

PONTIAC CITY COUNCIL

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



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

Phone: (248) 758-3200

157th Session of the 11th Council – Tuesday, July 16, 2024, at 6:00 p.m.

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

MEETING AGENDA

Call to Order

Invocation

Pledge of Allegiance to the Flag of the United States

Roll Call of Councilmembers

Authorization to Excuse Councilmembers from the Meeting

Emphasizing City Charter Language on Councilmember Absences from Meetings

Amendments to and Approval of the Agenda

Approval of the Consent Agenda

- A. Resolution Correcting City Council Meeting Minutes for June 25, 2024
- B. Resolution Correcting City Council Special Meeting Minutes for June 28, 2024
- C. City Council Meeting Minutes from July 9, 2024 including the closed session minutes
- D. City Council Personnel and Finance and Personnel Subcommittee Meeting Minutes of July 11, 2024
- E. Resolution Recognizing July as Park and Recreation Month in the City of Pontiac
- F. Resolution Requesting Again from the Administration Written Analysis of Senior Services Programming Resources Between the City's Senior Centers
- G. Resolution recognizing the Gary Burnstein Community Health Clinic, a 501(c)(3) nonprofit located in Pontiac as a nonprofit organization for the purpose of obtaining charitable gaming license.

Resolution

1. Resolution Honoring the Life and Service of Jenée Quinones Suddeth

Moment of Silence in Memory of Jenée Quinones Suddeth

Special Presentations

2. American Rescue Plan Act Funds Utilization by the City of Pontiac
Presentation Presenters: Tim Greimel, Mayor, and Khalfani Stephens, Deputy Mayor
3. City of Pontiac Proposed Social Equity Program and Social Equity Fund
Presentation Presenter: Garland S. Doyle, City Clerk

Recognition of Elected Officials

Agenda Address (Two Minutes Time Limit)

Agenda Items

Ordinance

4. Resolution to approve the First Reading to Amend Chapter 122, Article III, Section 122-78 of the Municipal Code, to Change the Penalties for Subsequent Offenses Related to Grass Height, Noxious Weeds and Rank Vegetation. (**First Reading**)

Resolutions Continued

City Clerk

5. Resolution to approve Budget Amendment for Fiscal Year 2024-25 to Establish GL account 101-215-809.002 Charter Commission; transfer \$10,000 from the General Fund – Fund 101 to GL 101-215-809.002 Charter Commission for Charter Revision Commission Operational and Outreach Costs.
6. Resolution adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment (*Postponed for one week at the July 9, 2024, City Council Meeting*)
7. Resolution adopting Scoring Criteria Guide for Adult-Use Marihuana Retailer or Social Equity Retailer (*Postponed for one week at the July 9, 2024, City Council Meeting*)

Public Comment (Three Minutes Time Limit)

Discussions

8. Detroit's Eastern Market at McLaren Oakland Hospital Every Thursday through October, 11am to 2pm
9. Pontiac will be Featured on Channel Four's "In Your Neighborhood" Program July 18th
10. Elam Family and Friends Block Party at Sanford and Wilson this Saturday, July 20th – Co-Sponsored by City of Pontiac as a City Council District Project
11. Status Update on Transition with Trash Collection, Recycling Bins, and Lawn Waste Bag Pickup
12. Pontiac Small Business Grant Program and Upcoming Informational Meetings July 24th and July 29th

Closed Session

13. Resolution to go into Closed Session to discuss trial and/or settlement strategy in accordance with the Open Meetings Act, MLC 15.268(e) and (h) and to discuss legal matters exempt from State or Federal Statute

Public Communications

City Clerk

14. Pontiac has our next election on August 6, 2024. Our ballots include partisan nomination elections for federal, state, and county office (but not President of the United States). A judicial primary for Oakland County Circuit Court, as well as the decision on the City Charter Revision Proposal, is also on the ballot.
15. Primary Election Day is Tuesday, August 6, 2024. Polls are Open from 7:00 am to 8:00 pm. Absentee voting has begun. You can vote absentee by completing an absent voter application no later than July 30, 2024; you will be mailed a ballot or you can vote by absentee ballot in-person in the City Clerk's office now through August 5, 2024 at 4:00 pm. You can return your absentee ballot to the Clerk's office or an official ballot drop box, no later than 8:00 pm on August 6th (Election Day) for the ballot to count.
16. The four Drive-Up Official Absentee Ballot Drop Box Locations are at the Bowens Center (52 Bagley Street), Ruth Peterson Center (990 Joslyn Road), City Hall (47450 Woodward Avenue), and Fire Station on Huron (787 W. Huron). Drop Boxes are open 24 hours a day.
17. Early Voting begins July 27th and will run through August 4th. During the early voting period, voters are issued a ballot and can insert their ballot directly into a tabulator at their early voting site.

18. The deadline for filing nominating petitions to run for School District of the City of Pontiac Board of Education is Tuesday, July 23, 2024 at 4:00 pm. A minimum of 40 signatures and a maximum of 100 signatures from electors is one option; paying a \$100 filing fee is the other. Filing can be done at the Oakland County Elections Division office located in the Oakland County Courthouse, 1200 N. Telegraph Road, Department 417, Pontiac 48341. That election will be on this November's ballot.

City Council

19. Elam Family and Friends Block Party, Saturday, July 20, 2024, from 11:00 am to 7:00 pm, held outside the Elam Barber Shop, 485 S. Sanford Street, Pontiac 48341
20. "Praise in the Park" by Trinity Missionary Baptist Church, Sunday, July 21, 2024 at 12:00 pm, held at Rotary Park, 304 Wesson Street, Pontiac 48341. Bring a lawn chair and wear your Trinity gear.
21. Pontiac Small Business Grant Town Hall Meeting, Thursday, July 24, 2024 from 6:00 to 8:00 pm at the Robert Bowens Senior Center, 52 Bagley Street, Pontiac 48341
22. Concert in the Park "Ritmo y Cancion!" Mariachi Jalisco and Pancho Villa's Skull at Oakland Park, Thursday, July 24, 2024, at 7 pm
23. Oakland County's Historical Society 55th Annual Summer Ice Cream Social, Saturday, July 27 and Sunday, July 28 from 12:00 to 4:00 pm each day. Free admission and free ice cream. Held at their Oakland History Center, 405 Cesar E. Chavez Avenue, Pontiac 48342.
24. Pontiac Transportation Museum Grand Opening Celebration, Saturday, July 27, 2024, at 5:00 pm, located at 250 W. Pike Street, Pontiac 48341.
25. Pontiac Small Business Grant Town Hall Meeting, Monday, July 29, 2024 from 6:00 to 8:00 pm at Pontiac City Hall in the Council Chambers, 47450 Woodward Avenue, Pontiac 48342
26. Concert in the Park "Music at Murphy," Best You Neva Had and Danielle at Murphy Park, Thursday, August 8, 2024, at 7 pm
27. Concert in the Park "North Kiwanis Notes," Consuming Arts, Microphone Phelps, and MACS the Realist at North Kiwanis Park, August 21, 2024, at 7 pm
28. Concert in the Park "Hip-Hop in the Park," Performers to be announced, Beaudette Park, September 5, 2024, at 7 pm
29. Pontiac Arts Crawl happening in Downtown Pontiac on Saturday, September 7, 2024. The Pontiac Arts Commission has put out a Call for Participants, looking for musicians, visual artists, performers, and vendors.
30. Oak Hill Cemetery Walk, an annual event raising funds to make repairs to our historic cemetery, is Sunday, September 15, 2024. Tours leave every fifteen minutes from 2:00 to 4:00 pm. Held at Oak Hill Cemetery, 216 University Drive, Pontiac 48342.

Mayor

31. Mayor Greimel has informed the City Council of his appointment of Mr. Arthur McClellan, Jr. of Pontiac to the vacancy on the Pontiac Housing Commission.

Closing Comments

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

Adjournment

CONSENT AGENDA

A



CITY OF PONTIAC

OFFICIAL MEMORANDUM

City Clerk's Office

TO: Honorable Pontiac City Council

FROM: Kamryn Hoadley, Chief Assistant City Clerk

CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens
City Clerk Garland Doyle

DATE: July 16, 2024

RE: **Resolution to amend the June 25, 2024 Regular Council Meeting Minutes & Resolution to amend the June 28, 2024 Special Council Meeting Minutes.**

The City Clerk's Office is requesting the City Council's approval to amend the June 25, 2024 meeting minutes and the June 28, 2024 meeting minutes. These minutes were previously approved at the July 2, 2024 meeting.

According to Robert's Rules of Order the proper procedure to correct these minutes is to motion to *Amend Something Previously Adopted*. If the amendments are approved, the content of the original minutes will not be altered but a marginal notation indicating the corrected text will be added. If approved, the July 16, 2024 meeting minutes will include the full text of the motion to *Amend Something Previously Adopted*, which will include all information required to construct an accurate record of the actions taken at the June 25, 2024 meeting and the June 28, 2024 meeting.

Pontiac City Council Resolution



Resolution Amending the City Council Regular Meeting Minutes from June 25, 2024.

WHEREAS, the June 25, 2024, regular meeting minutes contain an error; and

WHEREAS, it is important to remain transparent and ensure that the meeting minutes accurately reflect the actions at any City Council meeting.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council authorizes the City Clerk or the Clerk's Designee to amend the June 25, 2024, Regular City Council meeting minutes to strike the action under 'Authorization to Excuse Councilmembers from the meeting' removing the vote excusing Councilman Brett Nickolson from the June 25, 2024 City Council Meeting.

FOR THE CITY:

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

CONSENT AGENDA

B



CITY OF PONTIAC
OFFICIAL MEMORANDUM

City Clerk's Office

TO: Honorable Pontiac City Council

FROM: Kamryn Hoadley, Chief Assistant City Clerk

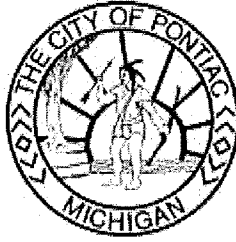
CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens
City Clerk Garland Doyle

DATE: July 16, 2024

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CITY OF PONTIAC CITY COUNCIL

**RESOLUTION FOR APPROVAL TO CORRECT AN ERROR IN THE
PREVIOUSLY APPROVED JUNE 28, 2024 CITY COUNCIL MEETING
MINUTES**

WHEREAS, the minutes of the June 28, 2024 Pontiac City Council meeting were drafted and approved by the legislative body on July 2, 2024; and

WHEREAS, it was discovered after approval, that the minutes contained an error; and

WHEREAS, it is important to remain transparent and ensure that the meeting minutes accurately reflect the public body's actions; and

WHEREAS, the approved minutes of the June 28, 2024 City Council meeting, mistakenly stated that Girls Matter dba Kids Empowered on the Move was awarded \$220,000 rather than \$20,000; and

WHEREAS, in accordance with Robert's Rules of Order, minutes may be corrected after an affirmative vote of the public body by making a motion to "Amend Something Previously Adopted;" and

WHEREAS, the Pontiac City Council has acted pursuant to the procedure governing correction of previously approved meeting minutes.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council authorizes the City Clerk or the Clerk's Designee to correct the June 28, 2024 regular meeting minutes in accordance with Robert's Rules of Order, to reflect that Girls Matter dba Kids Empowered on the Move was awarded \$20,000.

FOR THE CITY:

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

CONSENT AGENDA

C

July 9, 2024, Draft

**Official Proceedings
Pontiac City Council
156th Session of the Eleventh Council**

Call to Order

A Regular Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, July 9, 2024, at 6:10 p.m. by Council President Mike McGuinness.

Invocation – Paster William Parker Jr.

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 Tim Greimel was present.
A quorum was announced.

Amendments to and Approval of the Agenda

Motion to approve the agenda. Moved by Councilperson Carrington and seconded by Councilperson Rutherford. Discussion.

Motion to remove special presentation (American Rescue Plan Act Funding Obligation update), from the agenda and add three (3) discussions: American Recue Plan Act Funding obligation update, Master Plan Community Engagement update, and Transition for Trash Collection Recycling and Yard Waste to the agenda. Moved by Councilperson Rutherford and seconded by Councilperson Carrington.

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

No: None

Motion Carried

The vote was taken to approve the agenda as amended.

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

No: None

Motion Carried

24-196 **Resolution to approve the consent agenda.** Moved by Councilperson Rutherford and seconded by Councilperson Carrington.

WHEREAS, the City Council has reviewed the consent agenda for July 9, 2024.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for July 9, 2024, including: June 24, 2024, Recreation and Public Works Subcommittee Meeting Minutes, July 2, 2024, City Council Meeting Minutes, Resolution approving Michigan Municipal Risk Management

July 9, 2024, Draft

Authority Annual Agreement, and Resolution approving Paramo Family Fireworks Permit for July 20, 2024, at Aaron Perry Park.

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

No: None

Resolution Passed

24-196 (C) **Resolution approving Michigan Municipal Risk Management Authority Annual Agreement.** Moved by Councilperson Rutherford and seconded by Councilperson Carrington.

WHEREAS, the Huttenlocher Group and IBEX Insurance Services have presented the City with a proposal for renewal of its General Liability and Property Insurance beginning July 1, 2024, through the Michigan Municipal Risk Management Authority; and

WHEREAS, is the City has been a long-time member of the MMRMA; and

WHEREAS, as result of inflation, the new premium has increased by \$22,962; and

WHEREAS, the cost for insurance coverage is \$418,122 and the member loss fund deposit is \$300,000 for FY 2024-2025; and

WHEREAS, the total owed to the MMRMA for this fiscal year is \$718,122; and

WHEREAS, the City must have insurance to be protected against property damage, lawsuits and other general claims; and

WHEREAS, City Administration has reviewed the 2024-2025 insurance renewal proposal for continuing coverage with the Michigan Municipal Risk Management Authority and further recommends that it be accepted with the certified available funding.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council approves the proposal from the Michigan Municipal Risk Management Authority for a total premium cost of \$718,122 for fiscal year 2024-2025.

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

No: None

Resolution Passed

24-196 (D) **Resolution approving Paramo Family Fireworks Permit for July 20, 2024, at Aaron Perry Park.** Moved by Councilperson Rutherford and seconded by Councilperson Carrington.

WHEREAS, the City has received an application for a permit for Antonio Paramo, operator, of fireworks display held in Aaron Perry Park on July 20, 2024; and

WHEREAS, the Michigan Fireworks Safety Act (Public Act 256 of 2011) requires the legislative body of the City to authorize the permit application; and

WHEREAS, Antonio Paramo, operator of the event in Pontiac, Michigan has agreed to provide pyrotechnics for the event; and

WHEREAS, the application has been reviewed by Fire Department personnel and a determination has been made that the pyrotechnic operator and location meet the department's requirements for a fireworks display.

