

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

114th Session of the 11th Council – Thursday, November 2, 2023, at 6:00 p.m.

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

MEETING AGENDA

Call to Order

Invocation

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call of Councilmembers

Authorization to Excuse Councilmembers from the Meeting

Amendments to and Approval of the Agenda

Approval of the Consent Agenda

- A. October 23, 2023, Parks, Recreation & Public Works Subcommittee Meeting Minutes
- B. October 24, 2023, City Council Meeting Minutes
- C. Resolution approving Blue Cross Blue Shield Insurance renewal with Meadowbrook Insurance Agency
- D. Resolution Recognizing November as Native American Heritage Month in Pontiac
- E. Resolution Recognizing November as National Adoption Month in Pontiac

Recognition of Elected Officials

Agenda Address (Two Minutes Time Limit)

Agenda Items

Ordinances

- 1. Adoption of an Ordinance to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103-Zoning Map. (**Second Reading**)
- 2. Resolution to approve the First Reading on an Ordinance to Amend Article VI (Finance), Division 2 (Purchasing) Section 2-256 (Specifications, Contracts, and Bid Documents for Construction Contracts and purchases) to add Subsection (d) Authorizing the Use of a Construction Manager at Risk delivery method for City Construction Projects. (**First Reading**)

Resolutions

City Clerk

- 3. Resolution approving the appointment of Stephen L. Gerhart, Jr. as Chief Assistant Clerk

Department of Public Works (DPW)

4. Resolution to approve contract with Site Industries LLC DBA CemSites to renew the CemSites software license used to operate Ottawa Park and Oak Hill Cemeteries and authorize the Mayor or Mayor's designee to sign the agreement. (**Postponed from 10/24/2023 Council Meeting**)

Finance

5. Resolution approving a Budget Amendment for Fiscal Year 2023-24 to establish budget appropriation in the amount of \$1,958,300.00 to account 285-699-818.000-ARPCPK-Other Professional Services-Community Parks (ARPA Funds for Community Parks Improvements)
6. Resolution approving a Budget Amendment for Fiscal Year 2023-24 to establish budget appropriations in the amount of \$78,795.00 to account 285-000-532.000-ARPHRP – Salaries & Wages, \$6,028.00 to account 285-699-715.000-ARPHRP - FICA - City Contribution, \$11,775.00 to account 285-699-716.000-ARPHRP – Medical Insurance, \$5,516.00 to account 285-699-718.500-ARPHRP - MERS Employer Contribution, \$568.00 to account 285-699-719.001-ARPHRP - Dental Insurance, \$10.00 to account 285-699-716.011-ARPHRP – Hearing/Optical, \$928.00 to account 285-699-717.000-ARPHRP - Life Insurance, \$1,000.00 to account 285-699-719.000-ARPHRP - Workers Comp, \$ 759.00 to account 285-699-725.000-ARPHRP - Sick and Vacation Contribution, \$1,200.00 to account 285-699-707.003-ARPHRP - Cell Phone Stipend, \$4,000.00 to account 285-699-957.002-ARPHRP – Training, and \$80,000.00 to account 285-699-818.000-ARPHRP - Other Professional Services (ARPA Funds for Home Repair Program Building Inspector)
7. Resolution approving a Budget Amendment for Fiscal Year 2023-24 to establish budget appropriations in the amount of \$1,000.00 to account 285-699-902.005-ARPBUS - Public Notices, \$10,000.00 to account 285-699-728.000-ARPBUS – Postage, \$5,000.00 to account 285-699-901.000-ARPBUS - Printing and Bindery Service, \$1,000.00 to account 285-699-745.003-ARPBUS – Events, \$500,000.00 to account 285-699-818.019-ARPBUS - Professional Services -Technical Assistance, \$1,250,000.00 to account 285-699-969.004-ARPBUS - Contribution – Grants, \$750,000.00 to account 285-699-818.020-ARPBUS - Professional Services -Loans, and \$83,000.00 to account 285-699-818.000-ARPBUS - Other Professional Services (ARPA Funds for Small Business Support Program Technical Assistance)

Mayor's Office

8. Resolution approving the appointment of JoAnne Gurley as Director of Law.
9. Resolution approving the appointment of Linda Durakovic as the Human Resources Director.

Planning Division

10. Resolution approving the Conditional Rezoning Agreement for 729 Linda Vista and authorizing the Mayor to execute the agreement.

Public Comment (Three Minutes Time Limit)

Discussions

11. City Council's 2023 Pontiac Pride and Beautification Awards Reception, Process Successfully Concluded
12. A Woman was killed in a hit-and-run crash early in the morning of Saturday, October 28 on University Drive near Kenilworth around 2:30 am, the vehicle did not stop; anyone who has information is asked to call Crime Stoppers at 1-800-SPEAK-UP; a reward is offered for information leading to an arrest in the case and tipsters remain anonymous.
13. Michigan Department of Transportation Public Meeting on Proposed Changes to M-59 (Huron Street) between Telegraph Road and Woodward Avenue, Thursday, November 2, 2023 from 4:00 to 6:00 pm, held at the Bowens Senior Center, 52 Bagley Street in Pontiac

14. Gauging Council's Perspective and Considering Next Steps for Community Benefits Requirements for Future Development Projects in Pontiac
15. Gauging Council's Perspective on a North Oakland County Resources Recycling Authority Concept

Closed Session

16. Resolution to go into Closed Session pursuant to the Open Meetings Act, MCL 15.268(e) to discuss pending litigation, Katz v City of Pontiac.

Public Communications

City Council

17. Identify Your Dream Foundation Bowties & Jeans Fundraiser, Saturday, November 4, 2023 from 8:00 pm to 12:00 am, held at Gallery 46, 46 N. Saginaw Street in Downtown Pontiac. Tickets are \$50 and includes complimentary valet. For more information, email dsharp@identifyyourdream.org
18. Pontiac District Four Community Council Meeting and Holiday Celebration, Monday, November 6, 2023 at 5:30 pm, held New Mount Moriah International Church, 313 E. Walton Boulevard, Pontiac 48340. Contact Pontiac City Councilwoman Kathalee James for more information.
19. Pontiac District Five Citizens Meeting Thursday, November 9, 2023 at 6:00 pm, held at the Lions Den in Pontiac City Hall, with an virtual Zoom option for those interested; that link is available through the city website. For more information, contact Pontiac City Councilman William Parker, Jr.
20. The Dirk Kroll Band Live, Friday, November 10, 2023, at 7:00 pm, held at Pontiac's Little Arts Theatre, 47 N. Saginaw Street in Downtown Pontiac.
21. Oakland History Center and Pontiac Creative Arts Center Gala Auction, Saturday, November 11, 2023, held at the Pontiac Creative Arts Center, 47 Williams Street, Pontiac 48341. Tickets are \$50 and go to support both the History Center and the Creative Arts Center.
22. Pontiac District Seven Eastside Community Meeting, Monday, November 13, 2023 from 7:00 to 9:00 pm, held at Prospect Missionary Baptist Church, 351 Prospect Street in Pontiac. Contact Pontiac City Council President Mike McGuinness for more information.
23. The Art Experience Glimpse & Glimmer Gala, Thursday, November 16, 2023, held at the Flagstar Strand Theatre, 12 N. Saginaw Street in Downtown Pontiac.
24. Dixon's Violin Live, November 17, 2023, at 7:00 pm, held at Pontiac's Little Arts Theatre, 47 N. Saginaw Street in Downtown Pontiac.
25. Pontiac District One Coat and Turkey Drive, Saturday, November 18 from 1:00 to 3:00 pm, held at the Pontiac City Hall Parking Lot; contact City Councilwoman Melanie Rutherford for more information.
26. Pontiac District One Community Meeting, Saturday, November 25 at 3:00 pm, held at the Alley Cat, 31 N. Saginaw Street in downtown Pontiac, contact City Councilwoman Melanie Rutherford for more information.
27. Next Pontiac District Two Community Advisory Group meeting is Monday, November 26 at 7:00 pm, held at Goldner Walsh Garden and Home, 559 Orchard Lake Road in Pontiac.
28. Oakland University Global Jam Night at Pontiac's Little Arts Theatre, Thursday, December 7 at 7:00 pm, the PLAT is located at 47 N. Saginaw Street in Downtown Pontiac. For more information, contact Montrell Barnett at (248) 525-0821.

29. Historic Christmas Open House Friday and Saturday, December 9 and 10, 2023 from 12:00 to 4:00 pm each day, held at the Oakland History Center, 405 Cesar E. Chavez Avenue in Pontiac.
30. Pontiac District One Holiday Fellowship Gathering, Saturday, December 16, held at the Bowens Senior Center, 52 Bagley Street in Pontiac.
31. The SteelDrivers Concert at the Flagstar Strand Theatre, Friday, February 16, 2024. Doors Open at 7:00 pm, Show at 8:00 pm. Tickets are now available. The Strand is at 12 N. Saginaw in Downtown Pontiac.

Mayor's Office

32. Residents Encouraged to Complete Online Survey for Pontiac Youth Recreation Center Amenities
33. Holiday Extravaganza Parade and Winter Festival on December 2, 2023, festivities begin at 8am with Elf Run, Parade at 11am, followed by the Winter Festival from 12-3pm.

City Clerk's Office

34. Local Officers Compensation Commission will hold its meeting on Monday, November 6, 2023, at 6:00 p.m. in the City Council Chambers
35. The Special Election scheduled for November 7, 2023, on the Adult Use Marihuana Ordinance Proposals has been cancelled.

Closing Comments

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

Adjournment

CONSENT AGENDA A



Pontiac City Council
Parks, Recreation, & Public Works Subcommittee

Pontiac City Council
Parks, Recreation, & Public Works Subcommittee
October 23, 2023
12:00 P.M.

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

Committee Members Kathalee James (Present), Melanie Rutherford (Present)

Others Present: Angelita Santiago, Alexandra Borngesser, Allen Cooley, Patrick Muller, Shannon Filarecki, Deputy Mayor Khalfani Stephens.

The meeting started at 12:03 P.M.

Allen Cooley provided a DPW update:

Street sweeper status shows a map of which streets are now being swept by the sweeper along with a GPS tracker that shows when the brooms are in process or sweeping the streets. Currently DPW has only one working sweeper, and the other sweeper is getting work repairs done with a potential return date of next week. DPW will check with the vendor to see if renting a sweeper may be an option.

Pavement update: Shannon Filarecki stated that Orchard Lake Road is still currently being worked on and scheduled to reopen on 11/01/2023. Franklin Road NB Lane is done and currently now working on SB lane.

Deputy Mayor Khalfani Stephens: The preliminary plan for the comprehensive road study will be next week and discussions will be coming by this time next month for the following monthly meeting.

Updates were given from Director Alexandra Borngesser on multiple MOU (memorandum of understanding):

Ralph Wilson has a formal board meeting on 01/15/2024 in which funding will be potentially approved on that day for this project, making the project fully funded at twenty million, three hundred twenty-eight thousand.

Recreation update from (Program Director) Tanesha Taylor: Phase two of fall programs starts November 11, 2023, and runs thru 12/16/2023. Training class in robotic and sewing will begin with phase two of the fall programs. Tutoring program will begin November 11, 2023. Elementary girl's championship game will be on 11/04/2023 located at UWM all are welcome to attend.

Updates were given from Director Alexandra Borngesser on multiple MOU: Ralph Wilson formal board meeting will be 01/15/2024 which funding will be potentially approved on that day for this project, making the project fully funded at twenty million, three hundred twenty-eight thousand.

Park site planning for neighborhood and mini parks bids closed on 10/24/2023 and as of 10/23/2023 Alexandra has yet to receive bid tabulation and still waiting on them.

There was public comment from Richard Harrison (Clinton River Trail) on requesting Artwork on the trails.

Meeting ended at 1:12 P.M.

CONSENT AGENDA B

**Official Proceedings
Pontiac City Council
113th Session of the Eleventh Council**

Call to order

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, October 24, 2023, at 6:00 p.m. by Council President Mike McGuinness.

