at the time of the commencement of the services.

## **SECTION 7.0**

## **TERMS OF AGREEMENT**

The term of this Agreement shall be for a period of up to one (1) year from the Effective Date, and during the 1 (one) year period may be extended in three (3) month increments by the Pontiac City Council unless terminated or canceled as provided below. The Agreement shall terminate on the 1-year anniversary date shown on the first page of this Agreement, or upon non-extension following any three (3) month period, without any further act or notice of either Party being required. Extension of this Agreement exceeding the one (1) year period shall not occur unless approved by an amendment signed and approved by both Parties.

This Agreement may be terminated by either the Client or Consultant individually or jointly upon thirty (30) days written notice. Compensation during the notice period would be paid by the Client to the Consultant if services are faithfully rendered to the Client. Under no circumstances shall the City be liable for any future loss of income, profits, any consequential damages or any loss of business opportunities, revenues, or any other economic benefit Consultant may have realized but for the termination and/or cancellation of this Agreement.

Any modifications, amendments, recessions, waivers, or releases to this Agreement must be in writing and agreed to by both Parties.

This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any claim arising under or related to this Agreement shall be brought in the Sixth Judicial Circuit Court of the State of Michigan, or the 50th District Court of the State of Michigan.

IN WITNESS WHEREOF, The Consultant and the Client execute this Agreement as of the date first set forth in this Agreement.

WITNESS

CLIENT

\_\_\_\_\_

James Suddeth

Timothy Daniel  
Title: Mayor 3-16-2023

\_\_\_\_\_

Title

CONSULTANT

Samuel Daniel

Richard K. Carlisle  
CARLISLE/WORTMAN ASSOC., INC.  
Richard K. Carlisle, FAICP  
President

Samuel Daniel

Douglas J. Lewan  
CARLISLE/WORTMAN ASSOC., INC.  
Douglas J. Lewan, AICP  
Executive Vice President



# Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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## Attachment 1

### RATE SCHEDULE

<u>Personnel</u>	<u>Hourly Rate</u>
Principal	\$140
Senior Associate	\$130
Associate	\$120
Community Planner/Landscape Architect	\$110
Graphics (GIS) Technician	\$95
Support Staff	\$80
<u>Expenses</u>	<u>Rates</u>
AutoCAD	\$30/hr.
Mileage	.58/mil
Supplies, Prints, Mailing	Cost + 20%

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Senior Associate* Paul Montagno, *Senior Associate*, Megan Masson-Mlinock, *Senior Associate*



Mark Yandrick  
Planning Manager  
myandrick@pontiac.mi.us  
248-758-2824

Community Development  
Department  
Planning Division  
47450 Woodward Avenue  
Pontiac, MI 48342



**TO:** Carlisle Wortman  
**FROM:** Mayor Tim Griemel  
**DATE:** May 4, 2023  
**RE:** Resolution to Extend Carlisle Wortman and Associates Agreement  
For a Three (3) Month Period.

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The current Agreement for Consulting Services between the City of Pontiac and Carlisle Wortman is scheduled to expire on May 31, 2023. According to the attached Agreement, "[t]he term of this Agreement shall be for a period of up to one (1) year from the Effective Date, and during the 1 (one) year period may be extended in three (3) month increments by the Pontiac City Council unless terminated or canceled as provided below."

On May 9, 2023, the City Council adopted a resolution extending the Agreement for an additional three (3) month period. The Contract will be extended through August 31, 2023.

This letter shall serve as the written acknowledgement of the extension adopted by resolution of the City Council of Pontiac which will extend the contract term through August 31, 2023.

---

Tim Greimel, Mayor

---

Date

Accepted by \_\_\_\_\_ on behalf of Carlisle Wortman Associates, Inc. as provided for under the terms and conditions of the original Agreement approved by the City Council \_\_\_\_\_.

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Carlisle Wortman Associates, Inc.

---

Date

**#20**

**RESOLUTION**



# CITY OF PONTIAC

## OFFICIAL MEMORANDUM

Executive Branch

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**TO:** Honorable Mayor, Council President, and City Council Members

**FROM:** Porche Prater, City Treasurer

**DATE:** May 2, 2023

**RE:** **Establishment of a public hearing for the 2023-2024 proposed millage rates that are in excess of the maximum levy without a public hearing.**

To comply with the state constitution (Article 9, Section 31) and MCL Section 211.24e "Truth in Taxation" of the Michigan General Property Tax Act, the City Council must hold a public hearing and approve taxable millages in excess of the annual base tax rate fraction. The City's 2023 Headlee Maximum Allowable Millage of 18.0278, exceed the 2023 base tax rate of 17.4452, a proposed 3.34 % increase in operating revenue if approved. **Therefore, a public hearing is required before millages can be approved and taxes can be levied for the 2023-2024 fiscal year.**

WHEREAS, the proposed city millages for operating purposes for the 2023-2024 fiscal year are in excess of the millage rate permitted by subsection 2 of the General Property Tax Act 211.24e.