THEREFORE, BE IT RESOLVED that the Pontiac City Council does hereby approves granting a permit to operator Antonio Paramo for a public fireworks display to be held in Aaron Perry Park on July 20, 2024, with a rain date of July 27, 2024, in accordance with MCL 28.466 of the Michigan Fireworks Safety Act.

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

No: None

Resolution Passed

Recognition of Elected Officials – None

Agenda Address

1. Dr. Deirdre Waterman addressed items #1 and #5
2. Ernestine McCall addressed item #5
3. Darlene Clark addressed item #5
4. Gloria Miller addressed item #5
5. Roselyn Northcross addressed item #5
6. Marcia Rogers addressed item #5

Agenda Items

Ordinances

2448 Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for Automotive Service Facilities (Commercial) and Tire Sales for a period of nine (9) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Rutherford and seconded by Councilperson Goodman.

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

No: None

Emergency Ordinance Adopted

****See Ordinance #2448 as Exhibit A after the minutes****

~~**2449 Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for places of assembly for a period of nine (9) months to allow the City’s Planning Division to research appropriate regulations of such facilities.**~~ Moved by Councilperson Parker and seconded by Councilperson Goodman. Discussion.

Motion to amend the Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for places of assembly for a period of four (4) months instead of nine (9) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Carrington and seconded by Councilperson James. Discussion. Councilperson Carrington withdrew his motion and Councilperson James withdrew her second.

Motion to amend the Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for places of assembly for a period of six (6) months instead of nine (9) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Carrington and seconded by Councilperson Rutherford.

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

No: Parker

Motion Carried

2449 Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for places of assembly for a period of six (6) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Parker and seconded by Councilperson Goodman.

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

Emergency Ordinance Adopted

****See Ordinance 2449 as Exhibit B after the minutes****

2450 Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for small box discount stores for a period of nine (9) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Rutherford and seconded by Councilperson Parker. Discussion.

Motion to amend the Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for small box discount stores for a period of nine (9) to twelve (12) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Rutherford and seconded by Councilperson Goodman.

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

Motion Carried

2450 Adoption of an Emergency Interim Ordinance to enact a moratorium on the issuance of any approvals for small box discount stores for a period of twelve (12) months to allow the City’s Planning Division to research appropriate regulations of such facilities. Moved by Councilperson Rutherford and seconded by Councilperson Parker.

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

Emergency Ordinance Adopted

****See Ordinance #2450 as Exhibit C after the minutes****

Resolutions

Planning Division

24-197 Resolution Authorizing Scheduling of Public Hearing on Appeal Request of Special Exception Permit Denial of an Automotive Services Facility at 382 Franklin Road, for the July 30, 2024, City Council Meeting. Moved by Councilperson Goodman and seconded by Councilperson James.

WHEREAS, Eric Williams, Stonefield Engineering (“the applicant”) on behalf of property owner Christopher Denha, applied for a Special Exception and Preliminary Site Plan to construct an automobile service facility and convenience store at 382 Franklin St.; and

WHEREAS, Planning Commission held a public hearing on Wednesday, June 5, 2024, to review the Special Exception application; and

WHEREAS, Planning Commission denied the application, 6-0, due to impact to residential impact to the surrounding neighborhoods; and

WHEREAS, the applicant filed an appeal with the Planning Division on June 14, 2024; and

WHEREAS, City Council reviews appeals for Special Exception decision by Planning Commission; and

WHEREAS, City Council must publish a public hearing not less than 15 days in advance in accordance with the Michigan Zoning Enabling Act and mailing notice to all property owners and occupants within 500 feet of the subject property.

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NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council authorizes the City Clerk to publish notice a Public Hearing for July 0, 2024, for an appeal of a Planning Commission decision for a Special Exception Permit for an Automobile Service Facility at 382 Franklin Street.

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

No: Rutherford

Resolution Passed

Grants and Philanthropy

24-198 **Resolution to Award 2023 – 2024 Community Development Block Grant (CDBG) Sidewalk Repair Contract to Great Lakes Contracting Solutions, LLC for \$871,562.50.** Moved by Councilperson James and seconded by Councilperson Carrington.

WHEREAS, the City of Pontiac has determined the need to replace certain sidewalks within the City limits that violate the Americans with Disabilities Act; and

WHEREAS, Community Development Block Grant (“CDBG”) funds can be utilized for sidewalk repairs within certain regulations; and

WHEREAS, the City of Pontiac has programmed a portion of its CDBG funding to a Sidewalk Improvement Program; and

WHEREAS, Great Lakes Contracting Solutions, LLC. was the lowest responsible bidder for making the referenced sidewalk repairs; and

WHEREAS, the City of Pontiac’s Public Works Department and Nowak & Fraus consulting engineers recommend that the bid for the 2023-24 Sidewalk Improvement Program be awarded to Great Lakes Contracting Solutions, LLC.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council approves awarding a contract for the 2023-2024 CDBG Sidewalk Improvement Program to Great Lakes Contracting Solutions, LLC, and authorizes the Mayor or the Mayor’s Designee to execute the said agreement.

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

No: None

Resolution Passed

Economic Development Division

24-199 **Resolution to Schedule a Public Hearing for the July 30, 2024, City Council Meeting, to Establish a Neighborhood Enterprise Zone (NEZ).** Moved by Councilperson Rutherford and seconded by Councilperson James.

WHEREAS, prior to the adoption of a Neighborhood Enterprise Zone (NEZ), a public hearing must be held; and

WHEREAS, the establishment of a NEZ is intended to stimulate investment in residential properties, promote neighborhood revitalization, and provide tax incentives for new construction and rehabilitation projects; and

WHEREAS, a NEZ designation will allow a reduction of taxes on property for up to 15 years; and

WHEREAS, developers and owners must first seek approval for the NEZ benefits before starting a project; and

WHEREAS, the legal descriptions and map of the proposed NEZ areas are attached as Exhibit A and Exhibit B, respectively; and

WHEREAS, the City of Pontiac must give public notice of the hearing not less than 10 days before the hearing, ensuring transparency and public participation in the decision-making process.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Clerk hereby authorizes the City Clerk to

July 9, 2024, Draft

publish a Notice of Public Hearing for the adoption of a Neighborhood Enterprise Zone in the City of Pontiac, to be held on July 30, 2024, in City Council Chambers at 6:00 pm.

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

Department of Public Works (DPW)
24-200 **Resolution Approving Michigan Department of Transportation Contract Agreement for Pedestrian Countdown Signals. With a City Contribution of \$56,790.94 and an Overall Project Total Cost of \$254,061.35.** Moved by Councilperson Rutherford and seconded by Councilperson James.

WHEREAS, the City of Pontiac determined the need to install or upgrade pedestrian crossing signals and improve sidewalk conditions; and
WHEREAS, the City of Pontiac has requested that Michigan Department of Transportation administer the contract and funding for the above said project; and
WHEREAS, MDOT requires the establishment of a contract agreement between the City of Pontiac and MDOT prior to awarding bids; and
WHEREAS, the City will enter into a contract agreement with Hubbell, Roth & Clark for construction engineering services for the MDOT contract scope of work.
NOW THEREFORE BE IT RESOLVED that the Pontiac City Council authorizes the Mayor or the Mayor’s Designee to execute CONTRACT NO. 24-5184, Control Section VRU 63000; Job Number 215578CON by and between the Michigan Department of Transportation and the City of Pontiac for pedestrian countdown signal installations.
BE IT FURTHER RESOLVED that the Pontiac City Council authorizes the Mayor or the Mayor’s Designee to execute a construction engineering contract by and between Hubbell, Roth & Clark Inc. and the City of Pontiac for a Not-to-Exceed amount of \$34,872.00 from General Ledger Account Number 202-463-806.000.

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

City Clerk
~~24-201~~ **Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment.** Moved by Councilperson James and seconded by Councilperson Goodman. Discussion.

Motion to suspend the rules to set aside Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment and take up Discussion item 50th District Courthouse Air Conditioning Improvements Status Update. Moved by Councilperson Carrington and seconded by Councilperson Goodman.

Ayes: Parker, James, Carrington, McGuinness and Goodman
No: None
Motion Carried
Councilwoman Rutherford was absent for the vote.

Discussion

50th District Court Courthouse Air Conditioning Improvements Status Update

Motion to take back from the table and take up adoption of Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment. Moved by Councilperson Carrington and seconded by Councilperson Parker.

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

City Clerk (continued)

24-201 **Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment.** Moved by Councilperson James and seconded by Councilperson Goodman.

WHEREAS, the City Council at its April 4, 2023 regular meeting approved Ordinance #2406 allowing Adult-Use Marihuana establishments to operate in the City of Pontiac; and

WHEREAS, the City Council at its October 10, 2023 regular meeting approved Ordinance #2424 amending Ordinance #2406; and

WHEREAS, Section 13(f) of the Ordinance provides that the Clerk shall assess, evaluate, score and rank each application for Class A Microbusiness and Designated Consumption Establishment based upon a point-based scoring and ranking procedure which shall be approved by City Council Resolution consistent with the requirements, conditions and provisions of the Ordinance; and

WHEREAS, the City Council enacted an Emergency Ordinance implementing a moratorium on the Adult-Use Marihuana Business Ordinance until June 8, 2024 which established the effective date of the Ordinance as June 9, 2024; and

WHEREAS, the City Council may adopt and approve this Scoring Guide at least 30 days after the effective date of the Ordinance.

NOW THEREFORE, BE IT RESOLVED that the City of Pontiac Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment Scoring Criteria Guide is hereby approved and adopted.

Ayes: Goodman, McGuinness, Carrington, James and Parker
No: None
Councilwoman Rutherford was absent for the vote.
Resolution Passed

Motion to reconsider Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment. Moved by Councilperson Goodman and second by Councilperson Carrington.

Ayes: Goodman, McGuinness, Carrington, James and Parker
No: None
Motion Carried
Councilwoman Rutherford was absent for the vote.

Motion to postpone Resolution Adopting Scoring Criteria Guide for Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment for one week.
Moved by Councilperson Carrington and seconded by Councilperson Parker.

Ayes: Goodman, McGuinness, Carrington, James and Parker
No: None
Councilwoman Rutherford was absent for the vote.
Motion Carried

~~24-201~~ **Resolution Adopting Scoring Criteria for Adult-Use Marihuana Retailer or Social Equity Retailer.**

Motion to postpone Resolution adopting Scoring Criteria for Adult-Use Marihuana Retailer or Social Equity Retailer for one week. Moved by Councilperson Carrington and seconded by Councilperson Parker.

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

Public Comment

1. Roselyn Northcross
2. Dr. Deirdre Waterman
3. Robert Bass
4. Carlton Jones
5. Valerie Bates
6. Billie Swazer
7. Andrea Manns
8. Darlene Clark
9. Gloria Miller
10. Charles Blackwell (written)

Discussions (continued)

American Rescue Plan Act Funding Obligation Update (Agenda add-on)

Master Plan Community Engagement Update (Agenda add-on)

Transition for Trash Collection Recycling and Yard Waste (Agenda add-on)

Subcommittee Reports

Communications, Engagement & Operations
Economic Development, Housing & Planning
Facilities & Property
Finance & Personnel
Law & The Courts
Parks, Recreation & Public Works
Public Safety, Health & Wellness

Closed Session

24-201 **Resolution to go into Closed Session at 9:41 p.m. to discuss trial and/or settlement strategy related to Kenyada Quince-Bowman v. City of Pontiac et al and to provide a legal update on pending legal matters in accordance with the Open Meetings Act, MLC 15.268(e) and (h).**
Moved by Councilperson Rutherford and seconded by Councilperson Parker.

WHEREAS, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to discuss trial or settlement strategy; and

WHEREAS, the referenced discussions are the subject of attorney-client privilege and is exempt from disclosure and may be discussed in Closed Session pursuant to MCL 15.268(e), (h) of the Open Meetings Act.

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8 (e) and (h) of the Open Meetings Act.

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

No: None

Resolution Passed

Motion to come out of Closed Session at 10:43 p.m. Moved by Councilperson Parker and seconded by Councilperson Goodman.

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

No: None

Motion Carried

Public Communications

City Council

Closing Comments

Councilman William Parker Jr., Councilwoman Melanie Rutherford, and Council President Mike McGuinness.

Adjournment

Motion to adjourn the meeting. Moved by Councilperson Rutherford and seconded by Councilperson Goodman.

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

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 10:46 p.m.

Garland S. Doyle
City Clerk

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO. 2448

EMERGENCY MUNICIPAL ORDINANCE

AN EMERGENCY INTERIM ORDINANCE TO ENACT A MORATORIUM ON THE ISSUANCE OF ANY APPROVALS FOR AUTOMOTIVE SERVICE FACILITIES (COMMERCIAL) AND TIRE SALES FOR A PERIOD OF NINE (9) MONTHS TO ALLOW THE CITY'S PLANNING DIVISION TO RESEARCH APPROPRIATE REGULATIONS OF SUCH FACILITIES

CHAPTER 42, ARTICLE VIII. MORATORIUM ON AUTOMOBILE SERVICE FACILITIES (COMMERCIAL) AND TIRE SALES

THE CITY OF PONTIAC ORDAINS:

Add Chapter 42, Article VIII, Section 42-243 Purpose:

The City of Pontiac has determined that a Moratorium is necessary to ensure that the City has adequate time to research and establish regulations of certain land uses to ensure that these uses do not harm the public peace, property, health, and/or safety of the residents of the City of Pontiac. The City has determined that an emergency ordinance is necessary to protect the health, safety, and welfare of the residents of the City of Pontiac and to prohibit the use of land in such a way that could have the capacity to harm the City's residents. Michigan Courts have recognized that a moratorium is a common and legitimate planning tool to preserve the status quo while formulating a zoning review and planning development strategy. The City has considered the consequences of having no Moratorium but has determined that the Moratorium is necessary to allow the City time to research and implement regulations on the land uses specifically address in this Article VIII of the City's Municipal Code.

Add Chapter 42, Article VIII, Section 42-244 Moratorium:

The City hereby places a moratorium on the issuance of any approval or permit under the City of Pontiac Zoning Ordinance, prohibits the Planning Department from processing and approving any permits under its administrative jurisdiction, and prohibits the Planning Commission from issuing any approval under its jurisdiction for the following land uses:

(1) Automobile Service (Commercial).

- a. Automobile Service (Commercial) facilities are defined as a place of business serving auto-related needs including, but not limited to, gas stations, car washes, or mechanics offering routine services, minor repairs, or customization.
 - i. Minor repairs generally include any repair or service that does not require removal of the engine head, transmission, or differential.

- b. As is the case in the City's Zoning Ordinance, vehicle sales facilities and major mechanical facilities as defined in the City's Zoning Ordinance are specifically exempted from this Moratorium.

(2) Tire Sales Facilities.

- a. Tire Sales facilities are defined as a place where new or used tires are sold or serviced, and not a "retail sales (indoors)" as defined in the City of Pontiac Zoning Ordinance.