Invocation – Minister Veronica Taylor – Pontiac, Michigan

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call

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

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 second by Councilperson Parker.

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

No: None

Motion Carried

Councilman Goodman was absent for the vote.

Consent Agenda

23-370 **Resolution to approve the consent agenda for October 24, 2023.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, the City Council has reviewed the consent agenda for October 24, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for October 24, 2023, including October 17, 2023, City Council Meeting Minutes and Closed Session Minutes.

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

No: None

Resolution Passed

Councilman Goodman was absent for the vote.

Public Hearing

Council President Mike McGuinness opened public hearing at 6:13 p.m. regarding Obsolete Property Rehabilitation Exemption Certificate Application for Red Chickweed, LLC 31 N. Astor Street Parcel 14-27-306-014. One individual addressed the body during public hearing.

1. Carlton Jones – He is in support. The developer did reach out and say that he wants to engage Pontiac residents in the project.

October 24, 2023, Draft

Council President Mike McGuinness closed public hearing at 6:14 p.m.

Special Presentation

Zoning Map Update to Reflect Past Rezoning Decisions

Presentation Presenters: Mark Yandrick, Planner Manager

Recognition of Elected Officials – None

Agenda Address

1. Earline Dowell addressed item #3
2. Franklin McQueen addressed item #3
3. Paul Wilson addressed item #3
4. Carlton Jones addressed item #3
5. Renee Beckley addressed item #3
6. Dr. Deirdre Waterman addressed item #3
7. Darlene Clark addressed items #3 and #4
8. Gloria Miller addressed item #3

Councilwoman Melanie Rutherford arrived at 6:10 p.m.

Agenda Items

Ordinance

2425 **Adoption of an Ordinance to Amend Appendix B of the Municipal Code of the City of Pontiac, amending Article 2, Section 2.103- Zoning Map, to change the Zoning Classification for a Specific Parcel on the North Side of Gales Street Between Joslyn and Vernon Drive, Subject to the Agreed upon Conditions. (729 Linda Vista former Mark Twain School- Second Reading) Moved by Councilperson Rutherford and second by Councilperson Carrington.**

Ayes: McGuinness, Nicholson, Rutherford, and Goodman

No: James, Parker, and Carrington

Ordinance Passed

****See Ordinance 2425 as Exhibit A after the minutes****

23-371 **Resolution to approve the first reading of An Ordinance to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103 – Zoning Map. (First Reading) Moved by Councilperson Rutherford and second by Councilperson Nicholson.**

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to adopt a new City of Pontiac Zoning Map.

WHEREAS, the City has not updated its zoning map since 2014.

WHEREAS, staff has researched all approved and valid rezonings through resolutions, minutes, and planning documents since that time to determine proper zoning classifications.

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

NOW THEREFORE, BE IT RESOLVED by the Pontiac City Council that it hereby adopts the first reading of the amendments as presented to the City Council on October 24, 2023, to the City's Zoning Ordinance Map.

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

No: None

Resolution Passed

Councilwoman Rutherford was absent for the vote.

23-372 **Resolution to approve first reading of Zoning Text Amendment to Amend Article 2, Chapter 2, Section 2.204, Table 2 to add the Residential Infill Overlay District; Article 3, Chapter 12, Sections 3.1201 through 3.1205 to add Chapter 12 regarding the Residential Infill Overlay District, Article 7, Chapter 2, Section 7.201 to add definitions regarding Two Family Dwellings and Smaller One-Family Dwellings, and Map Amendment to display Residential Infill Overlay District. (First Reading)** Moved by Councilperson Nicholson and second by Councilperson Parker.

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend Article 2, Chapter 2, Section 2.204, Table 2 to add the Residential Infill Overlay District; Article 3, Chapter 12, Sections 3.1201 through 3.1205 to add Chapter 12 regarding the Residential Infill Overlay District, Article 7, Chapter 2, Section 7.201 to add definitions regarding Two Family Dwellings and Smaller One-Family Dwellings, and Map Amendment to display Residential Infill Overlay District.

WHEREAS, the City of Pontiac City Council finds it is in the best interest for the health, safety, and welfare, to approve the amendments to the Zoning Ordinance Amendments as presented.

NOW THEREFORE, BE IT RESOLVED by the Pontiac City Council that it hereby adopts the first reading of the amendments to the City of Pontiac's Zoning Ordinance as presented to the city Council on October 24, 2023.

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

No: None

Resolution Passed

Resolutions

City Council

23-373

Resolution urging support for Drive SAFE (Safety, Access, Freedom, and the Economy) State Legislation. Moved by Councilperson Goodman and second by Councilperson Rutherford.

WHEREAS, The Michigan Legislature has recently introduced House Bills 4410, 4411, 4412, and Senate Bills 0265, 0266, and 0267, also known as Drive SAFE (Safety, Access, Freedom, and Economy); and WHEREAS, This bill package is meant to allow Michigan residents who are unable to show proof of U.S. citizenship or immigration status to obtain a Michigan driver's license and state identification cards, which was Michigan's practice prior to 2008; and

WHEREAS, The Michigan League for Public Policy (MLPP) estimates that 55,000 of the 110,000 Michigan residents who are unable to prove their legal presence and are of driving age would likely apply for a driver's license if Drive SAFE were to pass; and

WHEREAS, Many Michigan residents are unable to provide proof of legal status for a variety of reasons, whether they are a Deferred Action for Childhood Arrivals (DACA) recipient, an undocumented immigrant, a legal immigrant awaiting verification documents due to bureaucratic administrative delays, citizens born abroad, or foreign adoptees; and

WHEREAS, Regardless of their current immigration status, immigrants and their families contribute to Michigan's vibrant and diverse community in addition to contributing to the state's economy as workers and taxpayers; and

WHEREAS, Because of the lack of reliable public transportation in much of Michigan, it is a necessity for most Michigan residents to drive to work, school, church, medical appointments, shop for groceries, and purchase goods and services outside of their immediate areas; and

WHEREAS, Under current state law, Michigan residents who are unable to verify their immigration or citizenship status are prevented from obtaining a driver's license or state identification card, forcing them to either not drive or to drive without a license; and

WHEREAS, Increasing the number of licensed drivers is expected to increase safety for all Michigan drivers, as a study by the American Automobile Association (AAA) shows that unlicensed drivers are far more likely to be involved in a fatal accident and more likely to flee the scene of an accident regardless of the driver's immigration status; and

WHEREAS, Although the potential influx new licensed drivers will create an administrative burden on the state, the MLPP estimates that the 55,000 new licensed drivers will generate \$100,000,000 in revenue for the state through licensing and registration fees, gas taxes, and sales taxes on cars and car-related purchases, which does not account for the potential revenue that could result from the drivers' increased mobility and ability to earn wages; and

WHEREAS, Perhaps most importantly, these bills will allow Michigan's immigrant residents to more fully participate in our communities with dignity and without the fear and stigma that results from their inability to obtain a driver's license; and

WHEREAS, Under the proposed legislation package, the Secretary of State is forbidden from sharing any applicant's information with immigration enforcement agencies; and

WHEREAS, Currently, 19 states and the District of Columbia have passed laws similar to Drive SAFE; and

WHEREAS, The Pontiac City Council recognizes that allowing Michigan's residents to obtain a driver's license or state ID promotes the interests of public safety, the state economy, and human decency; and

WHEREAS, the Michigan Legislature Majority holds a once-in-a-generation power bestowed upon them by the voters, signifying a profound responsibility to address pressing issues that directly affect our communities across the state,

NOW THEREFORE BE IT RESOLVED, The Pontiac City Council strongly urges the Michigan Legislature to pass House Bills 4410, 4411, 4412, and Senate Bills 0265, 0266, and 0267, also known as Drive SAFE.

THEREFORE, BE IT FINALLY RESOLVED, That the Pontiac City Clerk is directed to send this resolution to the Pontiac delegation of both the Michigan State House and Senate, the members of the House Regulatory Reform committee, the members of the Senate Transportation and Infrastructure Committee, House of Representatives and Senate Majority leadership, in addition to Governor Gretchen Whitmer.

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

No: None

Resolution Passed

Councilwoman Rutherford was absent for the vote.

Department of Public Works (DPW)

23-374 **Resolution to approve contract with Site Industries LLC DBA CemSites to renew the CemSites software license used to operate Ottawa Park and Oak Hill Cemeteries and authorize the Mayor or Mayor's designee to sign the agreement.** Moved by Councilperson Nicholson and second by Councilperson Parker. Discussion.

Motion to postpone Resolution to approve contract with Site Industries LLC DBA CemSites to renew the CemSites software license used to operate Ottawa Park and Oak Hill Cemeteries and authorize the Mayor or Mayor's designee to sign the agreement for one week. Moved by Councilperson Rutherford and second by Councilperson Nicholson.

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

No: None

Motion Carried

October 24, 2023, Draft

Economic Development Division

23-375 **Resolution to approve an Obsolete Property Rehabilitation Exemption Certificate Application for Red Chickweed, LLC 31 N. Astor Street Parcel #14-27-306-014.** Moved by Councilperson Rutherford and second by Councilperson James.

WHEREAS, pursuant to PA 146 of 2000, the City of Pontiac is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, THE City of Pontiac legally established the Downtown Obsolete Property Rehabilitation District; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of the property under Public Act 146 of 2000 and under Public Act 198 of 1974 does not exceed 5% of the total taxable value of the City of Pontiac; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000; and

WHEREAS, Red Chickweed, LLC is not delinquent on any taxes related to the facility; and

WHEREAS, the application is for the obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, Red Chickweed, LLC has provided answers to all required questions under the application instructions; and

NOW, THEREFORE IT BE RESOLVED, the Pontiac City Council hereby approves an Obsolete Property Rehabilitation Exemption Certificate for Red Chickweed, LLC located at 31 N. Astor Street, Pontiac Michigan

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

No: Goodman

Resolution Passed

Councilman Parker was absent for the vote.

Councilman Brett Nicholson left the meeting.

Purchasing Division

23-376 **Resolution to approve an agreement with Quadrate Construction, LLC to complete phase 2 of the Ruth Peterson Senior Center Project with a not to exceed amount of \$193,904 and authorize the Mayor or Deputy Mayor to execute the agreement.** Moved by Councilperson Rutherford second by Councilperson Carrington.

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

WHEREAS, it is imperative that the bid is awarded, and contract executed so that the City will not miss the deadline to expend the Lowe's grant funds; and

NOW, THEREFORE BE IT RESOLVED, The Pontiac City Council approves the Mayor or Mayor Designee to award the bid and execute an agreement with Quadrate Construction, LLC to complete Phase 2 of the Ruth Peterson Senior Center.

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

No: None

Resolution Passed

October 24, 2023, Draft

Public Comment

1. Paul Wilson
2. H. Bill Maxey
3. Carlton Jones
4. Dr. Deirdre Waterman
5. Chuck Johnson
6. Beatrice Wright
7. Minister Veronica Taylor
8. Darlene Clark
9. Gloria Miller
10. Renee Beckley
11. Earline Dowell
12. Carolyn Wilson

Discussions

Pontiac Pride and Beautification Awards Reception on Wednesday, October 25 from 4:00 to 7:00 pm, held at Goldner Walsh Garden and Home, 559 Orchard Lake Road, Pontiac 48341. For more information, contact the Pontiac City Council offices at (248) 758-3022.

All Existing Unlicensed Residential Group Homes and Facilities Need to Apply for a Zoning Permit by October 30, 2023, or they will lose the right to operate. Contact the City of Pontiac Planning office at (248) 758-2824 to begin the application process or to learn more.

North Saginaw Street is fully closed from Clark Street to Fairgrove Street due to DTE Energy upgrade project construction. Estimated time of completion for this project is four weeks.

Communications

City Council, Mayor's Office, and Clerk's Office

Mayor, Clerk and Council Closing Comments

Clerk Doyle, Mayor Tim Greimel, Councilwoman Melanie Rutherford, Councilman Mikal Goodman, Councilwoman Kathalee James, Councilman William Parker Jr., Council President Pro-Tem William Carrington, and Council President Mike McGuinness made closing comments.