WHEREAS, in accordance with The General Property Tax Act 211.24e subsection 3, a governing body of a taxing unit may approve a levy of an additional millage rate only after providing the notice required by subsection (6) and (9) and holding a public hearing of the governing body as prescribed by subsection (6).

WHEREAS, the public hearing of the governing body of a taxing unit required pursuant to subsections (3) and (5) shall be held for the purpose of receiving testimony and discussing a levy of an additional millage rate for its ensuing fiscal year. In addition to satisfying the requirements under the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, the local unit of government or taxing unit shall publish notice of this public hearing in a newspaper of general circulation within the local unit of government or taxing unit.

NOW, THEREFORE,  
BE IT RESOLVED the City Council of the City of Pontiac authorizes the establishment of a public hearing on Tuesday, May 9th, 2023.

PUP

**2023 Tax Rate Request (This form must be completed and submitted on or before September 30, 2023)**

**MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory. Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes <b>OAKLAND</b>	2023 Taxable Value of ALL Properties in the Unit as of 5-22-2023. <b>1,194,087,090</b>
Local Government Unit Requesting Millage Levy <b>CITY OF PONTIAC</b>	For LOCAL School Districts: 2023 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties if a millage is levied against them.

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119.  
The following tax rates have been authorized for levy on the 2023 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election, Charter, etc.	(5)** 2022 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2023 Current Year "Headlee" Millage Reduction Fraction	(7) 2023 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy*	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Charter	Operating		12.0000	10.9132	1.0000	10.9132	1.0000	10.9132			
Charter	Cap Imp		1.5000	1.3639	1.0000	1.3639	1.0000	1.3639			
PA 298 of 1917 MCL 123.261	Sanitation		3.0000	2.7281	1.0000	2.7281	1.0000	2.7281			
PA 39 of 1976 MCL 400.576	Senior Services	8/2/2016	0.5000	0.4839	1.0000	0.4839	1.0000	0.4839			12/31/2026
Voted	Youth Center	11/8/2016	1.5000	1.4519	1.0000	1.4519	1.0000	1.4519			12/31/2026
Voted	Operating	11/8/2022	1.0868	1.0868	1.0000	1.0868	1.0000	1.0868			12/31/2032

Prepared by	Telephone Number	Title of Preparer	Date
-------------	------------------	-------------------	------

**CERTIFICATION:** As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

- ☐ Clerk  
☐ Secretary  
☐ Chairperson  
☐ President

Signature	Print Name	Date
Signature	Print Name	Date

\*Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

\*\* IMPORTANT: See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only: Complete if requesting millage to be levied. See STC Bulletin 2 of 2023 for instructions on completing this section.

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

2023 BTR for City of Pontiac	<b>11.6123</b>
2022 TV =	1,105,274,470
2022 operating millage levied =	<b>10.9132</b>
2023 TV =	1,194,087,090

The City of Pontiac wishes to levy **12** mills for operating purposes and the **12** mills do not exceed the maximum authorized millage rate after reduction by MCL 211.34d ("Headlee") and MCL 211.4 ("Truth in Assessing or Truth in County Equalization")

**Proposed increase = millage the City of Pontiac proposes to levy in 2023 - BTR**

\*Proposed increase =            12            11.6123            **0.3877**

Percentage increase in operating revenue =  $\frac{\text{Proposed increase} \times 100}{\text{BTR}}$

=  $\frac{0.3877 \text{ mills}}{11.6123 \text{ mills}} \times 100$             38.77

**Percentage increase in operating revenue =            3.34 %**

*\*Note - 12 mills is a combination of the charter operating millage of 10.9132 and the voted operating millage of 1.0868.*

**If NOT approved:**

	<b>2022 Levy</b>	<b>2023 BTR (including voted operating)</b>
Percentage increase from 2022	10.9312	11.6123
	0.6811	68.11

Percentage increase in operating revenue if not approved            **6.23 %**

**2022 Tax Rate Request (This form must be completed and submitted on or before September 30, 2022)**

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Local Government Unit Requesting Millage Levy <b>CITY OF PONTIAC</b>	For LOCAL School Districts: 2022 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties if a millage is levied against them.

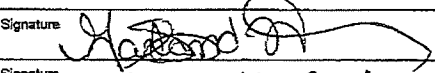

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119.  
The following tax rates have been authorized for levy on the 2022 tax roll.

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Voted	Youth Center	11/8/2016	1.5000	1.4702	0.9876	1.4519	1.0000	1.4519	1.4519		12/31/2026

Prepared by <b>Porche Prater</b>	Telephone Number <b>248-758-3064</b>	Title of Preparer <b>City Treasurer</b>	Date <b>6/6/2022</b>
----------------------------------	--------------------------------------	-----------------------------------------	----------------------

**CERTIFICATION:** As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

- ☒ Clerk  
☐ Secretary  
☐ Chairperson  
☒ President

Signature 	Print Name <b>Garland S. Doyle</b>	Date <b>6/7/2022</b>
Signature 	Print Name <b>MICHAEL MCGUINNESS</b>	Date <b>6-7-2022</b>

\*Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

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For all Other	