Completed applications which were submitted and accepted by the Planning Department prior to the date of the adoption of this Ordinance shall not be subject to the terms of this Ordinance.

Add Chapter 42, Article VIII, Section 42-245 Moratorium Term:

The moratorium established by this Ordinance shall remain in effect for a period of nine (9) months from the effective date of this Ordinance. Before this moratorium expires, the City Council may, by resolution, extend the moratorium as appropriate to allow sufficient time to complete the research necessary to implement any and all appropriate regulations to protect the health, safety, and welfare of the City's residents.

Add Chapter 42, Article VIII, Section 42-246 Validity and Severability:

If any part of this Ordinance is found invalid for any reason, that holding does not invalidate the remaining parts of this Ordinance.

Add Chapter 42, Article VIII, Section 42-247 Effective Date:

This Ordinance shall become effective immediately upon adoption as authorized by Section 3.112(e) of the City of Pontiac's Home Rule Charter related to emergency ordinance adoption.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO. 2449

EMERGENCY MUNICIPAL ORDINANCE

AN EMERGENCY INTERIM ORDINANCE TO ENACT A MORATORIUM ON THE ISSUANCE OF ANY APPROVALS FOR PLACES OF ASSEMBLY FOR A PERIOD OF SIX (6) MONTHS TO ALLOW THE CITY'S PLANNING DIVISION TO RESEARCH APPROPRIATE REGULATIONS OF SUCH FACILITIES

CHAPTER 42, ARTICLE X. MORATORIUM ON PLACES OF ASSEMBLY
THE CITY OF PONTIAC ORDAINS:

Add Chapter 42, Article X, Section 42-253 Purpose:

The City of Pontiac has determined that a Moratorium is necessary to ensure that the City has adequate time to research and establish regulations of certain land uses to ensure that these uses do not harm the public peace, property, health, and/or safety of the residents of the City of Pontiac. The City has determined that an emergency ordinance is necessary to protect the health, safety, and welfare of the residents of the City of Pontiac and to prohibit the use of land in such a way that could have the capacity to harm the City's residents. Michigan Courts have recognized that a moratorium is a common and legitimate planning tool to preserve the status quo while formulating a zoning review and planning development strategy. The City has considered the consequences of having no Moratorium but has determined that the Moratorium is necessary to allow the City time to research and implement regulations on the land uses specifically address in this Article VIII of the City's Municipal Code.

Add Chapter 42, Article X, Section 42-254 Moratorium:

The City hereby places a moratorium on the issuance of any approval or permit under the City of Pontiac Zoning Ordinance, prohibits the Planning Department from processing and approving any permits under its administrative jurisdiction, and prohibits the Planning Commission from issuing any approval under its jurisdiction for the following land uses:

- (1) Places of Assembly, which are defined as a commercial facility for public assembly including but not limited to social clubs, entertainment hall, arenas, auditoriums, conference facilities, banquet facilities, convention centers, and exhibition halls.
- (2) Theaters and performing arts centers are specifically exempt from this ordinance. The Planning Department shall be entitled to process and approve permits for theaters and performing arts centers during the term of this moratorium.

Completed applications which were submitted and accepted by the Planning Department prior to the date of the adoption of this Ordinance shall not be subject to the terms of this Ordinance.

Add Chapter 42, Article X, Section 42-255 Moratorium Term:

The moratorium established by this Ordinance shall remain in effect for a period of six (6) months from the effective date of this Ordinance. Before this moratorium expires, the City Council may, by resolution, extend the moratorium as appropriate to allow sufficient time to complete the research necessary to implement any and all appropriate regulations to protect the health, safety, and welfare of the City's residents.

Add Chapter 42, Article X, Section 42-256 Validity and Severability:

If any part of this Ordinance is found invalid for any reason, that holding does not invalidate the remaining parts of this Ordinance.

Add Chapter 42, Article X, Section 42-257 Effective Date:

Under authority of the Pontiac Home Rule Charter Section 3.112(e), the City shall adopt this Emergency Ordinance which will be given immediate effect.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO. 2450

EMERGENCY MUNICIPAL ORDINANCE

AN EMERGENCY INTERIM ORDINANCE TO ENACT A MORATORIUM ON THE ISSUANCE OF ANY APPROVALS FOR SMALL BOX DISCOUNT STORES FOR A PERIOD OF TWELVE (12) MONTHS TO ALLOW THE CITY'S PLANNING DIVISION TO RESEARCH APPROPRIATE REGULATIONS OF SUCH FACILITIES

CHAPTER 42, ARTICLE IX MORATORIUM ON SMALL BOX DISCOUNT STORES

THE CITY OF PONTIAC ORDAINS:

Add Chapter 42, Article IX, Section 42-248 Purpose:

The City of Pontiac has determined that a Moratorium is necessary to ensure that the City has adequate time to research and establish regulations of certain land uses to ensure that these uses do not harm the public peace, property, health, and/or safety of the residents of the City of Pontiac. The City has determined that an emergency ordinance is necessary to protect the health, safety, and welfare of the residents of the City of Pontiac and to prohibit the use of land in such a way that could have the capacity to harm the City's residents. Michigan Courts have recognized that a moratorium is a common and legitimate planning tool to preserve the status quo while formulating a zoning review and planning development strategy. The City has considered the consequences of having no Moratorium but has determined that the Moratorium is necessary to allow the City time to research and implement regulations on the land uses specifically address in this Article VIII of the City's Municipal Code.

Add Chapter 42, Article IX, Section 42-249 Moratorium:

The City hereby places a moratorium on the issuance of any approval or permit under the City of Pontiac Zoning Ordinance, prohibits the Planning Department from processing and approving any permits under its administrative jurisdiction, and prohibits the Planning Commission from issuing any approval under its jurisdiction for the following land uses:

(1) Small Box Discount Stores.

- a. Small Box Discount Stores are defined as retail establishments commonly known as "dollar stores" having a gross floor area between 5,000 and 15,000 square feet that primarily offer convenience and consumer shopping goods, household products, personal grooming and health products, and other consumer goods. Small box discount stores do not include the following:
 - i. Stores that contain a prescription pharmacy;
 - ii. Stores that sell gasoline and/or diesel fuel;

- iii. Stores that primarily sell specialty food items, including, but not limited to, meat, seafood, cheese, oils, and/or vinegars;
- iv. iv. Stores that dedicate at least 10% of their store space to fresh foods; or
- v. Stores that dedicate less than 5% of their shelf space to food sales.

Completed applications which were submitted and accepted by the Planning Department prior to the date of the adoption of this Ordinance shall not be subject to the terms of this Ordinance.

Add Chapter 42, Article IX, Section 42-250 Moratorium Term:

The moratorium established by this Ordinance shall remain in effect for a period of twelve (12) months from the effective date of this Ordinance. Before this moratorium expires, the City Council may, by resolution, extend the moratorium as appropriate to allow sufficient time to complete the research necessary to implement any and all appropriate regulations to protect the health, safety, and welfare of the City's residents.

Add Chapter 42, Article IX, Section 42-251 Validity and Severability:

If any part of this Ordinance is found invalid for any reason, that holding does not invalidate the remaining parts of this Ordinance.

Add Chapter 42, Article IX, Section 42-252 Effective Date:

This Ordinance shall become effective immediately upon adoption as authorized by Section 3.112(e) of the City of Pontiac's Home Rule Charter related to emergency ordinance adoption.

CONSENT AGENDA D



Finance and Personnel Subcommittee

Minutes

July 11, 2024

2:00 PM

Pontiac City Hall

City Council Conference Room Second Floor

47450 Woodward Avenue

Pontiac, Michigan 48342

Committee Members: Mikal Goodman, William Parker Jr., and Kathalee James

Others Present: Sherikia Hawkins, Sekar Bana, Melinda Durakovic, Shannon Hensel and
Deputy Mayor Stephens

The meeting convened at 2:00 p.m.

No updates from Economic Development or Grants and Philanthropy

Updates from Finance (Reports were given in written form)

1. YTD Financial Review- Statement of Revenues and Expenditures.
 - i. Consolidated Revenue and Expenditures report for period ending June 30, 2024.
 - ii. Overview of Income Tax Collections for the period ending on June 30, 2024.
 - iii. Details regarding Property Tax collections for the period ending on June 30, 2024.
 - iv. A Cash Summary by Fund as of June 30, 2024.
 - v. A Comparative Balance Sheet for all funds as of June 30, 2024.
 - vi. Information on the Grants Ledger for the period ending June 30, 2024.
 - vii. A Revenue and Expenditure report featuring Original and Amended Budgets for the period ending on June 30, 2024.
2. Update from Human Resources
 - viii. Conversation ensued over key departmental hires. Administration gave a timeline on key hires. Several Interviews have been planned for the Director of Finance.
 - ix. A compensation update was given, the HR Team is currently working on the FHSA classification for OT requirements that were changed by the federal government.
 - x. Human Resources is still working on the Phase II of the Compensation Study.
 - xi. Titan Wealth Management, mandatory meetings for employees will be held July 25, 2024.
 - xii. Worker's Compensation is on track.
 - xiii. Final Draft of employee handbook is under review

The meeting Adjourned at 3:11 p.m.

CONSENT AGENDA E



CITY OF PONTIAC RESOLUTION

Recognizing July 2024 as Parks and Recreation Month in the City of Pontiac

Whereas, the City of Pontiac strives to be an exceptional place for all of our residents to live, work, enjoy, and thrive; and,

Whereas, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks, promotes time spent in nature, alleviates illnesses such as depression, encourages physical activities, and promotes healthy lifestyles; and,

Whereas, parks and recreation programming activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development, and the City's Youth Recreation initiatives fall under the City's Parks and Recreation Department: and,

Whereas, the City of Pontiac has invested resources and staffing assignments to reconstituting the previously-disbanded City Parks and Recreation Department, with hardworking community members now employed to handle parks maintenance, youth recreation programming, and more; and,

Whereas, the United States House of Representatives has designated the month of July as Parks and Recreation month; now,

Therefore, Be It Resolved, the Pontiac City Council, in partnership with Mayor Tim Greimel, hereby recognizes July 2024 as Parks and Recreation Month in Pontiac; and further

Resolved, the City Council celebrates and thanks our parks and recreation professionals who have worked for the City of Pontiac in their dedicated field, including Alex Zegarzewski, Portia Fields-Anderson, Tarrance Price, Tanesha Stephens, and others who have come before and since in the City of Pontiac.

Pontiac City Council ● *Pontiac, Michigan* ● *July 16, 2024*

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*

with Tim Greimel, Mayor

CONSENT AGENDA

F



PONTIAC CITY COUNCIL RESOLUTION REQUESTING AGAIN WRITTEN DETAIL OF SENIOR SERVICES PROGRAMMING RESOURCES ALLOCATION BETWEEN SENIOR CENTERS

Whereas, the City of Pontiac has a voter-approved and voter-determined Senior Services millage, which partially provides for the operations and programming of the city-owned Robert Bowens Senior Center and the city-owned Ruth Peterson Senior Center; and,

Whereas, the City Council has a duty to ensure the effective utilization of the millage-generated funds toward delivering these Senior Services to our residents as enacted by the citizens of our great City; and,

Whereas, past and present City staff have worked hard to make improvements to the physical structure and amenities of the Senior Centers, and to make improvements to the quality and frequency of programming offered to our city's senior citizens; and,

Whereas, the City Council adopted a Resolution June 4, 2024 requesting that a written summary analysis of the city's Senior Services millage programming resources allocation between the city's Senior Centers from the city's Administration, but has not yet received such an analysis; now,

Therefore, Be It Resolved, the Pontiac City Council hereby again formally requests from the Mayor of Pontiac a summary analysis of the city's Senior Services millage programming resources allocation between the Robert Bowens Senior Center and the Ruth Peterson Senior Center; and further

Resolved, the City Council requests once more that the analysis be provided in writing and provided to all members of the City Council.

Pontiac City Council ● Pontiac, Michigan ● July 16, 2024

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*

**CONSENT
AGENDA
G**



CITY OF PONTIAC
OFFICIAL MEMORANDUM

City Clerk's Office

TO: Honorable Pontiac City Council

FROM: Kamryn Hoadley, Chief Assistant City Clerk

CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens
City Clerk Garland Doyle

DATE: July 16, 2024

RE: **Resolution recognizing the Gary Burnstein Community Health Clinic, a 501(c)(3) nonprofit located in Pontiac as a nonprofit organization for the purpose of obtaining charitable gaming license.**

The City Clerk's Office is requesting the City Council recognizes the Gary Burnstein Community Health Clinic as a nonprofit so that the organization can obtain a charitable gaming license.

The Gary Burnstein Community Health Clinic is a 501(c)(3) nonprofit that is located in the City of Pontiac. They would like to obtain a charitable gaming license to sell raffle tickets for an upcoming event, the winner of raffle will win a new car. The pickleball event will be hosted by the Gary Burnstein Community Health Clinic on September 26, 2024 from 3 p.m. – 6 p.m. at the UWM Sports Complex.



State of Michigan
 Michigan Gaming Control Board
 Millionaire Party Licensing
 3062 W. Grand Blvd, Suite L-700
 Detroit, MI 48202-6062
 Phone: (313) 456-4940
 Fax: (313) 456-3405
 Email: Millionaireparty@michigan.gov
 www.michigan.gov/mgcb

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103(k)(ii))

At a Regular meeting of the Pontiac City Council
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on July 16, 2024
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Gary Burnstein Community Health Clinic of Pontiac,
NAME OF ORGANIZATION CITY

county of Oakland, asking that they be recognized as a nonprofit
COUNTY

organization operating in the community, for the purpose of obtaining charitable gaming licenses, be

considered for Approval.
APPROVAL/DISAPPROVAL

APPROVAL: Yeas: _____ DISAPPROVAL: Yeas: _____
 Nays: _____ Nays: _____
 Absent: _____ Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted

by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

Organization Information: 4580 Woodward Avenue, Pontiac, MI 48341
ORGANIZATION'S MAILING ADDRESS, STREET, CITY, ZIP

Mary Lewis, Chief Executive Officer
ORGANIZATION'S PRINCIPAL OFFICER NAME AND TITLE

(248) 309-3752 X. 222
PHONE NUMBER

CINCINNATI OH 45999-0038

In reply refer to: 0248267585
Apr. 24, 2015 LTR 4168C 0
32-0015321 000000 00
00030371
BODC: TE

DR GARY BURNSTEIN COMMUNITY HEALTH
CLINIC
45580 WOODWARD AVE
PONTIAC MI 48341

026695

Employer Identification Number: 32-0015321
Person to Contact: Ms. P. Skiles
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Apr. 15, 2015, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in January 2003.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

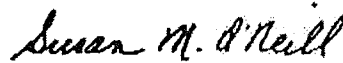
Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248267585
Apr. 24, 2015 LTR 4168C 0
32-0015321 000000 00
00030372

DR GARY BURNSTEIN COMMUNITY HEALTH
CLINIC
45580 WOODWARD AVE
PONTIAC MI 48341

If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,



Susan M. O'Neill, Department Mgr.
Accounts Management Operations

Michigan Department of Consumer and Industry Services

Filing Endorsement

This is to Certify that the ARTICLES OF INCORPORATION - NONPROFIT

for

WOLFE-SEIFERHELD MEMORIAL CLINIC

ID NUMBER: 775602

received by facsimile transmission on April 26, 2002 is hereby endorsed

Filed on April 29, 2002 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 29th day of April, 2002.