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 9:53 p.m.

Garland S. Doyle
City Clerk

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO. 2425

ZONING ORDINANCE MAP AMENDMENT

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

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

That the Zoning Map of the City of Pontiac, said map being incorporated by reference in the Zoning Ordinance for the City of Pontiac pursuant to Article 2 therefor, be and the same is hereby amended, changed, and altered so that hereafter the zoning classifications for the below legal description, commonly referred to as 729 Linda Vista, Parcel ID: 14-21-451-002, from R-1 One Family Dwelling District to C-3 Corridor Commercial with CR Conditional Rezoning, this Amendment is subject to the Conditions as described in Section 3.

Provided Legal Description:

T3N, R10E, SEC 21 ASSESSOR'S PLAT NO 13 LOTS 33 TO 37 INCL EXC W 50 FT OF EACH, ALSO EXC N 25 FT OF LOT 37 EXC W 50 FT THEREOF, ALSO LOTS 50 TO 53 INCL, ALSO LOTS 55, 56 & 57, ALSO ALL OF VAC PONTIAC DR ADJ TO SD LOTS

Section 2. Conditions.

Said amendment is conditioned as provided in the voluntarily agreed Conditional Rezoning Agreement entered into between the City of Pontiac and ACORP Services, LLC, which include:

- i. The property shall not be utilized for any of the following uses without an applicant receiving a separate Conditional Rezoning approval from the City:
 - a. Automobile Services (Commercial) as defined in the City's Zoning Ordinance
 - b. Bakery or confectionary

- c. Bar, tavern, or alcohol service establishment
- d. Child care center or day care center
- e. Funeral home or mortuary
- f. Hotel or inn
- g. Medical marihuana facility
- h. Personal service establishment as defined in the City's Zoning Ordinance
- i. Pet boarding facility
- j. Restaurant
- k. Retail sales
- l. Terminal public transportation
- m. Toxic or hazardous material storage and/or distribution
- n. Hospital
- o. Veterinary hospital and/or clinic
- p. Outdoor retail sales
- q. Outdoor sidewalk and/or patio dining

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

Section 3. Repealer and Severability.

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

Section 4. Effective Date

The foregoing amendment to the City of Pontiac Zoning Map was approved and adopted by the City Council on _____, 2023, after a public hearing as required pursuant to the Michigan Act 110 of 2006, as amended. The Ordinance shall be effective on _____, 2023, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map Amendment in a publication in a newspaper of general circulation in the zoning district as required by Section 401 of Act 110 of 2006, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

CONSENT AGENDA C



Tim Greimel, Mayor
Khalfani Stephens, Deputy Mayor

TO: Honorable Council President and Members of the City Council

FROM: Mayor Tim Greimel and Deputy Mayor Khalfani Stephens

DATE: October 25, 2023

RE: Resolution to Approve the City's Annual Benefits Renewal

WHEREAS, Meadowbrook Insurance Agency, the City's insurance agent has presented the City with Proposals for health insurance for coverage beginning September 1, 2014 and Medicare insurance coverage beginning January 1, 2015; and to date.

WHEREAS, the City Administrator and Interim HR Director and Deputy Director have reviewed the proposals, have recommended that both proposals are accepted, and have certified available funding for the following below annual benefit renewal programs;

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council approves the proposals from Blue Cross Blue Shield of Michigan, Eyemed and Mutual of Omaha and authorizes the City Administrator to execute all necessary documents; and benefit renewal programs.

BENEFIT RENEWAL SUMMARY
For City of Pontiac

- **MEDICAL COVERAGES -**

Medical we moved from age banded small account to large group.

- Keeping existing 3 plans, making BCN and HSA the core plans paid for by the city
- Changing the 500 PPO plan to be a buy up plan at a 60%-40% cost share to strategically drive the employees to the city paid plans.

- **VISION –**

- Vision plans will not see a rate increase for 2024
- currently 100% voluntary, but city is going to pay for these benefits for 2024 and we received an incremental \$1k/year for changing this to employer paid.

- **Mutual of Omaha (benefits include dental, STD, LTD, Life Ins and adding new ancillary/voluntary benefits through MOO and removing AFLAC)**

- Due to the above changes/additions the city received no increase on rates for 2024,
- Making the dental Low plan the city's complimentary paid plan

- **STD**

- Rates decreased 25%, due to changing from 26 weeks paid to 12 weeks per normal best practices and increased weekly max from \$1k to \$2k/week to enable the higher compensated employee's are ensured to receive their 60% of base pay benefit.

- **LTD**

- Adding this city paid benefit, which will begin after 12 weeks when STD is exhausted, previously did not offer this benefit. The addition of this benefit reduced the overall annual STD costs by also aligning this to a 90 day benefit.

Carrier	Lines Coverages	Est. Annual Cost 2024
Blue Cross Blue Shield	BCBS PPO	\$345,820.97
	BCBS HSA	
	BCBS BCN (HMO)	
EyeMed	Vision Coverage	\$4,923.36
Mutual of Omaha	Dental	\$46,114.68
	Life Insurance AD&D	\$55,059.72
	Short Term Disability	\$38,219.52
	Long Term Disability	\$25,259.54
	2024 Estimated Totals:	\$515,397.79
	2023 Estimated Totals Were:	\$743,614.44

CONSENT AGENDA D



PONTIAC CITY COUNCIL RESOLUTION

Recognizing November as Native American Heritage Month in Pontiac

Whereas, each November the United States of America recognizes and celebrates Native American Heritage Month, acknowledging the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; and,

Whereas, federal Census figures estimate the Native American population living in the United States at more than 5,000,000 individuals, with a substantial presence in the State of Michigan, and Native Americans have been a part of the Pontiac community for many hundreds of years, long predating the arrival of any other populations; and,

Whereas, the Native American community in the United States has made many important advances in the area of law, business, religion, agriculture, art, music, education, technology, architecture, cuisine, theater, innovation, and exploration; and,

Whereas, Native Americans have provided Michigan and the United States with unique social and cultural influences, fundamentally enriching the extraordinary character of our state and nation; and,

Whereas, Pontiac and Michigan are fortunate to count among its population those of Native American descent, who live here, grow businesses here, offer innovative ideas, strengthen our economy, create jobs, build neighborhoods, enhance a sense of community, and contribute to our daily lives; and,

Whereas, during this month, many organizations and institutions will celebrate native American Heritage Month through a series of special events featuring history, food, dance, and art, celebrating the rich traditions and many contributions this community has made to the State of Michigan; now,

Therefore, Be It Resolved, the Pontiac City Council hereby recognizes November 2023 as Native American Heritage Month in the City of Pontiac; and further

Resolved, on behalf of the entire Pontiac community, the City Council appreciates and honors the countless achievements of Native Americans and will continue our efforts to ensure our community and our state is a welcoming and inclusive place that provides just and equal opportunities for all; and further

Resolved, the City Council acknowledges, respects, and celebrates the integral role of the Native American community in our economy, culture, and identity of the United States and our home of Pontiac, Michigan; and further

Resolved, we encourage the citizens, organizations, and businesses of Pontiac to observe Native American Heritage Month with appropriate programs and activities the celebrate our Native American neighbors and their contributions to our community.

Pontiac City Council • Pontiac, Michigan • November 2, 2023

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

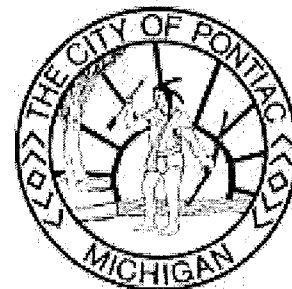
Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*



CONSENT AGENDA E



PONTIAC CITY COUNCIL RESOLUTION

Recognizing November as National Adoption Month in Pontiac

Whereas, each November the United States of America recognizes National Adoption Month to celebrate adoption and to increase awareness of the thousands of children and youth in foster care who are waiting for permanent, loving families; and,

Whereas, the City of Pontiac is home to a wide variety of youth from traditional as well as nontraditional families, including but not limited to adopted children, children under guardian care, and foster children; and,

Whereas, all children deserve to grow, develop, and have their needs met by being placed with families who can offer a permanent home that is loving, protected, stable, and with a sense of acceptance; and,

Whereas, children and youth waiting for adoptive parents and the families who have adopted deserve support from their communities and from related agencies; now,

Therefore, Be It Resolved, the Pontiac City Council hereby recognizes November 2023 as National Adoption Month in the City of Pontiac; and further

Resolved, on behalf of the entire Pontiac community, the City Council appreciates and expresses our gratitude for those families who have adopted; and further

Resolved, the City Council acknowledges that every child deserves a permanent and loving family, and understands that loving and nurturing families are strengthened when dedicated individuals make an important difference in the life of a child through adoption; and further

Resolved, we encourage the citizens, organizations, and businesses of Pontiac to consider ways to engage with and better serve children and youth awaiting adoption and those families going through the adoption process.

Pontiac City Council



Pontiac, Michigan



November 2, 2023

Mike McGuinness, *Council President*

Mikal Goodman, *Councilmember*

Brett Nicholson, *Councilmember*

Melanie Rutherford, *Councilmember*

William A. Carrington, *President Pro Tem*

Kathalee James, *Councilmember*

William Parker, Jr., *Councilmember*

#1

ORDINANCE



COMMUNITY DEVELOPMENT DEPARTMENT

TO: City Council
FROM: Mark Yandrick, Planning Manager
DATE: October 19, 2023
RE: Zoning Map Amendment: Zoning Map Update

Executive Summary:

Due to a lack of staffing, organization and technology, the City has not updated the City's Official Zoning Map since 2014. Current Planning staff have researched the rezonings through documents, minutes, and resolutions.

The City proposes a Zoning Map Amendment to adopt a new Zoning Map.

Planning Commission recommended approval of this Zoning Map Amendment at its October 11, 2023 Public Hearing.

Overview:

Staff found many approved resolutions and ordinances for rezonings in the City from 2014-2022. These rezonings never were incorporated into the City's official Zoning Map. These rezonings are listed in the chart on the following page. Not included in this list are the approved conditional rezonings where the construction did not begin within the prescribed time (two years), therefore nullifying those rezone approvals. Rezonings approved this year (2023) have been actively updated in the Planning Division zoning records.

Staff added the City's Historical Districts, Medical Marihuana Overlay Districts and Adult-Use Marihuana Overlay Districts to the Zoning Map.

The process requires Planning Commission to review and City Council to adopt the updated zoning map. The process is not rezoning any piece of property, but rather accurately reflecting the City's official zoning changes from the actions of City Council over the last 9-10 years.

Staff requested a condition of approval on Planning Commission's recommendation to City Council allows City Staff to update the map with cartography and any correct zoning district, with proof that a property owner presented to Planning Staff prior to the upcoming City Council meeting.

Recommendation

Planning Commission recommended APPROVAL, 6-0, to City Council of the Zoning Map Amendment for the adoption of a new City of Pontiac Zoning Map with one condition.

1. City Staff may update cartography and any correction for a zoning district with proof of a proper rezoning prior to the City Council meeting.

The following are lists of properties of successful and valid rezonings. Rezonings #24 - #26 have been found, verified, and added since Planning Commission meeting.

All rezonings from 2023 are reflected in this map as well.