, Director

Bureau of Commercial Services

MICHIGAN DEPARTMENT OF COMMERCE - CORPORATION AND SECURITIES BUREAU

(for Bureau use only)	Date Received
CORPORATION IDENTIFICATION NUMBER _____	

ARTICLES OF INCORPORATION

For use by Domestic Nonprofit Corporations

(Please read instructions and Paperwork Reduction Act notice on last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, as amended, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is: Wolfe-Seiferheld Memorial Clinic

ARTICLE II

The purpose or purposes for which the corporation is organized are:

The Corporation has been organized:

- (i) to provide quality and compassionate medical care to people in the metropolitan Detroit community, regardless of their ability to pay, including, but not limited to, urgent care for acute illnesses, cardiovascular diagnosis and treatment, and blood testing;
- (ii) to provide ancillary testing in order to pursue the foregoing objectives, including, but not limited to, x-rays, ultrasounds, echocardiography, 24 hour monitors, mammography, CT scans and MRIs;
- (iii) to dispense medications to the people described above in order to pursue the foregoing objectives;
- (iv) to maintain and operate one or more health care clinics in order to pursue the foregoing objectives;
- (v) To receive contributions, donations and funds in order to pursue the foregoing objectives;
- (vi) To receive and administer funds in order to further charitable, educational, scientific, or literary purposes and to lessen the financial burdens of government; and
- (vii) To do all such things as are incidental or conducive to and the attainment of the foregoing purposes of the corporation.

The Corporation is, and will be, organized and operated exclusively for purposes described in Section 501(c)(3) of the Code.

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is

then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE III

The corporation is organized upon a non-stock basis.

1. If organized on a stock basis, the total number of shares which the corporation has authority to issue is _____ If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:
2. If organized on a nonstock basis, the description and value of its real property assets are: none.

and the description and value of its personal property assets are: none.

The corporation is to be financed under the following general plan:

Financial support will be drawn from contributions and gifts from foundation (public and private) grants, government grants and other sources.

The corporation is organized on a membership basis.

ARTICLE IV

1. The address of the registered office is:
4949 Lake Bluff, West Bloomfield, Michigan 48323
2. The mailing address of the registered office if different than above:
3. The name of the resident agent at the registered office is: Gary Burnstein

ARTICLE V

The names and addresses of the incorporators is as follows:

Gary Burnstein
4949 Lake Bluff
West Bloomfield, Michigan 48323

ARTICLE VI

The term of the corporate existence is perpetual.

ARTICLE VII

If permitted under the laws of the State of Michigan, any action required or permitted to be taken at any annual or special meeting of members of this corporation may be taken without a meeting, without prior notice and without a vote, if a consent in writing, setting forth the action so taken, is signed by that number of members of this

corporation that would be necessary to authorize or take the action at a meeting at which all of the members were present and voted. Prompt notice of the taking of any corporate action without a meeting by less than unanimous written consent shall be given to all members who have not consented in writing.

ARTICLE VIII

Notwithstanding any other provision of these Articles of Incorporation, no part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the organization shall be the carrying on the propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Code, or (b) by an organization, contributions to which are deductible under section 170(a)(2) of the Code.

ARTICLE IX

A volunteer director of the Corporation shall not be personally liable to the Corporation for monetary damages for breach of the volunteer director's fiduciary duty, except for liability:

- (1) For any breach of the volunteer director's duty of loyalty to the Corporation or its members;
- (2) For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;
- (3) For a violation of Section 551(1) of the Michigan Nonprofit Corporation Act;
- (4) For any transaction from which the volunteer director derived an improper personal benefit;
- (5) For any acts or omissions occurring before the date this Article is filed by the Michigan Department of Commerce; and
- (6) For any acts or omissions that are grossly negligent.

The Corporation hereby assumes all liability to any person other than the Corporation, if any, for all acts or omissions of a volunteer director occurring on or after the date this Article is filed by the Michigan Department of Commerce, incurred in the good faith performance of the director's duties as a volunteer director; provided, however, if applicable, that the Corporation shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

If the Michigan Nonprofit Corporation Act is hereafter amended to authorize the further elimination or limitation of the liability of directors of nonprofit corporations, then the liability of a director of the Corporation (in addition to the limitation, elimination and assumption of personal liability contained in this Article) shall be assumed by the Corporation or eliminated or limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act as so amended, except, if applicable, to the extent such limitation, elimination or assumption of liability is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

ARTICLE X

The Corporation assumes all liability for the acts or omissions of a nondirector volunteer if all of the following are met:

- (a) The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;
- (b) The volunteer was acting in good faith;
- (c) The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct;
- (d) The volunteer's conduct was not an intentional tort; and
- (e) The volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided under Michigan law.

ARTICLE XI

In the event the corporation is determined to be a "private foundation," as that term is defined in section 509(a) of the Code, then:

- (1) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Code.
- (2) The corporation shall not engage in any act or take any actions which subject it to the tax on self-dealing imposed by section 4941 of the Code.
- (3) The corporation shall not own, obtain or retain an interest in any business enterprise which subject it to the tax on excess business holdings imposed by section 4943 of the Code.
- (4) The corporation shall not make any investments in such manner as to subject it to tax imposed by section 4944 of the Code.
- (5) The corporation shall not expend its funds in such a manner as to subject it to the tax on taxable expenditures imposed by 4945 of the Code.

ARTICLE XII

- (1) The corporation shall not devote more than in insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- (2) The corporation shall not directly or indirectly participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.
- (3) The corporation shall not have objectives or engage in activities which characterize it as an "action" organization as defined in Treasury Regulation 21.501 (a) (3) -1 (c) (3).

1/29/2002 09:50AM

04/26/2002 14:47 FAX 319 965 5

07/21/1996 13:10 0106011389

04/25/2002 18:29 FAX

CONSUMER & INDUSTRY SERVICES
JAFFE, RAITT

BURNSTEIN

PAGE 7 OF 7
0008

PAGE 06
0008

I, the incorporator sign my name this 24th day of April, 2002.


Gary Burnstein

#049430 v1 - Articles of Incorporation

04/26/2002 02:50PM

CERTIFICATION

I hereby certify that the attached Articles of Incorporation for the Wolfe-Seiferheld Memorial Clinic are true, complete and accurate copies of the Articles of Incorporation now in effect for the organization.

Wolfe-Seiferheld Memorial Clinic

By: 
Dr. Gary Burnstein, President

Dated: August 24, 2002



GARY BURNSTEIN
COMMUNITY HEALTH CLINIC
c/o 32255 Northwestern Highway, Suite 196
Farmington Hills, Michigan
(248) 737-8824
Fax (248) 538-4327

February 14, 2005

Internal Revenue Service
District Director
P.O. Box 2508
Cincinnati, Ohio 45201

Re: Change of Name for Wolfe-Seiferheld Memorial Clinic

Dear Sir/Madam:

The purpose of this letter is to inform the Internal Revenue Service ("IRS") that effective February 14, 2005, (the "Effective Date"), the Wolfe Seiferheld Memorial Clinic (EIN 32-0015321) amended its Articles of Incorporation to change its name from Wolfe-Seiferheld Memorial Clinic to The Gary Burnstein Community Health Clinic. A certified copy of the amended Articles of Incorporation is enclosed.

The amendments to the Articles of Incorporation did not alter the tax-exempt purposes of the corporation or alter any other provisions which support exemption under Section 501(c)(3) of the Internal Revenue Code.

We would appreciate it if the IRS could re-issue a letter recognizing the organization as exempt from federal income tax as a 501(c)(3) organization so that we have a copy of our determination letter that lists the new name. The letter may be directed to my attention at the above address.

If the IRS would like additional information regarding this notice, please contact me.

Very truly yours,

Ian Burnstein

Document List

New Search

Help Menu

Michigan Department of Consumer and Industry Services

Filing Endorsement

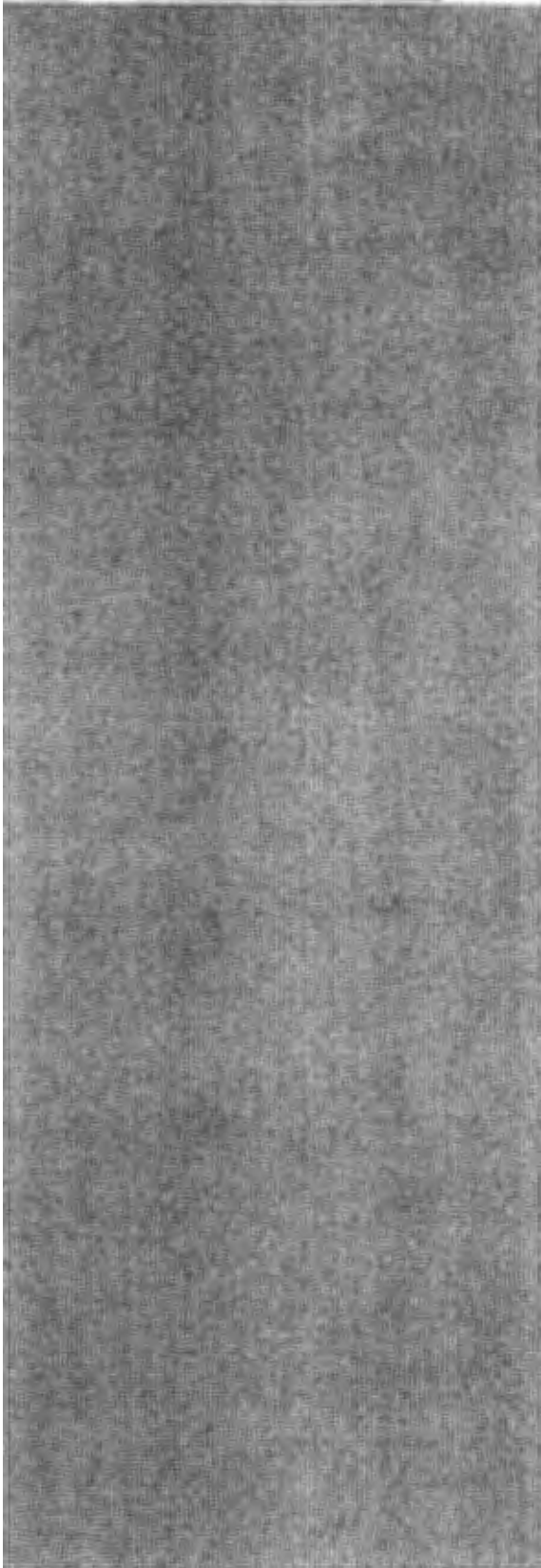
This is to Certify that the CERTIFICATE OF AMENDMENT - CORPORATION

for

DR. GARY BURNSTEIN COMMUNITY HEALTH CLINIC

ID NUMBER: 776602

received by facsimile transmission on February 15, 2005 is hereby endorsed filed on February 15, 2005 by the Administrator. The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES	
Date Received	(FOR BUREAU USE ONLY)
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name Phyllis Donaldson Adams	
Address Dykema Gossett PLLC, 2723 S. State St., Suite 400	
City Ann Arbor	State MI
	ZIP Code 48104
EFFECTIVE DATE:	

Document will be returned to the name and address you enter above, if left blank document will be mailed to the registered office.

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

For use by Domestic Profit and Nonprofit Corporations

(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is:	Wolfe-Selferheld Memorial Clinic
2. The identification number assigned by the Bureau is:	775-602

3. Article One of the Articles of Incorporation is hereby amended to read as follows:

Dr. Gary Burnstein Community Health Clinic

Name of person or organization remitting fees:

Dykema Gossett PLLC

(734) 214-7664

Preparer's name and business telephone number:

Phyllis Donaldson Adams

(734) 214-7664

INFORMATION AND INSTRUCTIONS

1. This form may be used to draft your Certificate of Amendment to the Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
2. Submit one original of this document. Upon filing, the document will be added to the records of the Bureau of Commercial Services. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.

Since the document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This Certificate is to be used pursuant to the provisions of section 631 of Act 284, P.A. of 1972, or Act 162, P.A. of 1982, for the purpose of amending the Articles of Incorporation of a domestic profit corporation or nonprofit corporation. Do not use this form for restated articles.
4. Item 2 - Enter the identification number previously assigned by the Bureau. If this number is unknown, leave it blank.
5. Item 3 - The article(s) being amended must be set forth in its entirety. However, if the article being amended is divided into separately identifiable sections, only the sections being amended need be included.
6. For nonprofit charitable corporations, if an amendment changes the term of existence to other than perpetual, Attorney General Consent should be obtained at the time of dissolution. Contact Michigan Attorney General, Consumer Protection and Charitable Trust Division at (517) 373-1152.
7. This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
8. Signatures:
Profit Corporations: (Complete either Item 4 or Item 5)
 1) Item 4 must be signed by at least a majority of the incorporators listed in the Articles of Incorporation.
 2) Item 5 must be signed by an authorized officer or agent of the corporation.

Nonprofit Corporations: (Complete either Item 4, Item 5 or Item 6)
 1) Item 4 must be signed by all of the incorporators listed in the Article of Incorporation.
 2) Item 5 or 6 must be signed by either the president, vice-president, chairperson or vice-chairperson.
9. **NONREFUNDABLE FEES:** Make remittance payable to the State of Michigan. Include corporation name and identification number on check or money order \$10.00

ADDITIONAL FEES DUE FOR INCREASED AUTHORIZED SHARES OF PROFIT CORPORATIONS ARE:

each additional 20,000 authorized shares or portion thereon	\$ 30.00
maximum fee per filing for first 10,000,000 authorized shares	\$ 5,000.00
each additional 20,000 authorized shares or portion thereof in excess of 10,000,000 shares	\$ 30.00
maximum fee per filing for authorized shares in excess of 10,000,000 shares	\$ 200,000.00

To submit by mail:

Michigan Department of Labor & Economic Growth
 Bureau of Commercial Services - Corporation Division
 7150 Harris Drive
 P.O. Box 30054
 Lansing, MI 48909

To submit in person:

2501 Woodlake Circle
 Okemos, MI
 Telephone: (517) 241-6470

Fees may be paid by VISA or Mastercard when delivered in person to our office.

MICH-ELF (Michigan Electronic Filing System):

First Time Users: Call (517) 241-6420, or visit our website at <http://www.michigan.gov/corporations>
 Customer with MICH-ELF Filer Account: Send document to (517) 241-6846

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

6. (For a nonprofit corporation whose Articles state the corporation is organized on a directorship basis.)

The foregoing amendment to the Articles of Incorporation was duly adopted on the _____ day of _____, 2004 by the directors of a nonprofit corporation whose articles of incorporation state it is organized on a directorship basis (check one of the following)

- at a meeting the necessary votes were cast in favor of the amendment
- by written consent of all directors pursuant to Section 625 of the Act.

Signed this 11th day of February, 2005

By Dana Bernstein
(Signature of President, Vice-President, Chairperson or Vice-Chairperson)

Dana Bernstein Chairperson
(Type or Print Name) (Type or Print Title)

Michigan Department of Consumer and Industry Services

Filing Endorsement

This is to Certify that the ARTICLES OF INCORPORATION - NONPROFIT

for

WOLFE-SEIFERHELD MEMORIAL CLINIC

ID NUMBER: 775602

received by facsimile transmission on April 26, 2002 is hereby endorsed

Filed on April 29, 2002 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 29th day of April, 2002.

, Director

Bureau of Commercial Services

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

JAN 09 2002

WOLFE-SEIFERHELD MEMORIAL CLINIC
C/O ADAM P LUMBERG
JAFFE RAITT HEUER & WEISS
ONE WOODWARD AVE STE 2400
DETROIT, MI 48226

Employer Identification Number:
32-0015321
DLN:
17053240047042
Contact Person:
LAURIE FORTUNE ID# 95002
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(2)
Advance Ruling Period Begins:
April 26, 2002
Advance Ruling Period Ends:
December 31, 2006
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

Letter 1045 (DO/CG)

WOLFE-SEIFERHELD MEMORIAL CLINIC

a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning April 26, 2002.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return. Because you will be treated as

WOLFE-SEIFERHELD MEMORIAL CLINIC

a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period that you exceed the \$25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trades or business as defined in section 513 of the Code.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

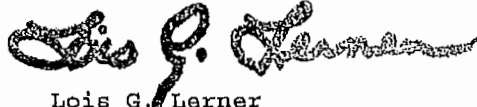
We have sent a copy of this letter to your representative as indicated in your power of attorney.

Letter 1045 (DO/CG)

WOLFE-SEIFERHELD MEMORIAL CLINIC

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations

for

Enclosure(s):
Form 872-C

MICHIGAN DEPARTMENT OF COMMERCE - CORPORATION AND SECURITIES BUREAU	
(for Bureau use only)	Date Received
CORPORATION IDENTIFICATION NUMBER _____	

ARTICLES OF INCORPORATION

For use by Domestic Nonprofit Corporations

(Please read instructions and Paperwork Reduction Act notice on last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, as amended, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is: Wolfe-Seiferheld Memorial Clinic

ARTICLE II

The purpose or purposes for which the corporation is organized are:

The Corporation has been organized:

- (i) to provide quality and compassionate medical care to people in the metropolitan Detroit community, regardless of their ability to pay, including, but not limited to, urgent care for acute illnesses, cardiovascular diagnosis and treatment, and blood testing;
- (ii) to provide ancillary testing in order to pursue the foregoing objectives, including, but not limited to, x-rays, ultrasounds, echocardiography, 24 hour monitors, mammography, CT scans and MRIs;
- (iii) to dispense medications to the people described above in order to pursue the foregoing objectives;
- (iv) to maintain and operate one or more health care clinics in order to pursue the foregoing objectives;
- (v) To receive contributions, donations and funds in order to pursue the foregoing objectives;
- (vi) To receive and administer funds in order to further charitable, educational, scientific, or literary purposes and to lessen the financial burdens of government; and
- (vii) To do all such things as are incidental or conducive to and the attainment of the foregoing purposes of the corporation.

The Corporation is, and will be, organized and operated exclusively for purposes described in Section 501(c)(3) of the Code.

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is

then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE III

The corporation is organized upon a non-stock basis.

1. If organized on a stock basis, the total number of shares which the corporation has authority to issue is _____ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:
2. If organized on a nonstock basis, the description and value of its real property assets are: none.

and the description and value of its personal property assets are: none.

The corporation is to be financed under the following general plan:

Financial support will be drawn from contributions and gifts from foundation (public and private) grants, government grants and other sources.

The corporation is organized on a membership basis.

ARTICLE IV

1. The address of the registered office is:
4949 Lake Bluff, West Bloomfield, Michigan 48323
2. The mailing address of the registered office if different than above:
3. The name of the resident agent at the registered office is: Gary Burnstein

ARTICLE V

The names and addresses of the incorporators is as follows:

Gary Burnstein
4949 Lake Bluff
West Bloomfield, Michigan 48323

ARTICLE VI

The term of the corporate existence is perpetual.

ARTICLE VII

If permitted under the laws of the State of Michigan, any action required or permitted to be taken at any annual or special meeting of members of this corporation may be taken without a meeting, without prior notice and without a vote, if a consent in writing, setting forth the action so taken, is signed by that number of members of this

incorporation that would be necessary to authorize or take the action at a meeting at which all of the members were present and voted. Prompt notice of the taking of any corporate action without a meeting by less than unanimous written consent shall be given to all members who have not consented in writing.

ARTICLE VIII

Notwithstanding any other provision of these Articles of Incorporation, no part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the organization shall be the carrying on the propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Code.

ARTICLE IX

A volunteer director of the Corporation shall not be personally liable to the Corporation for monetary damages for breach of the volunteer director's fiduciary duty, except for liability:

- (1) For any breach of the volunteer director's duty of loyalty to the Corporation or its members;
- (2) For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;
- (3) For a violation of Section 551(1) of the Michigan Nonprofit Corporation Act;
- (4) For any transaction from which the volunteer director derived an improper personal benefit;
- (5) For any acts or omissions occurring before the date this Article is filed by the Michigan Department of Commerce; and
- (6) For any acts or omissions that are grossly negligent.

The Corporation hereby assumes all liability to any person other than the Corporation, if any, for all acts or omissions of a volunteer director occurring on or after the date this Article is filed by the Michigan Department of Commerce, incurred in the good faith performance of the director's duties as a volunteer director; provided, however, if applicable, that the Corporation shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

If the Michigan Nonprofit Corporation Act is hereafter amended to authorize the further elimination or limitation of the liability of directors of nonprofit corporations, then the liability of a director of the Corporation (in addition to the limitation, elimination and assumption of personal liability contained in this Article) shall be assumed by the Corporation or eliminated or limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act as so amended, except, if applicable, to the extent such limitation, elimination or assumption of liability is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

ARTICLE X

The Corporation assumes all liability for the acts or omissions of a nondirector volunteer if all of the following are met:

- (a) The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;
- (b) The volunteer was acting in good faith;
- (c) The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct;
- (d) The volunteer's conduct was not an intentional tort; and
- (e) The volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided under Michigan law.

ARTICLE XI

In the event the corporation is determined to be a "private foundation," as that term is defined in section 509(a) of the Code, then:

- (1) The corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Code.
- (2) The corporation shall not engage in any act or take any actions which subject it to the tax on self-dealing imposed by section 4941 of the Code.
- (3) The corporation shall not own, obtain or retain an interest in any business enterprise which subject it to the tax on excess business holdings imposed by section 4943 of the Code.
- (4) The corporation shall not make any investments in such manner as to subject it to tax imposed by section 4944 of the Code.
- (5) The corporation shall not expend its funds in such a manner as to subject it to the tax on taxable expenditures imposed by 4945 of the Code.

ARTICLE XII

- (1) The corporation shall not devote more than in insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- (2) The corporation shall not directly or indirectly participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.
- (3) The corporation shall not have objectives or engage in activities which characterize it as an "action" organization as defined in Treasury Regulation 21.501(c)(3)-1(c)(3).

4/29/2002 09:50AM

04/26/2002 14:47 FAX 313 965 5

07/21/1996 13:10 8106811993

04/28/2002 16:29 FAX

CONSUMER & INDUSTRY SERVICES
JAPPE, RAITT

BURNSTEIN


PAGE 7 OF 7

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PAGE 05

0000

I, the incorporator sign my name this 24th day of April, 2002.


Gary Burnstein


#849430 v1 - Articles of Incorporation

04/26/2002 02:50PM

CERTIFICATION

I hereby certify that the attached Articles of Incorporation for the Wolfe-Seiferheld Memorial Clinic are true, complete and accurate copies of the Articles of Incorporation now in effect for the organization.

Wolfe-Seiferheld Memorial Clinic

By: 
Dr. Gary Burnstein, President

Dated: August 24, 2002

hp LaserJet 3015

LASERJET FAX

Feb-24-2005 02:20



Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
844	2/24/2005	02:15:44	Send	12489012065	4:35	10	OK

PROGRESSIVE MANAGEMENT LLC
31255 NORTHWESTERN HIGHWAY
SUITE 196
FARMINGTON HILLS, MICHIGAN 48334
PHONE: (248) 538-1237
FAX: (248) 538-4327

FACSIMILE TRANSMITTAL SHEET

TO: Mike Dengate	FROM: Ian M. Burnstein
COMPANY:	DATE: 2/23/2005
FAX NUMBER: (248) 901-2465	TOTAL NO. OF PAGES INCLUDING COVER: 10
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Dear Mike:

Attached is the documentation you requested. I cannot thank you enough for your support. Please let me know how you would like your gift to be recognized. We would still like to have you as our name sponsor for the event.

Thank you,

Ian Burnstein

PROGRESSIVE MANAGEMENT LLC

32255 NORTHWESTERN HIGHWAY

SUITE 196

FARMINGTON HILLS, MICHIGAN 48334

PHONE: (248) 538-1237

FAX: (248) 538-4327

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mike Dengate	Ian M. Burnstein
COMPANY:	DATE:
	2/23/2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
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Thank you,

Ian Burnstein

DINK, DINE & DONATE



DR. GARY'S

PICKLEBALL CLASSIC

3 P.M. - 6 P.M.
THURSDAY
SEPTEMBER

26TH

REGISTRATION:

\$175 +
DINNER

AT UWM SPORTS COMPLEX
867 SOUTH BLVD., PONTIAC, MI



RAFFLE TICKETS \$100
WIN A NEW CAR!

VOLUNTEER
Recognition

Dinner Only

\$100

@ 6 p.m.

TO REGISTER PLEASE VISIT:
WWW.GARYBURNSTEINCLINIC.ORG

SPONSORSHIPS
AUCTIONS &
TROPHIES



HOSTED BY
gb gary burnstein
community health clinic

#1

RESOLUTION



CITY OF PONTIAC RESOLUTION HONORING THE LIFE AND SERVICE OF JENEE QUINONES SUDDETH

Whereas, the City of Pontiac has been privileged to have many exemplary community leaders serve in the City of Pontiac over the decades; and,

Whereas, Ms. Jenee Quinones Suddeth worked for the City of Pontiac in recent years, serving as the Executive Assistant to Pontiac Mayor Tim Greimel in his office; and,

Whereas, Ms. Suddeth was a hardworking, positive, kind person who was beautiful inside and out, and who made Pontiac City Hall a better place because she worked here; and,

Whereas, Ms. Suddeth tragically passed away on July 13, 2024 at the young age of 32 in an automobile accident, as did her two sons, which is a shocking and devastating loss for her family and for our community; now,

Therefore Be It Resolved, Mayor Tim Greimel and the Pontiac City Council hereby honors the life and service of Ms. Jenee Quinones Suddeth and we mourn her passing, as we are all shocked and heartbroken by her sudden, tragic death; and further

Resolved, the Mayor and City Council express our deep grief, remorse, and sadness from the passing of Ms. Suddeth's two sons who were in the same accident and we mourn her beloved Mateo and Nikko; and further

Resolved, the Mayor and City Council expresses our deepest gratitude for Ms. Suddeth's dedicated service to our City and to the citizens whose lives she enriched; and further

Resolved, the Mayor will be closing Pontiac City Hall on July 19, 2024 in honor of Ms. Suddeth and to allow for City Hall staff to honor her life at the funeral that day; and further

Resolved, she will be remembered by this Mayor, this Council and the entire Pontiac community as a dedicated and hardworking person who made a positive difference in our City, who loved her children, had an angelic singing voice, an awesome sense of humor, a talent for dancing, and a positive personality that just made others want to be positive once they were in her midst; and further

Resolved, the City of Pontiac extends our deepest sympathies to her family, friends, neighbors, and colleagues and we hope her memory may be a blessing to all who knew her.

Pontiac City Council ● *Pontiac, Michigan* ● *July 16, 2024*

Mike McGuinness, Council President

William A. Carrington, President Pro Tem

Mikal Goodman, Councilmember

Kathalee James, Councilmember

Brett Nicholson, Councilmember

William Parker, Jr., Councilmember

Melanie Rutherford, Councilmember

with *Tim Greimel, Mayor*

#3

**SPECIAL
PRESENTATION**



City of Pontiac
Proposed Social
Equity Program
and Social Equity
Fund

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

Jonathan Starks, MiPMC
Deputy City Clerk

Zeasuchia Tate
Program Analyst (Temp)

July 11, 2024

What is
the difference
between a
Social Equity
Program and
a Social Equity Fund?

- **Social Equity Programs** are designed to provide technical assistance, workforce, and business development for those looking to join the cannabis business industry.
- **Social Equity Funds** are donations that will be used to create programs to promote social equity, criminal justice advocacy, support youth and individuals who have been negatively impacted by the war on drugs.

Why do we need a Social Equity Program?

■ Ordinance 2424

- The City of Pontiac Adult-Use Marihuana Business Ordinance requires it.
- In order to qualify as a Social Equity qualified business a business must meet the criteria established by the State of Michigan or the City of Pontiac.

What is a Social Equity Qualified Business in Pontiac?

Ordinance 2424 Qualifications/Eligibility

- To qualify, applicants must meet the criteria under the State of Michigan or City of Pontiac.
- State of Michigan
 - Residency in a disproportionately impacted community for at least 5 cumulative years
 - Misdemeanor conviction of a marijuana-related offense
 - Felony conviction of a marijuana-related offense
 - Registration as a primary caregiver under the Michigan Medical Marijuana Act (MMMA) for at least 2 years of the last 5 years
- City of Pontiac
 - Demonstrates 51% or more ownership (including ownership structure of the entity)

Ordinance 2424 Social Equity Plan and Social Equity Participation Requirements

Requirements apply to all applicants

- **Ordinance 2424** requires that all applicants whether a social equity applicant or a non-social equity applicant submit a social equity plan and have social equity participation.

What is a social equity plan?

Social Equity Plan

- A social equity plan is a plan that (a) promotes and encourages participation and ownership in the marijuana industry by local residents that have been disproportionately impacted by marijuana prohibition and enforcement, and that (b) positively impacts local residents.

What is Social Equity Participation?