List of Historical Rezonings 2014-2022

	Address	Orig. Zoning	New Zoning
1	108 West Walton Boulevard	C-1 Local Business	C-3 Corridor Commercial
2	228 West Walton Boulevard	C-1 Local Business	C-3 Corridor Commercial
3	191 North Glenwood Avenue	C-1 Local Business	R-3 Multi-Family Dwelling District
4	645 South Telegraph Road	C-1 Local Business	M-1 Light Manufacturing.
5	500 Auburn Avenue	C-1 Local Business	C-3 Corridor Commercial
6	25 South Sanford Street	R-1 One Family Dwelling	R-3 Multiple Family Dwelling District
7	327 Midway Avenue	R-1 Single Family Dwelling	C-1 Local Business District
8	761 West Huron	C-1 Local Business; P-1 Parking	C-3 Corridor Commercial
9	788 East Walton Boulevard	R-3 Multiple Family Dwelling	C-3 Corridor Commercial
10	108 West Lawrence Street	C-3 Corridor Commercial	M-1 Light Manufacturing
11	529 East Walton Boulevard	C-3 Corridor Commercial	C-3 Corridor Commercial
12	44911 Woodward Avenue	R-1 One Family Dwelling	C-3 Corridor Commercial
13	162 Seminole	R-1 One Family Dwelling	P-1 Parking District
14	1023 E. Walton	R-1 One Family Dwelling	C-1 Local Business District
15	119 Prospect Street	R-1 One Family Dwelling	C-3 Corridor Commercial
16	45399 Woodward Avenue	M-1 Light Manufacturing	MUD, Mixed Use District
17	431-425 North Perry	R-2 Two Family Dwelling	C-1 Local Business District
18	13 17 Osceola	R-1 One Family Dwelling	C-1 Local Business District
19	300 W Huron	Multiple Districts	MUD, Mixed Use District
20	1999 Centerpoint	C-4 Suburban Commercial	M-2 Heavy Manufacturing
21	19-04-126-013	R-1 One Family Dwelling	C-3 Corridor Commercial
22	14 Williams	C-0 Office Business	R-2 Two Family Dwelling
23	120 Pike Street	R-3 Multiple Family Dwelling	P-1 Parking District
24	1059 Featherstone (2 Acres along University Dr.)	P-1 Parking District	C-3 Corridor Commercial
25	14-28-482-028 and 029 (east of 517 Auburn Ave)	C-1 Local Business	C-3 Corridor Commercial
26	660 W. Huron Street	C-1 Local Business	C-3 Corridor Commercial

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

ORDINANCE NO. _____

ZONING ORDINANCE MAP AMENDMENT

**AN ORDINANCE TO AMEND APPENDIX B OF THE MUNICIPAL CODE OF THE
CITY OF PONTIAC, AMENDING ARTICLE 2, SECTION 2.103—ZONING MAP.**

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

That the Zoning Map of the City of Pontiac, said map being incorporated by reference in the Zoning Ordinance for the City of Pontiac pursuant to Article 2 therefore, be and the same is hereby amended, changed, and altered to adopt the zoning map attached hereto.

Section 2. Repealer and Severability.

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

Section 3. Effective Date

The foregoing amendment to the City of Pontiac Zoning Map was approved and adopted by the City Council on _____, 2023, after a public hearing as required pursuant to the Michigan Act 110 of 2006, as amended. The Ordinance shall be effective on

_____, 2023, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map Amendment in a publication in a newspaper of general circulation in the zoning district as required by Section 401 of Act 110 of 2006, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

ORDINANCE DECLARED ADOPTED.

Tim Greimel, Mayor
City of Pontiac, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Pontiac, County Oakland, State of Michigan, at a regular meeting of the City Council held on _____ day of _____, 2023, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: _____

Members Absent: _____

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

Members voting yes: _____

Members voting no: _____

Members abstaining: _____

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

Garland Doyle, City Clerk
City of Pontiac, Michigan

ADOPTED:

PUBLISHED:

EFFECTIVE:

City of Pontiac Zoning Map

October 11, 2023

CERTIFICATION
I, _____, City Clerk, City of Pontiac, do hereby certify that this is a true copy of the map adopted by the City of Pontiac City Council, Oakland County, Michigan, on the _____ day of _____, as well as those amendments made as of the revision dates shown.
_____, Clerk City of Pontiac
Ordinance # _____

City of
Lake Angeles

City of
Auburn Hills

Waterford
Township

Sylvan
Lake

Bloomfield
Township

Legend			
Municipal Boundaries	R-2, Two Family and Terrace Family Dwelling	CC, Civic Center	
MMOD and ASUT Use Marijuana Overlay District	R-3, Multiple Family Dwelling	T-C, Town Center	
Adult Use Marijuana Overlay District	R-4, Multiple Family Dwelling Elevator Apartment	MUD, Mixed Use District	
Hazard District	R-5, Trailer Coach Park	GOT, Government Office Technical District	
Conditional Rezoning	C-0, Office Business	IP-1, Industrial Park	
Zoning	C-1, Local Business	M-1, Light Manufacturing	
R-1, One Family Dwelling	O-2, Downtown	M-2, Heavy Manufacturing	
R-1a, Medium Lot One Family Dwelling	C-3, Corridor Commercial	P-1, Parking	
R-1b, Large Lot One Family Dwelling	C-4, Suburban Business	SP, Special Purpose	

0 550 1,100 2,200 3,300 4,400 5,500 6,600
Feet

#2

ORDINANCE

CITY OF PONTIAC
ORDINANCE NO. # _____

AN ORDINANCE TO AMEND ARTICLE VI (FINANCE), DIVISION 2 (PURCHASING) SECTION 2-526 (SPECIFICATIONS, CONTRACTS, AND BID DOCUMENTS FOR CONSTRUCTION CONTRACTS AND PURCHASES) TO ADD SUBSECTION (D) AUTHORIZING THE USE OF A CONSTRUCTION MANAGER AT RISK DELIVERY METHOD FOR CITY CONSTRUCTION PROJECTS.

THE CITY OF PONTIAC ORDAINS:

ARTICLE _____. FINANCE

Sec. 2-526 Specifications, contracts and bid documents for construction contracts and purchases.

- (a) Specifications, contracts and bid documents for construction contracts and purchases where written specifications are utilized shall be drawn in accordance with the directives set forth in this division and shall be prepared by the using department, subject to the approval of the Purchasing Agent. Whenever a commodity is to be procured or disposed of by more than one department, the purchasing division shall establish standard specifications after consulting with all involved departments.
- (b) Notwithstanding the foregoing provisions regarding the preparation of contract specifications and the provisions of this division regarding the procedures for advertising, bidding and award of City contracts, the administration of construction contracts after the award thereof shall be the responsibility of the department or division as designated by the Mayor, and not the Purchasing Agent.
- (c) Notices of projects or items sought through a competitive bid process shall be posted on the City's web page and also on the MITN website. Notices shall be posted for a minimum period of one week. Notices shall direct respective bidders to the City's website where the complete bid package is available.
- (d) **Construction Manager at Risk Delivery Method.** In the event the City appoints a Construction Manager (CM) under a Construction Manager at Risk ("CMAR") contract delivery method with a Guaranteed Maximum Price to manage a construction project on behalf of the City, such CM is authorized to carry out the duties of the Purchasing Agent as described in this

Division, provided that all such duties performed by the CM are subject to the written approval and authorization of the Purchasing Agent.

1. The CM shall post invitation for bids on the City's web page and on the MITN website with the assistance of the Purchasing Agent to the extent such assistance is needed. The invitation for bids may direct the bidders to submit the bids directly to the CM. After the deadline to submit bids, the CM shall provide copies of the bids received to the Purchasing Agent, and review and make recommendations to the Purchasing Agent for the award of subcontracts to the lowest responsible bidder pursuant to the requirements of this Division.

2. The Purchasing Agent shall make the final determination as to the lowest responsible bidder. The CM may prepare a Guaranteed Maximum Price ("GMP") proposal(s) under the CMAR contract which shall include only City approved competitively bid subcontracts, conducted in accordance with this Division, for the performance of the work.

3. Upon written approval and authorization of the Purchasing Agent of the GMP proposal(s) and execution of the GMP proposal(s) executed by the Mayor or his or her designee and approved by the majority of the City Council, the CM may directly contract with the City-approved competitively-bid subcontractors, pursuant to a written subcontract approved by the Purchasing Agent, and the CM shall directly supervise and be responsible for the work of the subcontractors as proscribed in the CMAR contract with the City.

#3

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Office of the City Clerk

TO: Honorable City Council

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

DATE: October 27, 2023

RE: **Appointment of Chief Assistant Clerk**

The Chief Assistant Clerk will assist in the planning, organizing, directing and coordination of activities in the City Clerk's Office. The position responsibilities will include attending City Council meetings if needed to fill in for the City Clerk; assist in Council agenda review and adoption process; serve as the Elections Administrator by overseeing the coordination and supervision of elections in the city; serve as the Assistant Freedom of Information Act (FOIA) Coordinator and a liaison between the Clerk's Office and other City departments in the FOIA process. In addition, the Chief Assistant Clerk will lead a few special projects for the Clerk's Office.

WHEREAS, Section 3.202 of the Charter states "the Clerk may, with approval of Council, appoint a chief assistant who serves at the pleasure of the Clerk and performs the duties of the office in the absence or disability of the Clerk." and;

WHEREAS, The City Clerk is seeking approval to appoint Mr. Stephen L. Gerhart, Jr. to the position of Chief Assistant Clerk and;

WHEREAS, Mr. Gerhart has a master's degree in public administration and fifteen years of municipal government experience and;

WHEREAS, Mr. Gerhart has served as the Chief Deputy City Clerk for the City of Ann Arbor for over five years. The Deputy City Clerk for the City of Grosse Pointe Woods for over three years. In addition, Mr. Gerhart has worked for both the cities of Dearborn and Dearborn Heights and;

WHEREAS, Mr. Gerhart is a Certified Municipal Clerk (CMC) by the International Institute of Municipal Clerks and a Certified Michigan Professional Municipal Clerk (MiPMC) by the Michigan Association of Municipal Clerks and;

WHEREAS, Mr. Gerhart has over eight years of experience in managing elections for municipalities and;

WHEREAS, Mr. Gerhart professional work experience in multiple cities and his prior service as both a Chief Deputy City Clerk and Deputy City Clerk demonstrates that he is qualified to serve as the Chief Assistant Clerk.

NOW, THEREFORE
BE IT RESOLVED,

The Pontiac City Council approves the Clerk's appointment of Mr. Stephen L. Gerhart, Jr. as the Chief Assistant Clerk effective January 3, 2024 with a salary of \$92,500.

cc: Mayor Greimel
Deputy Mayor Stephens
S. Hensel, Interim Human Resources Director

Stephen L. Gerhart Jr.

Education

Wayne State University
Master of Public Administration
Degree August 2012
Certificate in Economic Development

Wayne State University
Bachelor of Public Affairs
Degree May 2010
Graduated Cum Laude

Administrative Experience

The City of Ann Arbor - January 2018-Present

Chief Deputy City Clerk - City Clerk's Office

- Supervise the Administrative Assistant Staff
- Management and coordination of the recruitment and training of 100-700 election inspectors
- Manages the pre-election issuance of absentee ballots, election day process by Absentee Count Boards, and Receiving Board, including hiring and supervision of all staff
- Work with city departments and local shareholders to streamline and improve processes related to elections and general operations
- Serve on various election related committees and working groups
- Assist with management of citywide agenda and minutes management program for use by Council and all Boards and Commissions

The City of Grosse Pointe Woods - May 2014-January 2018

Deputy City Clerk - City Clerk's Office

- Perform administrative and technical tasks to provide support to the City Clerk
- Provide guidance to election, clerical, and temporary staff, as assigned
- Provide administrative assistance to the City Clerk to perform the functions as required by the department
- Assist with preparation and posting of all meeting agendas as required and assemblies supporting documentation as needed, and meeting follow-up
- Attend monthly Planning Commission meetings and record minutes
- Assist with the administration of local, state, federal, and school elections
- Issue municipal licenses in accordance with applicable city ordinances and other regulations

Professional Certifications and Awards

- International Institute of Municipal Clerks (IIMC) - Certified Municipal Clerk - 2021
- Michigan Association of Municipal Clerks (MAMC) - Michigan Professional Municipal Clerk (MiPMC) – 2021
- Michigan Association of Municipal Clerks (MAMC) – Deputy Clerk of the Year - 2022
- U.S. Election Assistance Commission - National Award for Creative and Original "I Voted Sticker" - 2020
- U.S. Election Assistance Commission - National Award for Outstanding Innovation in Election Administration - 2019

#4

RESOLUTION



Department of Public Works

OFFICIAL MEMORANDUM

TO: Pontiac City Council and Council President

FROM: Patrick Muller, Deputy Director of Public Works
Allen H. Cooley, III, Director of Public Works

CC: Mayor Tim Greimel and Deputy Mayor Khalfani Stephens

DATE: October 18, 2023

RE: **The Purchasing Manager, Department of Public Works (DPW) Director and Deputy Director request that City Council approves to execute an agreement with Site Industries LLC DBA CemSites to renew the contract for the software used to operate Ottawa Park and Oak Hill cemeteries.**

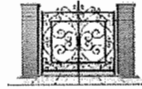
The Department of Public Works (DPW) is looking to renew the software license agreement contract for the cemetery management software CemSites, formerly TechniServe, used to run Oak Hill and Ottawa Park cemeteries. CemSites minimum license renewal contract is for 2 years for \$16,776, \$8,388 per year. The cost will be evenly split between the 2 cemeteries at \$4,194 each per year. The Purchasing Manager, DPW Director and Deputy Director is requesting that City Council Approves the execution of an agreement with Site Industries LLC DBA CemSites to renew the contract for a 2 year CemSites software license for \$16,776.

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

WHEREAS, the Purchasing Manager is requesting approval to execute a contract with Site Industries LLC DBA CemSites to renew the CemSites software license used to operate Ottawa Park and Oak Hill cemeteries;

NOW, THEREFORE

IT IS RESOLVED: The Pontiac City Council approves the Mayor or Mayor Designee to execute a contract with Site Industries LLC DBA CemSites to renew the CemSites software license used to operate Ottawa Park and Oak Hill cemeteries.

[Home](#)[About Us](#)[Contact Us](#)[Our Team](#)[News](#)[Client Login](#)*It's the service!*

[Home » Solutions » Cemetery-manager](#)

The Cemetery Manager - Comprehensive Cemetery Management Software

[For more solutions, click here!](#)

New! Click here to try out the [Cemetery Manager Software Demo!](#)
We now have the Heritage Preservation Services Demo available as well!

TechniServe offers a complete cemetery information and accounting system that utilizes our comprehensive facilities management and computerization package: **The Cemetery Manager**. Our goal is to work with you on the functional aspects of cemetery management as well as offer you the tools to operate your system.

The Cemetery Manager is a totally *integrated system for cemetery management*. Coupled with our assistance, The Cemetery Manager will serve as the core for your future. Working together we give you the ability to re-organize your staff for maximum productivity while giving your customers the highest rate of service.

Our system is designed to provide you with cost saving measures. Access to work order tracking and sales tools help defray costs and generate new business, ultimately allowing our services to

pay for themselves. Using the system will also allow elimination of duplicate input and system monitored/controlled accountability for the handling of cash receipts.

The Cemetery Manager provides a complete set of tools to assist you with items such as:

- Laser check writing is a by-product of our invoice entry system with automatic updates to your general ledger accounts.
- Comprehensive contract entry program creates general ledger entries, accounts receivable, commission and over-ride computations and trust reports. This program offers the ability to enter directly from your remote locations with central office review and control.
- Burial / cremation order entry system creates burial orders, updates property availability, checks contract payment history, updates trusted items and creates a history file.
- Cash receipts are printed directly from the system for your customers with direct entry to the accounting system and deposit reports to assist your office staff with internal control.

Our facilities management package includes software and hardware support, with ongoing communication equipment maintenance, system monitoring, data archiving, etc.

In addition, we are available for consultation on issues facing your organization and offer recommendations for cost effectiveness. We work to ensure that your cemeteries operate with ease while maintaining control from your central location.

The Cemetery Manager's information and accounting software with comprehensive facilities management includes reasonable program changes and enhancements designed to meet your needs. Wherever possible, we will convert existing data and download to the new programs.

Specific modules of The Cemetery Manager with highlights are listed below:

General Ledger

- Five (5)-position account number
- Departmental breakdown within a company
- Prior year comparisons on both the balance sheet and income statement
- Budgeting sub-module for monthly or annual budgets
- Ability to export data to Lotus or Excel worksheets
- Automatic standard and reversing entries for monthly statement preparation
- Optional comment and memo fields
- Bank reconciliation program

Accounts Payable

- Five (5)-position vendor number
- Accounts payable history reports
- 1099 programs
- Ability to query vendors across companies
- Cash requirements reports
- Invoice detail

Sales / Accounts Receivable

- Sales and cash receipts input from remote locations

- Multi-level commission calculations
- All sales and commissions approved at central office
- Merchandise trust and perpetual care fund calculations and reports
- Funeral director / third party vendor billings
- Marketing profile created on entry
- Sales profiles created by client / contract
- Historical data files

Burial / Cremation Module

- Direct input of burial / cremation information
- Updates to trust items delivered
- Next of kin information
- Permit and permission tracking
- Interment / cremation work order forms

Marketing / Mailing Module

- Mailing list / labels based on statistical information
- Lead tracking
- Follow-up programs and tracking
- Mail / merge with popular word processors
- Sort options including city, zip code, products, etc.

Work Order Module

- Tracking of work order requests and completions
- Ability to monitor staffing needs and work performance
- Collection of sales information from people requesting work
- Reports by type of work requested
- Memo field for special notes, etc.

TechniServe continuously improves The Cemetery Manager software offering our clients the best products that take full advantage of technological developments without sacrificing quality and performance. Internet access to our software is currently available and an upgrade to graphical based entry screens is in progress. As the graphical based screens become available they are integrated for our customers' use. All of these enhancements are included in the monthly maintenance fee.

Our Cemetery Management Team has over 55 years of combined knowledge in cemetery software design, implementation and service. Our professional staff's experience includes: cemetery ownership and management, cemetery trusting and audit assistance, accounting and system development, and effecting organizational change.

To learn more about The Cemetery Manager and other TechniServe services to enhance your organization, call our offices today at (248) 989-0100 or email cemetery@techni-serve.com.

© TechniServe, Inc. 2004 - 2023

LICENSE TERM AGREEMENT – Site Industries, LLC. DBA CemSites

This License Term Agreement (the "Agreement") is made and effective 10/1/2023,

BETWEEN: Site Industries, LLC. DBA CemSites (the "Licensor"), a corporation organized and existing under the laws of the state of Pennsylvania, with its head office located at:

14 Memorial Drive
Perryopolis, PA 15473

AND: City of Pontiac (the "Licensee"), a corporation organized and existing under the laws of the Michigan, with its head office located at:

3136 N. State Rd.
Davison, MI 48423

WHEREAS, Licensor has developed certain computer programs and related documentation more particularly described in the invoice and desires to grant Licensee a license(s) to use the Software.

WHEREAS, Licensee wishes to use the Software under the conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, Licensee and Licensor hereby agree as follows:

1. PRICE AND PAYMENT

1.1 Price

Licensee shall pay the Price in accordance with the payment plan set forth: Total amount due for the first year is \$8,388.00, which includes the first year of annual licensing. Licensing in the amount of \$8,388.00 is due annually. The licensing payment shall be due quarterly in the amount of \$2,097.00 each quarter. Quarterly Payments must be paid via automatic ACH payments. Quarterly payments will be due on the following dates: 10/1/2023, 1/1/2024, 4/1/2024, 7/1/2024, 10/1/2024, 1/1/2025, 4/1/2025, and 7/1/2025. Support will be invoiced monthly at an hourly rate of \$95.00 per hour. Any payment that is not received within five (5) days after its due, shall be deemed a late payment and is subject to the late penalty in part 1.2 of this agreement. The late penalty is not the exclusive remedy the Licensor and it does not wave any other rights that it may have against the licensee in the event of a default. This agreement is solely and exclusively for the license(s) to run the software. Price detail is per user. Licensor shall invoice any additional development costs reasonably incurred by Licensor in the delivery of the Software as they are incurred. Payment shall be made by Licensee to Licensor in full without any right of set-off or deduction, and Licensee shall pay the Price and such costs as set forth in the promissory note and security agreement. In the event that no promissory note and security agreement are signed, all costs shall be due within 30 days from the date of the invoice.

1.2 Late Penalty

Failure by Licensee to pay any amounts invoiced under this Agreement in full in accordance with this Agreement shall make Licensee liable to pay Licensor interest at the rate of 10% per month on the remaining amount due, or at the highest amount permitted by applicable law.

1.3 Security

The amounts contemplated to be paid under the payment plan part 1.1 (\$8,388.00 annually) shall be secured by a promissory note and security agreement. Any amounts financed for the development costs shall be secured by a separate promissory note and security agreement. At the Licensors discretion, the same security agreement may be used to secure both promissory notes.

Authorized Users

2.1 Unauthorized Access

All licensed users must work for and/or actively represent City of Pontiac. No access should be granted otherwise without the written consent of Site Industries, LLC.

3. LIMITATION OF LIABILITY

3.1 Limitation

LICENSOR SHALL HAVE NO LIABILITY WITH RESPECT TO ITS OBLIGATIONS UNDER THIS AGREEMENT OR OTHERWISE FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL, INCIDENTAL OR PUNITIVE DAMAGES EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN ANY EVENT, THE LIABILITY OF LICENSOR TO LICENSEE FOR ANY REASON AND UPON ANY CAUSE OF ACTION SHALL BE LIMITED TO THE LESSER OF THE AMOUNT PAID TO LICENSOR BY LICENSEE UNDER THIS AGREEMENT OR [AMOUNT].

THIS LIMITATION APPLIES TO ALL CAUSES OF ACTION IN THE AGGREGATE, INCLUDING WITHOUT LIMITATION TO BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE, STRICT LIABILITY, MISREPRESENTATIONS, AND OTHER TORTS. BOTH PARTIES UNDERSTAND AND AGREE THAT THE REMEDIES AND LIMITATIONS HEREIN ALLOCATE THE RISKS OF PRODUCT AND SERVICE NONCONFORMITY BETWEEN THE PARTIES AS AUTHORIZED BY APPLICABLE LAWS. THE FEES HEREIN REFLECT, AND ARE SET IN RELIANCE UPON, THIS ALLOCATION OF RISK AND THE EXCLUSION OF CONSEQUENTIAL DAMAGES SET FORTH IN THIS AGREEMENT.

3.2 Force Majeure

Neither party shall be under any liability for any loss or for any failure to perform any obligation hereunder due to causes beyond its control including without limitation industrial disputes of whatever nature, power loss, telecommunications failure, acts of God, or any other cause beyond its reasonable control.

4. TERM AND TERMINATION

4.1 Term

The License granted herein shall remain in effect for a period of two (2) years from the date of receipt of deposit. If the client chooses to move to CemSites software, this contract can be voided on the clients request date.

4.2 Breach and Termination

Licensor may terminate this Agreement and the License, without prejudice to any other remedy Licensor may have, immediately without further obligation or notice to Licensee, in the event of (1) any breach

by Licensee of this Agreement (2) Licensee's making an assignment for the benefit of its creditors, the filing under any voluntary bankruptcy or insolvency law, under the reorganization or arrangement provisions of the United States Bankruptcy Code, or under the provisions of any law of like import in connection with Licensee, or the appointment of a trustee or receiver for Licensee or its property; (3) any breach of any promissory note executed in conjunction with this transaction.

4.3 Early Termination

Licensee is required to provide Licensor written notification of intent to terminate service sixty (60) days in advance of termination date. Early termination will result in a penalty payment that equals current licensing charges incurred during a 1-year term, regardless of the amount of time remaining on the contract. Payment due in full immediately and must be provided along with the writing notification of intent to terminate service. Licensor has no duty to release any data of the Licensor prior to the notice to terminate and the penalty payment. The Licensor shall have sixty (60) days after the notice and payment to deliver the requested data to the licensee.

4.4 Retention of information

In the event that this agreement is terminated for any reason, Licensor is required to retain the Licensees information for sixty (60) days. The Licensee may request the return of its information within the sixty (60) day period, and it will be promptly returned to the Licensee by the Licensor. After the expiration of the sixty (day) day period, the Licensor may discard the information and has no further duty to retain this information.