- **A permittee must make good-faith efforts in hiring employees who have been negatively impacted by marihuana prohibition. Adult-Use recreational marihuana businesses should use good-faith efforts to hire and retain 25% of its employees who are low income or live in the City of Pontiac.**

A green speech bubble graphic with a white outline, containing text. It has a tail pointing downwards and to the right.

Cannabis Pontiac
a Social Equity Program

Proposed
Program Areas

**Ownership and Licensing (Social
Equity Retailer Licenses)**

**Business and Workforce
Development**

Social Equity Participation Recognition



Social
Equity Ownership
and Licensing
Program Area

Proposed Program

- **A technical assistance program that will assist social equity retailers through the lifecycle of an equity license.**

Business and Workforce Development
Program Area

Job Training for Low Income Residents

Proposed Program

- **Qualifications**
 - Individuals must be 18 of age,
a U.S. citizen and a Pontiac resident.
- **Services**
 - **Job Training**
 - Teaching basic skills 101
 - Teaching interviewing training
 - Offer on-the job training

Business and Workforce Development
Program Area

Job Training and
Small Business
Development
for Residents
interested in
the Cannabis industry.

Proposed Program

- **Cannabis Training School**
- **Online/virtual training on skills needed to work in a cannabis business**

Social Equity Participation Recognition

Proposed Program

- Ordinance 2424 requires Adult-use recreational marijuana businesses to use good-faith efforts to hire and retain 25% of its employees who are low income or live in the City of Pontiac.
- The Clerks Office will establish a recognition program so the community is aware of cannabis businesses that exceed, meet or fall below their Social Equity participation goals.
- Grade A : Retains Higher than 25%
- Grade B: Retains 25%
- Grade C Retains less than 25%



What is the
Social Equity
Program
Budget?

There is \$50,000 in the 2024-2025 City Clerk's Marihuana Regulations Division budget to support the social equity program.

How will the Social Equity Program be implemented?

<u>Program Areas</u> Social Equity Ownership and Licensing	<u>Service</u> Application Technical Assistance	<u>Who is responsible?</u> City Clerk's Office
Business & Workforce Development	<ul style="list-style-type: none"> • Low Income Job Training 	<ul style="list-style-type: none"> • City will issue an RFP for a vendor to do job training.
	<ul style="list-style-type: none"> • Job training and small business development for residents interested in the Cannabis industry. 	<ul style="list-style-type: none"> • City will issue an RFP for a vendor to run the Cannabis Training School.
Social Equity Participation Awareness	Participation Recognition Program	City Clerk's Office

Pontiac Social Equity Fund

Social Equity Fund Mission

- Promote social equity in Pontiac
- Criminal justice advocacy
- Supporting youth who have been negatively impacted by the war on drugs related to the prohibition of marihuana.
- Community education and outreach on adult use marihuana.

Social Equity Fund Programs

- Reentry and restorative justice program
- Adult-use cannabis education forums
- Cannabis-use Youth Prevention program
- After-school programs



Pontiac
Social Equity
Fund
Budget

We will not know the budget until after applicants submit their application.

Remember this is one of the ways that applicants can fulfill their philanthropic and community investment commitment.

A green speech bubble graphic with a white border and a small tail pointing downwards. The text "Questions & Answers" is centered inside in white. The background features faint, overlapping circular lines in shades of gray.

Questions
&
Answers



#4

ORDINANCE



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Code Enforcement Division

TO: Honorable Pontiac City Council

FROM: Jack McIntyre, Manager of Code Enforcement

CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens

DATE: July 16, 2024

RE: **Resolution for Approval of the First Reading to Amend Chapter 122, Article III, Section 122-78 of the Municipal Code, to Change the Penalties for Subsequent Offenses Related to Grass Height, Noxious Weeds and Rank Vegetation**

The Code Enforcement Division is requesting the City Council's approval to amend the Grass and Vegetation ordinance concerning penalties for subsequent violations.

Code Enforcement is seeing multiple violations at the same locations throughout the grass and vegetation growing season. This exhausts city resources by repeatedly issuing tickets to the same residence for the same offense.

The grass ordinance currently states,

“Violation of this chapter shall be punishable by a civil fine of not less than \$100.00 for the first offense, not less than \$300.00 for the second offense, and not less than \$500.00 for each additional or subsequent offense within a two-year period, plus costs and all other remedies available by statute. The maximum fine for any offense shall not exceed \$500.00. Each day of violation shall be a separate violation.”

The proposed ordinance amendment will increase the penalty for the second violation from \$300 to \$500 as well as for subsequent violations.

It is Code Enforcement’s belief that this change in the penalty amount will significantly decrease violations of this nature at the same residence for the same offense.

Therefore, based on the information contained herein, the Code Enforcement Division is recommending that the Pontiac City Council approve the First Reading of the proposed Amendment to Chapter 122, Article III, Section 122-78 of the Pontiac Municipal Code, to change the penalties for the second and subsequent offenses related to grass height, noxious weeds and rank vegetation.



Resolution of the Pontiac City Council To Approve The First Reading Of A Municipal Ordinance Text Amendment to Modify Chapter 122, Article III, Section 122-78 Concerning Penalties for Violating High Grass, Noxious Weeds and Rank Vegetation Growth Regulations.

At a meeting of the City Council (“Council”) of the City of Pontiac, County of Oakland, State of Michigan (the “City”) at a meeting held on July 16, 2024, at 47450 Woodward Ave, Pontiac, MI 48342 at 6:00 p.m., there were:

Present: _____

Absent: _____

Abstention: _____

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

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend Chapter 122, Article III, Section 122-78 of the City of Pontiac Ordinances concerning the penalties for violating high grass, noxious weeds and rank vegetation growth regulations.

WHEREAS, the City of Pontiac City Council finds it is in the best interest for the health, safety and welfare of the City, to amend the penalties for violating Chapter 122 as presented.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council hereby adopts the First Reading of the amendment to the City of Pontiac’s Zoning Ordinance as presented to the City Council on July 16, 2024.

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

YES: _____

NO: _____

ABSTAIN: _____

THE RESOLUTION WAS THEREUPON DECLARED ADOPTED.

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the City of Pontiac, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held on July ____, 2024 the original of which is on file in my office, and that such meeting was conducted and public notice thereof was given pursuant to and in compliance with Act No. 267, Michigan Public Acts of 1976, as amended, and that minutes of such meeting were kept and are available as required by such Act.

By: _____

Dated: July ____, 2024

Its: City Clerk

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

ORDINANCE NO. _____

**AMENDMENT FOR VIOLATION OF DENSE AND NOXIOUS WEED, GRASS, OR
OTHER RANK VEGETATION GROWTH**

**AN ORDINANCE TO AMEND CHAPTER 122, ARTICLE III, SECTION 122-78 OF THE
MUNICIPAL CODE, TO CHANGE THE PENALTIES FOR ANY SUBSEQUENT
OFFENSE OF SAME.**

THE CITY OF PONTIAC ORDAINS:

Section 1. Chapter 122, Article III, Section 122-78 of the Municipal Code shall now read as follows:

122-78 Penalties.

(a) The owner (as shown on the Assessor's records) of private property subject to this chapter is responsible for compliance. Each violation of this chapter shall be a civil infraction punishable by a civil fine of up to \$500.00, plus costs and all other remedies available by statute. Violation of this chapter shall be punishable by a civil fine of not less than \$100.00 for the first offense and \$500.00 for each additional or subsequent offense within a two-year period, plus costs and all other remedies available by statute. Each day of violation shall be a separate violation.

(b) All costs in connection with cutting, removing, destroying, trimming, eliminating or abating violations of this chapter shall be a lien upon the land where such nuisance shall have been caused by the City to be destroyed, cut, eliminated, removed, trimmed or abated, and all the costs of such abatement remaining unpaid each year, pursuant to provisions contained in the Charter of the City, shall be collected in the same manner that other special assessments are collected under the Charter.

Section 2. Repeal and Severability.

All other parts and provisions of the Municipal Code shall remain in effect, amended only as provided above. If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Effective Date

The foregoing amendment to the City of Pontiac Municipal Code was approved and adopted by the City Council on _____, 2024, and shall become effective upon publication, as provided by law.

ORDINANCE DECLARED ADOPTED.

Tim Greimel, Mayor
City of Pontiac, Michigan

ADOPTED:

PUBLISHED:

EFFECTIVE:

122-78 Penalties.

(a) ~~—~~ The owner (as shown on the Assessor's records) of private property subject to this chapter is responsible for compliance. Each violation of this chapter shall be a civil infraction punishable by a civil fine of up to \$500.00, plus costs and all other remedies available by statute. Violation of this chapter shall be punishable by a civil fine of not less than \$100.00 for the first offense, ~~not less than \$300.00 for the second offense, and not less than~~ and \$500.00 for each additional or subsequent offense within a two-year period, plus costs and all other remedies available by statute. ~~The maximum fine for any offense shall not exceed \$500.00.~~ Each day of violation shall be a separate violation.

(b) ~~—~~ All costs in connection with cutting, removing, destroying, trimming, eliminating or abating violations of this chapter shall be a lien upon the land where such nuisance shall have been caused by the City to be destroyed, cut, eliminated, removed, trimmed or abated, and all the costs of such abatement remaining unpaid each year, pursuant to provisions contained in the Charter of the City, shall be collected in the same manner that other special assessments are collected under the Charter.

#5

RESOLUTION



CITY OF PONTIAC CITY COUNCIL

RESOLUTION TO APPROVE THE PROPOSED BUDGET AMENDMENT TO ADD \$10,000 FOR CHARTER REVISION COMMISSION OPERATIONAL AND OUTREACH COSTS FOR BUDGET YEAR 2024-2025

WHEREAS, the budget amendment request is in compliance with Sections 5.104 and 5.106 of the Pontiac Home Rule Charter.

NOW THEREFORE BE IT RESOLVED that the Pontiac City Council approves the Proposed Budget Amendments to establish GL account 101-215-809.002 Charter Commission; transfer \$10,000 from the General Fund – Fund 101 to GL 101-215-809.002 Charter Commission for Charter Revision Commission Operational and Outreach Costs.

FOR THE CITY:

FOR THE CITY COUNCIL:

City Council

APPROVED AS TO FORM:

City Attorney

#6

RESOLUTION

CITY OF PONTIAC
Oakland County, Michigan

RESOLUTION

No. _____

At a Regular Meeting of the City Council of the City of Pontiac, Oakland County, Michigan, held at the 47450 Woodward Ave., Pontiac, MI 48342 on the 16th day of July, 2024, at _____, p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Council member _____ and supported by Council member _____.

WHEREAS, the City Council at its April 4, 2023 regular meeting approved Ordinance #2406 allowing Adult-Use Marihuana establishments to operate in the City of Pontiac; and

WHEREAS, the City Council at its October 10, 2023 regular meeting approved Ordinance #2424 amending Ordinance #2406; and

WHEREAS, Section 13(f) of the Ordinance provides that the Clerk shall assess, evaluate, score and rank each application for Class A Microbusiness and Designated Consumption Establishment based upon a point-based scoring and ranking procedure which shall be approved by City Council Resolution consistent with the requirements, conditions and provisions of the Ordinance; and

WHEREAS, the City Council enacted an Emergency Ordinance implementing a moratorium on the Adult-Use Marihuana Business Ordinance until June 8, 2024 which established the effective date of the Ordinance as June 9, 2024; and

WHEREAS, the City Council may adopt and approve this Scoring Guide at least 30 days after the effective date of the Ordinance.

NOW THEREFORE, BE IT RESOLVED that the City of Pontiac Adult-Use Marihuana Class A Microbusiness and Designated Consumption Establishment Scoring Criteria Guide is hereby approved and adopted.

ADOPTED: YEAS: _____

NAYS: _____

ABSENT: _____

The foregoing Resolution was declared and adopted on the date.

CITY OF PONTIAC

By: Garland Doyle
Its: Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of City of Pontiac, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of the proceedings taken by Pontiac City Council at a regular meeting held on the 16th day of July, 2024.

IN WITNESS THEREOF, I have hereunto affixed my official signature this ____ day of _____, 2024

CITY OF PONTIAC

By: Garland Doyle
Its: Clerk

**CITY OF PONTIAC
ADULT-USE MARIHUANA CLASS A MICROBUSINESS AND
DESIGNATED CONSUMPTION ESTABLISHMENT
SCORING CRITERIA GUIDE**

Applicants seeking a license to operate an Adult-Use a Class A Microbusiness or a Designated Consumption Establishment within the City of Pontiac will be evaluated and scored according to criteria set out in Ordinance 2424 the City of Pontiac Adult-Use Marihuana Business Ordinance. Each applicant will be scored in each of the following twelve categories.

	Category	Maximum Possible Points	Applicable Ordinance Section
1	Content and Sufficiency	5	§13(f)(1)
2	Land Use	20	§13(f)(2)
3	Neighborhood Communication	10	§13(f)(3)
4	Physical Improvements	10	§13(f)(4)
5	Background Information	10	§13(f)(5)
6	Financial Resources	20	§13(f)(6)
7	Staffing Plan	10	§13(f)(7)
8	Philanthropic and Community Improvement	10	§13(f)(8)
9	Building Rehabilitation	10	§13(f)(10)
10	Blighted Building	10	§13(f)(11)
11	Social Equity Plan	15	§13(f)(12)
12	Social Equity Participation	15	§13(f)(13)
	TOTAL POSSIBLE SCORE	145	

Scoring Methodology

In a category with a maximum of five (5) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**, or
- Five (5) points if their submission is **Satisfactory**.

In a category with a maximum of ten (10) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Five (5) points if their submission is **Somewhat Deficient**, or
- Ten (10) points if their submission is **Satisfactory**.

In the category with a maximum of fifteen (15) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Seven (7) points if their submission is **Somewhat Deficient**, or
- Fifteen (15) points if their submission is **Satisfactory**.

In the category with a maximum of twenty (20) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Ten (10) points if their submission is **Somewhat Deficient**, or
- Twenty (20) points if their submission is **Satisfactory**.

A submission will be deemed **Satisfactory** in a particular category if it satisfies the criteria set out for that category, as applicable.

A submission will be deemed **Somewhat Deficient** in a particular category if it partially satisfies the criteria set out for that category but fails to satisfy all criteria, as applicable.

A submission will be deemed **Very Deficient** in a particular category if it significantly fails to satisfy the criteria set out for that category, as applicable.

Note: Class A Microbusiness

A Class A microbusiness is subject to all applicable provisions in this Ordinance related to growers, processors, and retailers.

All Class A Microbusinesses, shall comply with all applicable requirements of the City of Pontiac's zoning ordinance except where otherwise specified in this Ordinance.

All Class A Microbusinesses shall be classified as Special Land Uses in the permitted zoning districts.

A masonry screen wall shall be provided along all property lines abutting property that is zoned for residential use, subject to the requirements of the Pontiac Code of Ordinances.