4.5 Acceleration Clause

In the event that the licensee is in default of any provision of this agreement, the Licensor has the right to accelerate any and all amounts due under this agreement and any other agreement between the parties. Those amounts shall become immediately due and owing and the Licensor has the right to take immediate legal action against the licensee.

4.6 Injunction

In the event that the licensee is in default of any provision of this agreement, the Licensor has the right to an immediate Injunction against the licensee to prevent further loss of proprietary information.

5. HEADINGS

The headings used in this Agreement are for convenience only and are not intended to be used as an aid to interpretation.

6. BINDING AGREEMENT

This Agreement will be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns. Licensee may not assign its rights or obligations under this Agreement without the prior written consent of Licensor.

7. SOLICITATION

Licensee shall not solicit the employment of nor employ any Licensor personnel who has been directly involved in the development, sale, installation, or support of the Software for a period of 5 years from the later of the termination of such individual's employment at Licensor or the last date of Acceptance of any Software.

8. GOVERNING LAW

This Agreement shall be deemed to have been executed in the State of Pennsylvania and will be governed by and construed in accordance with the laws of the State of Pennsylvania. The parties hereby consent to the jurisdiction of the courts of the State of Pennsylvania for the purpose of any action or proceeding brought by either of them in connection with this Agreement.

9. NOTICE

Unless otherwise agreed to by the parties, any notice required or permitted to be given or delivered under this Agreement shall be delivered to the address set forth in this Agreement. Notice shall be deemed to have been received by any party, and shall be effective, (i) on the day given, if personally delivered or if sent by confirmed facsimile transmission, receipt verified or (ii) on the third day after which such notice is deposited, if mailed by certified, first class, postage prepaid, return receipt requested mail.

10. ATTORNEYS' FEES

Licensee shall be responsible for Licensor's reasonable attorneys' fees associated with the enforcement of the terms of this Agreement and/or the collection of any amounts due under this Agreement with accrued interest at the legal rate.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth first above, with full knowledge of its content and significance and intending to be legally bound by the terms hereof.

LICENSOR
Site Industries, LLC, DBA CemSites

LICENSEE
City of Pontiac

Scott L. McAfee, CEO

Al Cooley, Director of Public Works

#5

RESOLUTION



OFFICIAL MEMORANDUM

TO: Honorable City Council President and City Council

FROM: Alexandra Borngesser, Director of Grants & Philanthropy

DATE: October 17th, 2023

RE: **Council resolution to approve a budget amendment to establish budget appropriation in the amount of \$1,958,300.00 to account 285-699-818.000-ARPCPK - Other Professional Services - Community Parks.**

In March of 2021, President Biden signed the American Rescue Plan Act into law. This act is meant to provide aid to both state and local governments, and to promote local communities' recovery and revitalization following the impacts of COVID-19. The City of Pontiac was allocated \$37.7 million from the American Rescue Plan Act. The funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19.

In an effort to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Park Revitalization Program. On November 10th 2022, the Pontiac City Council unanimously approved the Executive Administration's ARPA program budget, allocating \$2,000,000 to establish a Park Revitalization Program for Community Parks, and to fund the administration of the program. Cities with robust park systems experience stronger economies, a decrease in crime, increased property value, and protection from environmental impacts of urban landscapes. The benefit of investing in Pontiac's parks is invaluable and the public will reap those benefits by way of a stronger economy, safer neighborhoods, and a more resilient environment.

The requested budget amendment below will fund a community led design program to build out site plans and concept design for Pontiac's Community Parks.



Council resolution to approve a budget amendment to establish budget appropriation in the amount of \$1,958,300.00 to account 285-699-818.000-ARPCPK - Other Professional Services - Community Parks.

WHEREAS, the City of Pontiac was awarded The City of Pontiac was allocated \$37.7 million from the State and Local Fiscal Recovery Fund(SLFRF) under the American Rescue Plan Act (ARPA), and;

WHEREAS, the funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19, and;

WHEREAS, the City's Executive Administration worked to build a programming budget for the use of its \$37,700,000 in SLFRF funding that reflects the needs of the community, and;

WHEREAS, the Pontiac City Council unanimously approved the Executive Administration's ARPA Program Budget on November 10th, 2022, allocating \$2,000,000 to establish a park revitalization program for community parks, and to fund the administration of the program, and;

WHEREAS, in an effort to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Park Revitalization Program, and;

WHEREAS, the budget amendment will increase the budgeted appropriations in the amount of \$1,958,300.00, representing the a community led design program for Pontiac's Community Parks.

NOW THEREFORE, be it resolved that the City Council hereby approves a budget amendment to establish budget appropriation in the amount of \$1,958,300.00 to account 285-699-818.000-ARPCPK - Other Professional Services - Community Parks.

#6

RESOLUTION



OFFICIAL MEMORANDUM

TO: Honorable City Council President and City Council

FROM: Alexandra Borngesser, Director of Grants & Philanthropy

DATE: October 17th, 2023

RE: Council resolution to approve a budget amendment to establish budget appropriations in the amount of \$78,795.00 to account 285-000-532.000-ARPHRP – Salaries & Wages, \$6,028.00 to account 285-699-715.000-ARPHRP - FICA - City Contribution, \$11,775.00 to account 285-699-716.000-ARPHRP – Medical Insurance, \$5,516.00 to account 285-699-718.500-ARPHRP - MERS Employer Contribution, \$568.00 to account 285-699-719.001-ARPHRP - Dental Insurance, \$10.00 to account 285-699-716.011-ARPHRP – Hearing/Optical, \$928.00 to account 285-699-717.000-ARPHRP - Life Insurance, \$1,000.00 to account 285-699-719.000-ARPHRP - Workers Comp, \$ 759.00 to account 285-699-725.000-ARPHRP - Sick and Vacation Contribution, \$1,200.00 to account 285-699-707.003-ARPHRP - Cell Phone Stipend, \$4,000.00 to account 285-699-957.002-ARPHRP – Training, and \$80,000.00 to account 285-699-818.000-ARPHRP - Other Professional Services.

In March of 2021, President Biden signed the American Rescue Plan Act into law. This act is meant to provide aid to both state and local governments, and to promote local communities' recovery and revitalization following the impacts of COVID-19. The City of Pontiac was allocated \$37.7 million from the American Rescue Plan Act. The funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19.

In to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Home Repair Program. On November 10th 2022, the Pontiac City Council unanimously approved the Executive Administration's ARPA program budget, allocating \$3,622,000 to establish a home repair program and fund the administration of the program. The objective of this program is to help homeowners complete major home repair projects that improve the quality and safety of their housing and increase their chances of remaining in their homes long term.

The requested budget amendment below will fund the building inspector position that currently resides in the Building & Safety division budget. Moving this position and its budget to the Grants Department ARPA budget will allow for greater ease of staff management and support with items related to Human Resources, time management, and materials requests. Additionally, this budget amendment will facilitate the creation of a separate line items to bill lead and asbestos assessments. The Department of Grants & Philanthropy planned for unexpected costs related to ARPA funded programming and budgeted for contingency. This request does not exceed the contingency budget.



Council resolution to approve a budget amendment to establish budget appropriations in the amount of \$78,795.00 to account 285-000-532.000-ARPHRP – Salaries & Wages, \$6,028.00 to account 285-699-715.000-ARPHRP - FICA - City Contribution, \$11,775.00 to account 285-699-716.000-ARPHRP – Medical Insurance, \$5,516.00 to account 285-699-718.500-ARPHRP - MERS Employer Contribution, \$568.00 to account 285-699-719.001-ARPHRP - Dental Insurance, \$10.00 to account 285-699-716.011-ARPHRP – Hearing/Optical, \$928.00 to account 285-699-717.000-ARPHRP - Life Insurance, \$1,000.00 to account 285-699-719.000-ARPHRP - Workers Comp, \$759.00 to account 285-699-725.000-ARPHRP - Sick and Vacation Contribution, \$1,200.00 to account 285-699-707.003-ARPHRP - Cell Phone Stipend, \$4,000.00 to account 285-699-957.002-ARPHRP – Training, and \$80,000.00 to account 285-699-818.000-ARPHRP - Other Professional Services.

WHEREAS, the City of Pontiac was allocated \$37.7 million from the State and Local Fiscal Recovery Fund(SLFRF) under the American Rescue Plan Act (ARPA), and;

WHEREAS, the funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19, and;

WHEREAS, the City’s Executive Administration worked to build a programming budget for the use of its \$37,700,000 in SLFRF funding that reflects the needs of the community, and;

WHEREAS, the Pontiac City Council unanimously approved the Executive Administration’s ARPA Program Budget on November 10th, 2022, allocating \$3,622,000 to establish a home repair program and fund the administration of the program, and;

WHEREAS, in an effort to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Home Repair Program, and;

WHEREAS, the following budget amendment reflects funding for the Pontiac Home Repair Program and associated costs, and;

WHEREAS, the budget amendment will increase the budgeted appropriations in the amount of \$ 190,579.00, representing Pontiac Home Repair Program expenditures for the PHRP Building Inspector salary and additional costs of lead and asbestos assessments.

NOW THEREFORE, be it resolved that the City Council hereby approve a budget amendment to establish budget appropriations in the amount of \$78,795.00 to account 285-000-532.000-ARPHRP – Salaries & Wages, \$6,028.00 to account 285-699-715.000-ARPHRP - FICA - City Contribution, \$11,775.00 to account 285-699-716.000-ARPHRP – Medical Insurance, \$5,516.00 to account 285-699-718.500-ARPHRP - MERS Employer Contribution, \$568.00 to account 285-699-719.001-ARPHRP - Dental Insurance, \$10.00 to account 285-699-716.011-ARPHRP – Hearing/Optical, \$928.00 to account 285-699-717.000-ARPHRP - Life Insurance, \$1,000.00 to account 285-699-719.000-ARPHRP - Workers Comp, \$759.00 to account 285-699-725.000-ARPHRP - Sick and Vacation Contribution, \$1,200.00 to account 285-699-707.003-ARPHRP - Cell Phone Stipend, \$4,000.00 to account 285-699-957.002-ARPHRP – Training, and \$80,000.00 to account 285-699-818.000-ARPHRP - Other Professional Services.

#7

RESOLUTION



OFFICIAL MEMORANDUM

TO: Honorable City Council President and City Council

FROM: Alexandra Borngesser, Director of Grants & Philanthropy

DATE: October 17th, 2023

RE: Council resolution to approve a budget amendment to establish budget appropriations in the amount of \$1,000.00 to account 285-699-902.005-ARPBUS - Public Notices, \$10,000.00 to account 285-699-728.000-ARPBUS – Postage, \$5,000.00 to account 285-699-901.000-ARPBUS - Printing and Bindery Service, \$1,000.00 to account 285-699-745.003-ARPBUS – Events, \$500,000.00 to account 285-699-818.019-ARPBUS - Professional Services -Technical Assistance, \$1,250,000.00 to account 285-699-969.004-ARPBUS - Contribution – Grants, \$750,000.00 to account 285-699-818.020-ARPBUS - Professional Services -Loans, and \$83,000.00 to account 285-699-818.000-ARPBUS - Other Professional Services.

In March of 2021, President Biden signed the American Rescue Plan Act into law. This act is meant to provide aid to both state and local governments, and to promote local communities' recovery and revitalization following the impacts of COVID-19. The City of Pontiac was allocated \$37.7 million from the American Rescue Plan Act. The funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19.

In to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Small Business Program. On November 10th 2022, the Pontiac City Council unanimously approved the Executive Administration's ARPA program budget, allocating \$2,600,000 to establish a small business program and fund the administration of the program. The objective of this program is to help start new, permanent businesses and expand existing businesses in Pontiac by providing tailored assistance throughout the launch and growth process. This program is also meant to address the impacts of COVID-19.

The requested budget amendment below will fund the Pontiac Small Business Program and the administrative costs associated with the program.



Council resolution to approve a budget amendment to establish budget appropriations in the amount of \$1,000.00 to account 285-699-902.005-ARPBUS - Public Notices, \$10,000.00 to account 285-699-728.000-ARPBUS – Postage, \$5,000.00 to account 285-699-901.000-ARPBUS - Printing and Bindery Service, \$1,000.00 to account 285-699-745.003-ARPBUS – Events, \$500,000.00 to account 285-699-818.019-ARPBUS - Professional Services -Technical Assistance, \$1,250,000.00 to account 285-699-969.004-ARPBUS - Contribution – Grants, \$750,000.00 to account 285-699-818.020-ARPBUS - Professional Services -Loans, and \$83,000.00 to account 285-699-818.000-ARPBUS - Other Professional Services.

WHEREAS, the City of Pontiac was allocated \$37.7 million from the State and Local Fiscal Recovery Fund(SLFRF) under the American Rescue Plan Act (ARPA), and;

WHEREAS, the funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize in the wake of COVID-19, and;

WHEREAS, the City’s Executive Administration worked to build a programming budget for the use of its \$37,700,000 in SLFRF funding that reflects the needs of the community, and;

WHEREAS, the Pontiac City Council unanimously approved the Executive Administration’s ARPA Program Budget on November 10th, 2022, allocating \$2,600,000 to establish a small business program and fund the administration of the program, and;

WHEREAS, in an effort to put ARPA funds into action, and to mitigate the impacts of COVID-19 on Pontiac residents, the City has established the Pontiac Small Business Program, and;

WHEREAS, the following budget amendment reflects funding for the Pontiac Small Business Program and associated costs, and;

WHEREAS, the budget amendment will increase the budgeted appropriations in the amount of \$2,600,000.00, representing Pontiac Small Business Program expenditures.

NOW THEREFORE, be it resolved that the City Council hereby approve a budget amendment to establish budget appropriations in the amount of \$1,000.00 to account 285-699-902.005-ARPBUS - Public Notices, \$10,000.00 to account 285-699-728.000-ARPBUS – Postage, \$5,000.00 to account 285-699-901.000-ARPBUS - Printing and Bindery Service, \$1,000.00 to account 285-699-745.003-ARPBUS – Events, \$500,000.00 to account 285-699-818.019-ARPBUS - Professional Services -Technical Assistance, \$1,250,000.00 to account 285-699-969.004-ARPBUS - Contribution – Grants, \$750,000.00 to account 285-699-818.020-ARPBUS - Professional Services -Loans, and \$83,000.00 to account 285-699-818.000-ARPBUS - Other Professional Services.

#8

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council

FROM: Khalfani Stephens, Deputy Mayor

CC: Tim Greimel, Mayor

DATE: October 27, 2023

RE: **Appointment of JoAnne Gurley to Serve as Law Director**

Honorable City Council:

In accordance with Article 4.106 of the City Charter, it is my honor and privilege to recommend the appointment of Ms. JoAnne Gurley as Director of the Law Department.

As you know, the city does not currently have any in-house legal staff. The Mayor and Deputy Mayor jointly follow the myriad of legal items to the best of their ability, but this is a full time job and we believe that the city will be better served having one person dedicated to tracking all legal activity. Additionally, having an in-house person will lesson the need to use outside firms for mundane legal work thus lowering our overall cost. Finally, a dedicated person will result give the Mayor and Deputy Mary more time to focus on building other departments and result in the more timely payment of legal invoices.

Ms. Gurley currently serves as the Assistant City Attorney in Flint and has many years of municipal experience. Before that she worked for the City of Southfield in their cable department.

As such, the following resolution is recommended for your approval.

Enclosed: Resume



CITY OF PONTIAC CITY COUNCIL

**RESOLUTION TO APPROVE THE APPOINTMENT OF JOANNE GURLEY TO SERVER AS
DIRECTOR OF LAW**

WHEREAS, in accordance with Article IV, Chapter 1, Section 4.106 the Mayor may appoint for each department of the executive branch a director who serves at the pleasure of the Mayor as head of the department; and

WHEREAS, in accordance with Article IV, Chapter 1, Section 4.106 such appointment is subject to the approval of Council; and

WHEREAS, JoAnne Gurley has the experience and professionalism necessary to serve as the Director of Law;

NOW THEREFORE, BE IT RESOLVED, in accordance with the appointment procedures provided by law and the City Charter, Ms. JoAnne Gurley is formally appointed, effective November 20, 2023, as the Director of Law for the City of Pontiac and will receive the budgeted salary of \$110,000 for this position.

JoAnne Gurley, Esq.

CAREER OBJECTIVE: A qualified, legal professional with a wealth of local government experience, is seeking a high-level attorney position within a municipality or other governing entity that welcomes driven, efficient and hard-working individuals with strong advocacy and writing skills

PROFILE SUMMARY: My public law career includes extensive knowledge of municipal law, city council and committee governing procedures; rights-of-way issues; state and federal telecommunications rules and regulations; franchise contract renewal procedures; acquisition of Public Education and Government (PEG) fees, management of franchise contracts, small cell tower rules and regulations, informal and formal cable complaint processes, ordinance violation procedures.

In private practice, I have gained excellent results in effectively resolving legal disputes, reviewing contracts, negotiating and drafting legal documents. Successfully working with prosecutors to limit criminal penalties;

Ability to work diligently and compassionately with clients to secure the best legal results. Capable of working independently and/or in a team environment. Proficient abilities in case management;

EDUCATION: State Bar of Michigan Admittance, (Oct. 2012)

Juris Doctorate, University of Detroit Mercy School of Law
(2002-2005)

Bachelors of General Studies, University of Michigan-Ann Arbor
(1985-1989)

PROFESSIONAL AFFILIATIONS:

- State Bar of Michigan
- Michigan Municipal League member
- International Municipal Lawyers Association (IMLA)
- Genesee County Bar Association Member

KNOWLEDGE BASE:

Municipal law and governance
Michigan Home Rules Cities Act
Franchise Agreement Renewal process
Rights-of-ways issues
Small Cell Tower legislation
Pipeline Safety issues

Open Meetings Act
Freedom of Information Act
Cable Communications Policy Act of 1984, 1994
Trained on municipal ordinance violation procedures
Federal Communications Commission-franchise & Public Education and Government (PEG) rulings
Insurance Law
School Mock Trial facilitator (OCBA)

Private practice

- Civil/Criminal law experience
- Drafting pleadings, motions and briefs
- Civil/Criminal trial experience
- Conducting depositions
- Successful negotiating experience

Seminars/Continuing Education (Institute for Continuing Education & State Bar of Michigan courses)

- Litigation/Trial practice workshops
- Labor & Employment law seminars
- Business Law
- Criminal Law
- Professional Development

WORK HISTORY:

Chief Deputy City Attorney, City of Flint (Feb. 2022-current)

- Perform professional legal work on behalf of the City, its department heads, elected officials, and its employee.
- Provide legal advice and guidance to the Human Resources, Planning & Development, Planning Commission, Zoning Board of Appeals, Historic District Commission and Facilities.
- Assist the City Attorney in managing and leading the Law Department, and serves as the City Attorney in the absence of or during the disability of the City Attorney.
- Represent the City in arbitration proceedings
- Draft leases and purchase agreements
- Conducts criminal, civil, and administrative litigation, on behalf of the City and its officials/employees, before local, state, and federal courts/agencies, including engaging in discovery, motion practice, trial, and appeals.
- Manage outside counsel on assigned city cases pertaining to strategy and review billing statements.
- Reviews and authorizes or denies criminal complaints and warrants (including on periodic weekends).
- Engages in settlement negotiations with parties involved in litigation matters.
- Appear in circuit and district court on behalf of the City of Flint in civil and criminal matters
- Reviews and drafts contracts, ordinances, resolutions, and other legal documents.
- Provides legal advice and training to City officials and employees.
- Review, investigate, and process Freedom of Information Act requests, damage claims, and internal complaints.
- Establish and maintain effective working relationships with court personnel, other City officials and employees, opposing counsel, and the general public.
- Assists with management and leadership of the law department and its attorney & non-attorney staff.

Assistant City Attorney, City of Flint, (Dec. 2020-Feb. 2021)

- Appear before state and federal agencies and courts to represent the interests of the City, its departments, agencies, officials, and employees.

- Prosecutes criminal misdemeanors and civil infractions to include determining whether to authorize a warrant, accept plea-bargains, reduce charges, or take a case to trial.
- Serves as on-call attorney for the Flint Police Department on weekends to determine whether or not a complaint and warrant should be authorized.
- Conducts all stages of criminal, civil, and administrative litigation, including but not limited to case review, discovery, motion practice, trial, and appeals.
- Works with, interprets, analyzes and responds to requests for information under the Freedom of Information Act and the Open Meetings Act.
- Prepares drafts, analyzes, reviews and issues opinions concerning legal documents including contracts, agreements ordinances, court documents, resolutions, complaints, summons, and leases and engages in negotiations regarding the same.
- Evaluates, assesses and investigates internal complaints of employees based upon violation of City policies.
- Attends Planning Commission, Zoning Board of Appeals and Historic District Commission meetings and provide legal advice.
- Researches and provides legal advice to City officials, employees, and departments.
- Drafts and reviews legal opinions of the City Attorney.
- Drafts notices, resolutions, and ordinances.
- Provides in-house training pertaining to laws, policies and procedures.
- Maintains records and prepares reports and correspondence related to legal work

Cable Analyst/Writer, City of Southfield (Sep. 2006-Dec. 2020)

- Manage city franchise agreements with Comcast & AT&T
- Serve as Southfield's voting board member for the "Michigan Coalition for Protecting Our Public Rights Of Ways" (**PROTEC**) organization which advocates regionally for municipalities to maintain control of its rights of way
- Review, research, interpret and analyze federal and state laws affecting cablefranchise agreements and rights of way matters
- Provide requested legal support to City Attorney's office on cable-related matters
- Handle internal and external inquiries regarding the franchise agreements
- Advise management on cable-related issues
- Monitor usage of Public, Education and Government (PEG) fees for compliance with state and federal law (PEG fees are the sole funding source for the cable operation)
- Assist residents with resolving cable complaints through informal mediation and/or providing information on the formal Michigan Public Service Commission process
- Act as liaison among city departments, the municipal channel and cable companies to solve billing and service issues or to facilitate the completion of various projects
- Generate program schedule
- Contribute articles to city publications
- Update cable station website

Writer/Project Coordinator, City of Southfield (2000-2006)

- Translate complex information into compelling scripts for municipal cable channel in a time-sensitive manner
- Conceptualize, research and write scripts featuring city departments and community events
- Developed promotional ideas, events and programming for municipal channel
- Produce and write stories for monthly cable newsletter and other city publications
- Design materials to increase viewership and station awareness
- Update the station's website

Television/Radio Producer**(1990-2000)**

I have worked in major market television stations such as Channel 4 (WDIV), Channel 7 (WXYZ) and Channel 50 (WKBD) as well as in mid-market tv stations such as WJRT in Flint, WNWO in Toledo and WWMT in Kalamazoo. I also worked for two Ann Arbor radio stations. While many of my duties were similar, I wanted to provide some highlights of my first career as a news producer before I transitioned to local government. My responsibilities included:

- Hired as an Executive Producer to develop a new 6pm newscast (WNWO)
- Hired to create a new 5pm newscast (WJRT)
- Created Producer Training program (WDIV)
- Decided newscast content for morning, noon and evening news programs
- Generated story ideas for newscasts
- Directed reporters on story elements
- Wrote stories and teases for live and taped news coverage
- Produced special coverage and breaking news content
- Assigned stories to reporters/writers
- Assisted in developing graphics to complement story content
- Field produced stories
- Field reporter covering Ann Arbor and Ypsilanti Council Meetings (WPZA)
- Made beat calls to police agencies to discover potential stories

References available upon request

#9

RESOLUTION



CITY OF PONTIAC

OFFICIAL MEMORANDUM

Executive Branch

TO: Honorable City Council President and City Council

FROM: Mayor Tim Greimel

DATE: October 27, 2023

RE: **Appointment of Melinda Durakovic as the Director of Human Resources (HR)**

Honorable City Council:

In accordance with Article 4.106 of the City Charter, it is my honor and privilege to recommend the appointment of Ms. Melinda Durakovic as the director of the HR Department.