Class A Microbusinesses are prohibited if the location is within 1,000 feet from any preexisting School; (i) the distance separation requirement between the school and the contemplated location set forth above shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines, at right angles to the centerline, from the primary point of ingress to the School, and from the primary point of ingress to the contemplated location along the centerline to the primary street address building entrance, regardless of the ownership of property or Permittee.

Class A Microbusinesses located outside of the Downtown Overlay District shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises between the hours of 10:00 p.m. and 7:00 a.m. Class A Microbusinesses located in the Downtown Overlay District shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises, between the hours of 2:00 a.m. and 7:00 a.m.

Drive throughs and drive through, walk-up window service, and curbside service shall be a prohibited use for all Class A Microbusinesses.

Designated Consumption Establishments

All Designated Consumption Establishments shall comply with all applicable requirements of the City of Pontiac's zoning ordinance.

Designated Consumption Establishments shall be limited to Downtown Overlay District as identified in the City zoning ordinance and on the City Zoning Map, with three Designated Consumption Establishments permitted north of Huron Street and three Designated Consumption Establishments permitted south of Huron Street.

Designated Consumption Establishments shall be closed for business, and no consumption of marihuana in any form shall occur upon the premises between the hours of 2:00 a.m. and 7:00 a.m.

Designated Consumption Establishments shall be classified as Special Land Uses in the permitted zoning districts.

A masonry screen wall shall be provided along all property lines abutting property that is zoned for residential use, subject to the requirements of the Pontiac Code of Ordinances.

Designated Consumption Establishments are prohibited if the location is within 1,000 feet from any pre-existing School; (i) the distance separation requirement between the school and the contemplated location set forth above shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight

lines, at right angles to the centerline, from the primary point of ingress to the School, and from the primary point of ingress to the contemplated location along the centerline to the primary street address building entrance, regardless of the ownership of property or Permittee.

A Designated Consumption Establishment shall:

- (1) Install and maintain an operable ventilation and filtration system to remove smoke to the outside of the building and eliminate odor at the property line of the premises;
- (2) Prominently display a sign near the entrance of the business which carries the following warning:

WARNING: Marihuana use by pregnant or breastfeeding women, or by women planning to become pregnant, may result in fetal injury, preterm birth, low birth weight, or developmental problems for the child.

The **Total Possible Score** for an application is **145 points**.

#1	CONTENT AND SUFFICIENCY CRITERIA	Maximum Possible Points	Applicable Ordinance Section
	The content and sufficiency of the information required to be in the application under this ordinance. Applicant must have submitted all required materials for each category in a professional, organized manner with clear and accurate labeling of all required items. Failure to clearly and accurately label and organize the application materials will result in the deduction of points. The maximum number of scoring points in this category shall be five (5) points.	5	§13(f)(1)
	APPLICATION CONTENTS		
1	Organization & labeling		§13(f)(1)

#2	LAND USE CRITERIA	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(2)
A	Neighborhood Land Use Subcategory	10	
	APPLICATION CONTENTS		
1	Lighting plan		§12(b)(17)
2	Scale diagram illustrating property		§12(b)(19)
3	Proposed elevation drawings, photographs or other depiction of materials visible on exterior		§12(b)(20)

#2	<u>LAND USE CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(2)
A	Neighborhood Land Use Subcategory	10	
	APPLICATION CONTENTS		
4	Depiction of any proposed signage, text or graphic materials to be shown on exterior		§12(b)(24)
5	Scaled location map with relative locations		§12(b)(29)
6	Proper zoning distances		§13(f)(2)
7	Traffic patterns, traffic mitigation & resident safety		
8	Traffic impact study by a professional traffic engineer		
9	Plan for ensuring uninterrupted street access		
10	Litter control		
11	Noise level mitigation		§13(f)(2)
12	Efforts to control facility area and eliminate loitering		
13	Mitigation of odor effects		
14	Technology installed to mitigate odors		
B	Community Impact Subcategory	10	
	APPLICATION CONTENTS		
1	Security plan		§12(b)(18)
2	Strategies to deter crime and ensure resident safety		
3	Procedures for communicating potential safety threats to neighborhood residents		
4	Specification details for each item of security equipment		
5	Agreements with law enforcement or private security company to ensure area safety		
6	Facility sanitation plan		

#2	<u>LAND USE CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(2)
B	Community Impact Subcategory	10	
7	Plan for ensuring proper storage and disposal of waste, byproducts & marihuana		§12(b)(25)
8	Contract or letter of intent with sanitation waste provider		
9	Drug & alcohol awareness programs		
10	Partnerships with community organizations for substance abuse awareness programs		§12(b)(30)
11	Materials to provide to customers regarding drug and alcohol awareness		

#3	<u>NEIGHBORHOOD COMMUNICATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(3)
	APPLICATION CONTENTS		
1	Neighborhood Communication and Education plan & strategies		§12(b)(16)(h)

#4	<u>PHYSICAL IMPROVEMENTS CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(4)
	APPLICATION CONTENTS		
1	Description of planned tangible capital investment in the city		§12(b)(22)
2	Physical improvements to the building		§13(f)(4)

#5	<u>BACKGROUND INFORMATION</u> <u>CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(5)
	APPLICATION CONTENTS		
1	Full name, date of birth, residential & business address, email address, telephone number of applicant including emergency contact information, entity's stakeholders and government-issued photographic identification card of applicant and all stakeholders		§12(b)(1)
	If an individual or sole proprietorship: full name, address, date of birth, business address, business telephone number, email address, social security number and federal tax identification (EIN) number		§12(b)(1)(a)
	If not an individual or sole proprietorship: full name & address of entity, website address (if any), type of business organization, proof of registration and good standing from State of Michigan, other state or foreign jurisdiction, full names, dates of birth, residential & business address, email address, phone numbers of applicant, stakeholders and spouses, and federal tax identification number of business entity		§12(b)(1)(b)
2	Ownership structure & identity of persons with a direct or indirect ownership interest greater than 2.5%; or if social equity-qualified business a qualifying interest greater than 51%		§12(b)(2)
3	Articles of incorporation or organization, operating agreement, shareholder agreement & bylaws, partnership agreement, and entity's federal tax identification number & confirmation letter		§12(b)(3)
4	Notice of prequalification status from Cannabis Regulatory Agency		§12(b)(4)
5	Name & address of proposed marijuana business		§12(b)(5)
	Deed of ownership, purchase agreement or option to purchase		§12(b)(5)(a)
	Lease agreement or option to lease and owner authorization		§12(b)(5)(b)
6	Affirmation from applicant that applicant and each stakeholder is at least 21 years of age		§12(b)(6)
7	Applicants' criminal history reports and written consent for Michigan State Police or applicable law enforcement agency		§12(b)(7),(8)
8	Current organization chart and photo identification		§12(b)(9)
9	Marijuana-related business permits & licenses held		§12(b)(10)
10	Attestation disclosures		§12(b)(11),(12),(13)

#5	<u>BACKGROUND INFORMATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(5)
	APPLICATION CONTENTS		
11	Affidavit that no applicant or stakeholder is in default to the city		§12(b)(14)
12	Business history for applicants and each stakeholder		§12(b)(15)
13	Signed acknowledgment of understanding regarding federal & state laws & regulations		§12(b)(28)
14	Any other information requested by City Clerk		§12(b)(34)
15	Disclosure of non-detrimental acts & history of regulatory compliance		§13(f)(5)

#6	<u>FINANCIAL RESOURCES CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(6)
	APPLICATION CONTENTS		
1	Proposed business plan		§12(b)(16)
2	Description of the type of proposed operation & address		§12(b)(16)(a)
3	Financial structure, source of financing, development/ <u>build-out</u> & operating budgets		§12(b)(16)(d)
4	Short-term goals & objectives		§12(b)(16)(e)
5	Long-term goals & objectives		§12(b)(16)(e)
6	Explanation of economic benefits and job creation		§12(b)(16)(f)
7	Co-location explanation of integration		§12(b)(16)(g)
8	Proposed marketing, advertising & promotion plan		§12(b)(21)
9	Proposed inventory and recordkeeping plan		§12(b)(26)
10	Proof of financial responsibility in form of a commitment or letter of intent to issue insurance policy covering business <ul style="list-style-type: none"> • At least \$2 million dollars for property damage • At least \$2 million dollars for injury to one (1) person At least \$2 million dollars for injury to two (2) or more persons resulting from the same occurrence		§12(b)(27)

#6	<u>FINANCIAL RESOURCES CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(6)
	APPLICATION CONTENTS		
11	Documented sufficient financial resources & capitalization, <u>CPA attested financial statement, three-year pro forma, history of bankruptcy, tax liens, and income tax returns</u>		§13(f)(6)

#7	<u>STAFFING PLAN CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(7)
	APPLICATION CONTENTS		
1	Anticipated number of employees, number & type of jobs, proposed living wage/salary, <u>enumeration of powers of the Michigan constitution</u> , health & welfare benefits package and goals/objectives to recruit, hire and promote residents of the City		§12(b)(16)(b)
2	Staff training and education plan		§12(b)(16)(c)

#8	<u>PHILANTHROPIC AND COMMUNITY IMPROVEMENT CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(8)
	APPLICATION CONTENTS		
1	Description of charitable plans & strategies, whether through financial donations or volunteer work, <u>including a fund administered by the City to promote social equity</u>		§12(b)(16)(i)

#9	<u>VACANT BUILDING REHABILITATION CRITERIA</u>	Maximum Possible Points 10	Applicable Ordinance Section §13(f)(10)
	APPLICATION CONTENTS		
1	Applicant has rehabilitated and/or redeveloped, <u>or will rehabilitate and/or redevelop</u> , an existing building <u>that has been vacant for one year or more</u>		§13(f)(10)

#10	<u>BLIGHTED BUILDING CRITERIA</u>	Maximum Possible Points 10	Applicable Ordinance Section §13(f)(11)
	APPLICATION CONTENTS		
1	Applicant has rehabilitated and/or redeveloped, <u>or will rehabilitate and/or redevelop</u> , a blighted or dangerous building as defined in City Code of Ordinances		§13(f)(11)

#11	<u>SOCIAL EQUITY PLAN CRITERIA</u>	Maximum Possible Points 15	Applicable Ordinance Section §13(f)(12)
	APPLICATION CONTENTS		
1	Promotes & encourages social equity participation and ownership in the marihuana industry by local residents that have been disproportionately impacted by marihuana prohibition & enforcement		§12(b)(23)
2	Positively impacts local residents		§12(b)(23)

#12	<u>SOCIAL EQUITY PARTICIPATION CRITERIA</u>	Maximum Possible Points 15	Applicable Ordinance Section §13(f)(13)
	APPLICATION CONTENTS		
1	Demonstrates social equity participation greater than 50% ownership		§13(f)(13)

#12	<u>SOCIAL EQUITY PARTICIPATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
	APPLICATION CONTENTS	15	§13(f)(13)
	<ul style="list-style-type: none"> • Reside in disproportionately impacted communities in Michigan designated by the State of Michigan • Have been disproportionately impacted by marijuana prohibition & enforcement • Positively impacts those communities 		

#7

RESOLUTION

CITY OF PONTIAC
Oakland County, Michigan

RESOLUTION

No. _____

At a Regular Meeting of the City Council of the City of Pontiac, Oakland County, Michigan, held at the 47450 Woodward Ave., Pontiac, MI 48342 on the 16th day of July, 2024, at _____, p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Council member _____ and supported by Council member _____.

WHEREAS, the City Council at its April 4, 2023 regular meeting approved Ordinance #2406 allowing Adult-Use Marihuana establishments to operate in the City of Pontiac; and

WHEREAS, the City Council at its October 10, 2023 regular meeting approved Ordinance #2424 amending Ordinance #2406; and

WHEREAS, Section 13(f) of the Ordinance provides that the Clerk shall assess, evaluate, score and rank each application for Retailer and Social Equity Retailer based upon a point-based scoring and ranking procedure which shall be approved by City Council Resolution consistent with the requirements, conditions and provisions of the Ordinance; and

WHEREAS, the City Council enacted an Emergency Ordinance implementing a moratorium on the Adult-Use Marihuana Business Ordinance until June 8, 2024 which established the effective date of the Ordinance as June 9, 2024; and

WHEREAS, the City Council may adopt and approve this Scoring Guide at least 30 days after the effective date of the Ordinance.

NOW THEREFORE, BE IT RESOLVED that the City of Pontiac Adult-Use Marihuana Retailer and Social Equity Retailer Scoring Criteria Guide is hereby approved and adopted.

ADOPTED: YEAS: _____

NAYS: _____

ABSENT: _____

The foregoing Resolution was declared and adopted on the date.

CITY OF PONTIAC

By: Garland Doyle
Its: Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of City of Pontiac, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of the proceedings taken by Pontiac City Council at a regular meeting held on the 16th day of July, 2024.

IN WITNESS THEREOF, I have hereunto affixed my official signature this ____ day of _____, 2024

CITY OF PONTIAC

By: Garland Doyle
Its: Clerk

**CITY OF PONTIAC
ADULT-USE MARIHUANA RETAILER OR SOCIAL EQUITY RETAILER
SCORING CRITERIA GUIDE**

Applicants seeking a license to operate an Adult-Use Retailer Establishment or Social Equity Retailer Establishment within the City of Pontiac will be evaluated and scored according to criteria set out in Ordinance 2424, the City of Pontiac Adult-Use Marihuana Business Ordinance. Each applicant will be scored in each of the following fourteen categories.

	Category	Maximum Possible Points	Applicable Ordinance Section
1	Content and Sufficiency	5	§13(f)(1)
2	Land Use	20	§13(f)(2)
3	Neighborhood Communication	10	§13(f)(3)
4	Physical Improvements	10	§13(f)(4)
5	Background Information	10	§13(f)(5)
6	Financial Resources	20	§13(f)(6)
7	Staffing Plan	10	§13(f)(7)
8	Philanthropic and Community Improvement	10	§13(f)(8)
9	Medical Marihuana Conditional Approval*	30	§13(f)(9)
10	Building Rehabilitation	10	§13(f)(10)
11	Blighted Building	10	§13(f)(11)
12	Social Equity Plan	15	§13(f)(12)
13	Social Equity Participation	15	§13(f)(13)
14	Highest Scoring Medical Marihuana Conditional Approval*	10	§13(f)(14)
	TOTAL POSSIBLE SCORE	185	

Scoring Methodology

In a category with a maximum of five (5) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**, or
- Five (5) points if their submission is **Satisfactory**.

In a category with a maximum of ten (10) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Five (5) points if their submission is **Somewhat Deficient**, or
- Ten (10) points if their submission is **Satisfactory**.

In the category with a maximum of fifteen (15) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Seven (7) points if their submission is **Somewhat Deficient**, or
- Fifteen (15) points if their submission is **Satisfactory**.

In the category with a maximum of twenty (20) points, applicants will receive:

- One (1) point if their submission is **Very Deficient**,
- Ten (10) points if their submission is **Somewhat Deficient**, or
- Twenty (20) points if their submission is **Satisfactory**.

A submission will be deemed **Satisfactory** in a particular category if it satisfies the criteria set out for that category, as applicable.

A submission will be deemed **Somewhat Deficient** in a particular category if it partially satisfies the criteria set out for that category but fails to satisfy all criteria, as applicable.

A submission will be deemed **Very Deficient** in a particular category if it significantly fails to satisfy the criteria set out for that category, as applicable.

Note: Category 9 Medical Marihuana Conditional Approval and Category 14 Highest Scoring Medical Marihuana Conditional Approval will not be scored by the satisfactory, somewhat deficient and very deficient criteria. These two categories will be evaluated based on meets criteria or fails to meet criteria.

Category 9 Medical Marihuana Conditional Approval

In order to receive the 30 points for Category 9 Medical Marihuana Conditional Approval, the applicant has to have current and final conditional approval for a medical marihuana provisioning center permit pursuant to City of Pontiac's Medical Marihuana Facilities Ordinance, Article XXX, Section 26.1491 et seq., and is not currently in default of compliance with Article XXX. This does not apply to those applicants for a medical provisioning center permit who were initially one of the five highest scoring applicants in the zoning district where they applied but are no longer one of the five highest scoring applicants in the zoning district where they applied. The medical applicant entity who has current and final conditional approval for a medical marihuana provisioning center permit shall be awarded the thirty (30) points in this category whether they apply for a retailer permit or a social equity retailer permit as long as the entity was qualified as a Social Equity Qualified Business when it was conditionally approved for a medical marihuana provisioning center. Applicants with current and final conditional approval for a medical marihuana provisioning center permit pursuant to City of Pontiac's Medical Marihuana Facilities Ordinance, Article XXX, Section 26.1491 et seq may apply for recreational licenses at a different location in any of the four districts allowed under Ordinance #2407, not only in the district where they were awarded their conditionally approved medical license. The maximum number of scoring points in this category shall be thirty (30) points. If the applicant does not meet the criteria above, they will receive a zero (0) score for this category.

Category 14 Highest Scoring Medical Marihuana Conditional Approval

In order to receive the 10 points for Category 14 Highest Scoring Medical Marihuana Conditional Approval, an applicant applying for a retailer or social equity retailer permit was the highest scoring conditionally approved medical provisioning center applicant in the zoning district in which the applicant applied, including all those applicants tied for the highest score in that zoning district. The maximum number of points in this category shall be ten (10) points. If the applicant does not meet the criteria above, they will receive a zero (0) score for this category.

The **Total Possible Score** for an application is **185 points**.

#1	<p align="center"><u>CONTENT AND SUFFICIENCY</u> <u>CRITERIA</u></p> <p>The content and sufficiency of the information required to be in the application under this ordinance. Applicant must have submitted all required materials for each category in a professional, organized manner with clear and accurate labeling of all required items. Failure to clearly and accurately label and organize the application materials will result in the deduction of points. The maximum number of scoring points in this category shall be five (5) points.</p>	<p align="center">Maximum Possible Points</p> <p align="center">5</p>	<p align="center">Applicable Ordinance Section</p> <p align="center">§13(f)(1)</p>
APPLICATION CONTENTS			
1	Organization & labeling		§13(f)(1)

#2	<p align="center"><u>LAND USE</u> <u>CRITERIA</u></p>	<p align="center">Maximum Possible Points</p> <p align="center">20</p>	<p align="center">Applicable Ordinance Section</p> <p align="center">§13(f)(2)</p>
A	<i>Neighborhood Land Use Subcategory</i>	10	
APPLICATION CONTENTS			
1	Lighting plan		§12(b)(17)
2	Scale diagram illustrating property		§12(b)(19)
3	Proposed elevation drawings, photographs or other depiction of materials visible on exterior		§12(b)(20)
4	Depiction of any proposed signage, text or graphic materials to be shown on exterior		§12(b)(24)
5	Scaled location map with relative locations		§12(b)(29)
6	Proper zoning distances		§13(f)(2)
7	Traffic patterns, traffic mitigation & resident safety		
8	Traffic impact study by a professional traffic engineer		
9	Plan for ensuring uninterrupted street access		
10	Litter control		
11	Noise level mitigation		

#2	<u>LAND USE CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(2)
A	Neighborhood Land Use Subcategory	10	
12	Efforts to control facility area and eliminate loitering		§13(f)(2)
13	Mitigation of odor effects		
14	Technology in place to mitigate odors		
B	Community Impact Subcategory	10	
APPLICATION CONTENTS			
1	Security plan		§12(b)(18)
2	Strategies to deter crime and ensure resident safety		
3	Procedures for communicating potential safety threats to neighborhood residents		
4	Specification details for each item of security equipment		
5	Agreements with law enforcement or private security company to ensure area safety		§12(b)(25)
6	Facility sanitation plan		
7	Plan for ensuring proper storage and disposal of waste, byproducts & marihuana		
8	Contract or letter of intent with sanitation waste provider		§12(b)(30)
9	Drug & alcohol awareness programs		
10	Partnerships with community organizations for substance abuse awareness programs		
11	Materials to provide to customers regarding drug and alcohol awareness		

#3	<u>NEIGHBORHOOD COMMUNICATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(3)
APPLICATION CONTENTS			
1	Neighborhood Communication and Education plan & strategies		§12(b)(16)(h)

#4	<u>PHYSICAL IMPROVEMENTS CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(4)
	APPLICATION CONTENTS		
1	Description of planned tangible capital investment in the city		§12(b)(22)
2	Physical improvements to the building		§13(f)(4)

#5	<u>BACKGROUND INFORMATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(5)
	APPLICATION CONTENTS		
1	Full name, date of birth, residential & business address, email address, telephone number of applicant including emergency contact information, entity's stakeholders and government-issued photographic identification card of applicant and all stakeholders		§12(b)(1)
	If an individual or sole proprietorship: full name, address, date of birth, business address, business telephone number, email address, social security number and federal tax identification (EIN) number		§12(b)(1)(a)
	If not an individual or sole proprietorship: full name & address of entity, website address (if any), type of business organization, proof of registration and good standing from State of Michigan, other state or foreign jurisdiction, full names, dates of birth, residential & business address, email address, phone numbers of applicant, stakeholders and spouses, and federal tax identification number of business entity		§12(b)(1)(b)
2	Ownership structure & identity of persons with a direct or indirect ownership interest greater than 2.5%; or if social equity-qualified business a qualifying interest greater than 51%		§12(b)(2)
3	Articles of incorporation or organization, operating agreement, shareholder agreement & bylaws, partnership agreement, and entity's federal tax identification number & confirmation letter		§12(b)(3)
4	Notice of prequalification status from Cannabis Regulatory Agency		§12(b)(4)
5	Name & address of proposed marijuana business		§12(b)(5)
	Deed of ownership, purchase agreement or option to purchase		§12(b)(5)(a)
	Lease agreement or option to lease and owner authorization		§12(b)(5)(b)

#5	<u>BACKGROUND INFORMATION CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		10	§13(f)(5)
	APPLICATION CONTENTS		
6	Affirmation from applicant that applicant and each stakeholder is at least 21 years of age		§12(b)(6)
7	Applicants' criminal history reports and written consent from Michigan State Police or applicable law enforcement agency		§12(b)(7),(8)
8	Current organization chart and photo identification		§12(b)(9)
9	Marihuana-related business permits & licenses held		§12(b)(10)
10	Attestation disclosures		§12(b)(11),(12),(13)
11	Affidavit that no applicant or stakeholder is in default to the city		§12(b)(14)
12	Business history for applicants and each stakeholder		§12(b)(15)
13	Signed acknowledgment of understanding regarding federal & state laws & regulations		§12(b)(28)
14	Any information requested by City Clerk		§12(b)(34)
15	Disclosure of non-detrimental acts & history of regulatory compliance		§13(f)(5)

#6	<u>FINANCIAL RESOURCES CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
		20	§13(f)(6)
	APPLICATION CONTENTS		
1	Proposed business plan		§12(b)(16)
2	Description of the type of proposed operation & address		§12(b)(16)(a)
3	Financial structure, source of financing, development/ <u>build-out</u> & operating budgets		§12(b)(16)(d)
4	Short-term goals & objectives		§12(b)(16)(e)
5	Long-term goals & objectives		§12(b)(16)(e)
6	Explanation of economic benefits and job creation		§12(b)(16)(f)
7	Co-location explanation of integration		§12(b)(16)(g)
8	Proposed marketing, advertising & promotion plan		§12(b)(21)
9	Proposed inventory and recordkeeping plan		§12(b)(26)

#6	<u>FINANCIAL RESOURCES CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
	APPLICATION CONTENTS	20	§13(f)(6)
10	Proof of financial responsibility in form of a commitment or letter of intent to issue insurance policy covering business <ul style="list-style-type: none"> • At least \$2 million dollars for property damage • At least \$2 million dollars for injury to one (1) person At least \$2 million dollars for injury to two (2) or more persons resulting from the same occurrence		§12(b)(27)
11	Documented sufficient financial resources & capitalization, <u>CPA attested financial statement, three-year pro forma, history of bankruptcy, tax liens, and income tax returns</u>		§13(f)(6)

#7	<u>STAFFING PLAN CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
	APPLICATION CONTENTS	10	§13(f)(7)
1	Anticipated number of employees, number & type of jobs, proposed living wage/salary, <u>enumeration of powers of the Michigan constitution</u> , health & welfare benefits package and goals/objectives to recruit, hire and promote residents of the City		§12(b)(16)(b)
2	Staff training and education plan		§12(b)(16)(c)

#8	<u>PHILANTHROPIC AND COMMUNITY IMPROVEMENT CRITERIA</u>	Maximum Possible Points	Applicable Ordinance Section
	APPLICATION CONTENTS	10	§13(f)(8)
1	Description of charitable plans & strategies, whether through financial donations or volunteer work, <u>including a fund administered by the City to promote social equity</u>		§12(b)(16)(i)

#9	<u>MEDICAL MARIHUANA CONDITIONAL APPROVAL CRITERIA</u>	Maximum Possible Points 30	Applicable Ordinance Section §13(f)(9)
	APPLICATION CONTENTS		
1	Applicant has current & final conditional approval of a medical marihuana provisioning center permit and is not currently in default of compliance with Article XXX. Applicants for social-equity retailer must have qualified as a social-equity qualified business when conditionally approved for a medical marihuana provisioning center permit		§13(f)(9)

#10	<u>VACANT BUILDING REHABILITATION CRITERIA</u>	Maximum Possible Points 10	Applicable Ordinance Section §13(f)(10)
	APPLICATION CONTENTS		
1	Applicant has rehabilitated and/or redeveloped, <u>or will rehabilitate and/or redevelop</u> , an existing building <u>that has been vacant for one year or more</u>		§13(f)(10)

#11	<u>BLIGHTED BUILDING CRITERIA</u>	Maximum Possible Points 10	Applicable Ordinance Section §13(f)(11)
	APPLICATION CONTENTS		
1	Applicant has rehabilitated and/or redeveloped, <u>or will rehabilitate and/or redevelop</u> , a blighted or dangerous building as defined in City Code of Ordinances		§13(f)(11)

#12	<u>SOCIAL EQUITY PLAN CRITERIA</u>	Maximum Possible Points 15	Applicable Ordinance Section §13(f)(12)
	APPLICATION CONTENTS		
1	Promotes & encourages social equity participation and ownership in the marihuana industry by local residents that have been disproportionately impacted by marihuana prohibition & enforcement		§12(b)(23)

#12	<u>SOCIAL EQUITY PLAN CRITERIA</u>	Maximum Possible Points 15	Applicable Ordinance Section §13(f)(12)
	APPLICATION CONTENTS		
2	Positively impacts local residents		§12(b)(23)

#13	<u>SOCIAL EQUITY PARTICIPATION CRITERIA</u>	Maximum Possible Points 15	Applicable Ordinance Section §13(f)(13)
	APPLICATION CONTENTS		
1	Demonstrates social equity participation greater than 50% ownership <ul style="list-style-type: none"> Reside in disproportionately impacted communities in Michigan designated by the State of Michigan Have been disproportionately impacted by marijuana prohibition & enforcement Positively impacts those communities 		§13(f)(13)

#14	<u>HIGHEST SCORING MEDICAL MARIHUANA CONDITIONAL APPROVAL CRITERIA</u>	Maximum Possible Points 10	Applicable Ordinance Section §13(f)(14)
	APPLICATION CONTENTS		
1	Applicant who is applying for a retailer or social-equity retailer permit was the highest scoring conditionally approved medical provisioning center in the medical marihuana zoning district in which the applicant applied <ul style="list-style-type: none"> All applicants tied for highest score qualify 		§13(f)(14)

#12

**CLOSED
SESSION**



**CITY OF PONTIAC
OFFICIAL MEMORANDUM**

TO: Honorable Pontiac City Council
FROM: JoAnne Gurley
Pontiac Law Director
CC: Mayor Tim Greimel
Deputy Mayor Khalfani Stephens
DATE: July 16, 2024
RE: **Resolution Requesting a Closed Session**

The Law Director is requesting a closed session to discuss trial and/or settlement strategy and to provide a legal update on pending legal matters in accordance with the Open Meetings Act, MCL 15.268(e) and (h) respectively.

Dialogue on pending litigation involves material exempt from discussion or disclosure from state or federal statute and if not held in a closed session would have a detrimental financial effect on the City's litigating or settlement position.

Thank you for your consideration.

**CITY OF PONTIAC
Oakland County, Michigan**

RESOLUTION TO PROCEED IN CLOSED SESSION TO DISCUSS TRIAL OR SETTLEMENT STRATEGY IN ACCORDANCE WITH MCL 15.2689(e),(h) AND TO DISCUSS LEGAL MATTERS EXEMPT FROM STATE OR FEDERAL STATUTE

RESOLUTION # ----

Minutes of a regular meeting of the City Council for the City of Pontiac, held in City Hall, 47450 Woodward Ave, Pontiac, MI, 48342 on July 16, 2024 at 6:00 p.m. or thereafter, local time.

The following resolution was offered by Council member _____ and supported by Council member: _____

WHEREAS, the Michigan Open Meetings Act provides that a public body may meet in Closed Session to discuss trial or settlement strategy and other legal matters and

WHEREAS, the referenced discussions are the subject of attorney-client privilege and are exempt from discussion or disclosure by state or federal law and may be discussed in Closed Session pursuant to MCL 15.268(e),(h) of the Open Meetings Act.

NOW THEREFORE BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8 (e) and (h) of the Open Meetings Act.

YEAS: Council Members _____

NAYS: Council Members _____

ABSTAIN: Council Members _____

RESOLUTION DECLARED ADOPTED.

Garland Doyle, Clerk
City of Pontiac