Ms. Durakovic has a wealth of experience in the HR field. She has two decades of progressive experience from generalist to Director. A few of Ms. Durakovic's highlights include the facts that she has directed union negotiations, designed programs to reduce turnover, and developed ways to increase performance efficiency across her organizations.

Ms. Durakovic's skills come to us at a time when the city is in transition. The city has the budget and historic nature of a large organization. The city however did not retain the framework and operating systems from that time. Ms. Durakovic's experience with large employers will be of great assistance as we rebuild our HR department.

Ms. Durakovic comes to us by way of a targeted search from GOVHR.

As such, the following resolution is recommended for your approval.

Enclosed: Resume



CITY OF PONTIAC CITY COUNCIL

**RESOLUTION TO APPROVE THE APPOINTMENT OF MELINDA DURAKOVIC TO SERVE
AS DIRECTOR OF HUMAN RESOURCES**

WHEREAS, in accordance with Article IV, Chapter 1, Section 4.106 the Mayor may appoint for each department of the executive branch a director who serves at the pleasure of the Mayor as head of the department; and

WHEREAS, in accordance with Article IV, Chapter 1, Section 4.106 such appointment is subject to the approval of Council; and

WHEREAS, Melinda Durakovic has the experience and professionalism necessary to serve as the Director of HR; and

WHEREAS, Melinda Durakovic was recommended to the city through a targeted search by GOVHR;

NOW THEREFORE, BE IT RESOLVED, in accordance with the appointment procedures provided by law and the City Charter, Ms. Durakovic is formally appointed, effective immediately, as the Director of Human Resources for the City of Pontiac a will receive the budgeted salary of \$106,090 for this position.

Melinda Durakovic

Experience

Detroit Medical Centers
Human Resources Director

Detroit, MI 3/2023 - Present

Uses independent judgment to implement HR initiatives and services for assigned areas. Applies comprehensive HR knowledge, skills and experiences to resolve short and long-term operational challenges. Assesses measurable outcomes of HR services and projects and develops enhancement strategies for the future tactical and strategic implementation. Consults with senior executive leadership team to identify, plan, and implement HR solutions. Applies extensive knowledge of human resources performance practices, policies, procedures, and services to support Detroit Medical Center objectives. Ensures that the human resources needs of internal and external customers are met. Models customer service and continuous learning to management team. Anticipates opportunities to improve the effectiveness and efficiency of HR services delivery.

- Generates innovative ideas and applies change best practices to ensure desired impact of key initiatives.
- Constantly focuses on the continuous improvement of services and processes.
- Responds to customer's needs in a manner that provides added value and generates significant customer satisfaction.
- Demonstrates the ability to determine key needs, diagnose and address problems and monitor progress with important initiatives and activities.
- Maintains a working knowledge of applicable Federal, State and local laws and regulations, the Corporate Compliance Program, Code of Ethics, as well as other policies and procedures in order to ensure adherence in a manner that reflects honest ethical and professional behavior.
- Applies accepted research/analysis methodologies in order to gather information, compile data results, interpret data and analyze trends. Utilizes intermediate statistical, mathematical and computer skills in analysis and reporting of data to management or interested parties.
- Develops, obtains, and/or administers training programs to educate administration, managers, staff and peers on policies, processes, and procedures.
- Coordinates, implements and administers policies and programs encompassing aspects of HR to include compensation, employee relations, benefits and training.
- Consults, advises and recommends methods, processes and actions to employees, management and administration concerning employee relations matters.
- Works closely with Compensation staff in reviewing special compensation requests, including job evaluations, job descriptions and other elements related to job structure.
- Demonstrates flexibility in applying different approaches to changing work demands
- Develops and maintains a thorough knowledge and understanding of customer organizations.
- Sets realistic objectives for staff, and monitors progress.
- Demonstrates fiscal responsibility through budget management process
- Uses data-driven problem solving approaches
- Incorporates performance improvement tools (root cause analysis, plan do, check, act) and establishes and maintains positive customer relationships
- Provides regular, timely and specific feedback on staff performance through established performance evaluation process.
- Provides appropriate strategies and resources for staff developmental growth.

Tenet Physician Resources (TPR)
Human Resources Manager

Southfield, MI 11/2019-03/2023

As the only Human Resources administrator for the entire Detroit Medical Group, responsible for compensation, EALs, leadership and expertise for full scope of HR functions for salary and non-salaried employees,

- Implemented policies to ensure consistency.
- Employed as the HR manager with an employee base of 1000 to administer and ensure adherence and enforcement of all HR functions.
- Implemented and facilitates in-person New Hire Orientation while adhering to COVID protocols.
- Assisted the recruiters with compensation of Physician Assistant, Nurse Practitioners, and other staff to maintain equity.
- Served as a liaison between management and employees during disciplinary action and dispute resolution.
- Responsible for creating and submitting Personal Change Forms (PCNS) for terminations, increase/decrease in physician draw and new hires of Advanced Practice Providers.
- Maintained Red Carpet which includes inputting I-9s, reviewing new hire forms and submitting to SMART.
- Launched Red Carpet for New Advance Practice Provider and Precheck.
- Coached managers regarding HR policies and procedure related to attendance, transfer, compensation and conditions of employment.

Henry Ford Health Systems
Human Resources Business Partner

Detroit, MI 11/2013 – 05/2019

Responsible for deploying the implementation of Human Resources initiatives for Henry Ford Macomb Hospitals. Leads and drives the support of appropriate HR projects/initiatives, policies and procedures, compensation strategy and planning, and acts a primary HR business partner for multiple departments and the leadership team. Provides direction and support for high level staff/recruiting functions. Addresses development needs and performance management of employees.

- Applied knowledge of the systems goals, business environment, and functional needs to implement and deploy strategic plans; executes strategies and methods in alignment with Henry Ford Health System goals and HR policies and practices.
- Acted as a coach to leaders and offers creative solutions to sensitive issues using multi-disciplined approach.
- Identified training needs for the business unit and individual leadership coaching needs.
- Actively identified gaps, proposes and implement changes necessary to cover risks.
- Worked closely with management and employees to improve work relationships, build morale, and increase engagement.
- Partnered with colleagues across the system, and facilitate change management of the systems programs to ensure consistency, compliance, and engagement across the system. Acts as the performance improvement driver and provokes positive changes in the people management
- Provided sound counsel to both employees and leaders on sensitive HR matters, balancing both employee and leader perspective
- Promoted an environment of positive employee relations, maintaining confidentiality, establishing trust and credibility and demonstrating high-level of integrity.
- Maintained and adhere to internal controls related to annual HR process and all employee relations matters.
- Provided compensation guidance in alignment with Henry Ford Health Systems process.

- Drove performance management culture including management and employee development initiatives.
- Evaluated and analyzed data and information from HR reports to determine HR issues impacting the business unit. Use data (qualitative & quantitative) to identify improvement opportunities and optimize the organization health.

Henry Ford Health Systems
Talent Selection Specialist

Detroit, MI 11/2010 – 11/2013

Responsible for providing the highest level of recruitment and staffing services to Henry Ford Health Systems hiring leaders by delivering top talent.

- Consulted and partnered with key-stakeholders in delivering talent acquisition solutions
- Assisted in developing sourcing strategy from intake/consultation with hiring managers and relay information to Talent Sourcing Specialist.
- Screened/Assessed talent qualifications against client-customer requirements and present/submit candidate profiles to hiring managers/key-stakeholders.
- Managed the candidate interview process resulting in a positive candidate (interview) experience
- Closed candidates within the confinements of compensation plan requirements ensuring high probability and conversion to hire(s).
- Managed and coordinated post-screening communication with candidates through the offer and on-boarding process.
- Participated in post-interview debrief/feedback and post-mortems with interview teams and candidates to ensure the selection of the best candidates.
- Managed full recruitment cycle and meet defined recruiting metric for qualify, cost, cycle time, diversity and compliance/risk, all while providing a world class recruitment experience for candidates and assigned business partners, hiring managers, and senior key-stakeholders throughout the hiring process.
- Inputted new hires data as well as transfers, promotions, etc. in PeopleSoft and ICIMS.
- Facilitated monthly orientation of new hires of Henry Ford Macomb Hospitals.
- Conducted training sessions for Managers, Supervisors and Vice Presidents.
- Engagement consulting with Leadership to increase Gallup scores.

Professional Education Services Group
Substitute Teacher

Caledonia, MI 11/2008 – 10/2010

Responsible for providing students with a safe environment which is conducive to learning and developing positive and healthy relationships.

- Hands-on experience with small and large classes and within various age groups, educational and grade level.
- Created a stimulating learning environment that enhanced students' attention.
- Filled in for absent teachers in emergency and on short and medium term assignments.
- Followed teaching programs set by regular teachers and prepared outlines when necessary.
- Maintained classroom behavior by reinforcing the behavior plan for the school.
- Demonstrated and reinforced social standards for behavior.
- Reinforced skills such as independence, problem solving, and goal setting.

Circle of Life Psychiatric Hospital

Detroit, MI 5/2008 – 10/2008

Team Mental Health Services

Assistant Director, Human Resources

Provided Human Resources services that included staff planning and forecasting, JCAHO preparation, compensation, associate relations, organizational development, trend analysis, training and workforce development.

- Ensured Human Resources compliance with JCAHO and CARF.
- Coordinated recruiting efforts with hiring managers, accepted resumes and applications, conducted interviews, as well as determined the final decision process and compensation.
- Worked closely with other senior leaders on planning, change management, and organizational development.
- Implemented programs to develop strong management across all departments of Hospital.
- Provided coaching to employees and managers on a variety of human resources issues.
- Immediately addressed all complaints, altercations or problems that arise.
- Conducted pre-employment screening on new hires as well as credentialing on new physicians.
- Developed, implemented and interpreted Hospital-wide policies and procedures.
- Assisted the Human Resources Director in updating, reviewing and maintaining all job descriptions and departmental manuals within the Hospital to meet all federal, state and hospital policies and procedures.

North Oakland Medical Centers

Pontiac, MI 6/2002 – 5/2008

Human Resources Generalist

Responsible for many facets of Human Resources that included recruitment, orientation, payroll, organizational development, employment, JCAHO preparation, associate relations, policies and procedures.

- Identified and participated in salary surveys, prepared reports and made salary recommendations to senior management with information gathered.
- Conducted exit interviews and compiled data for feedback for the Director, Human Resources.
- Retrieved reports from the HRIS system (AS400) and analyzed data.
- Recruited and interviewed for positions for all levels of North Oakland Medical Centers.
- Assisted the managers in appropriate compensation for new employees.
- Calculated the yearly EEO data for North Oakland Medical Centers.
- Assisted in investigations of discrimination and harassment claims of current employees.
- Counseled managers on terminations, disciplinary actions, compensation, etc.
- Reviewed and made appropriate revisions to policies and procedures.
- Development and execution of Rewards and Recognition Initiatives.
- Managed Employee Records Maintenance System (ERMS) to uphold compliance with JCAHO and hospital standards.
- Assisted new management in reviewing and implementing new policies that aligned with their mission.
- Administered benefits as well as addressed questions and issues.
- Processed payroll, i.e., wage adjustments, increases, payouts, rate changes, terminations, status changes and retro pay.
- Participated as a member of the NOMC negotiation committee which encompassed multiple union contract negotiations, mediations, and union grievances.
- Distributed and processed retirement paperwork (401a, 403b and 401k) and work as the liaison between employees and vendors.

Education

Central Michigan University

Masters of Science in Administration

Tennessee State University

Bachelor of Science in Speech Language Pathology and Audiology

#10

RESOLUTION



TO: City Council
FROM: Mark Yandrick, Planning Manager
DATE: August 30, 2023, Updated October 11, 2023
RE: Resolution to allow Mayor to Sign Conditional Rezoning Agreement 729 Linda Vista Dr.

Executive Summary

The current owner of the former Mark Twain School, Michelle D'Souza of ACORP Service, LLC requests a Zoning Map Amendment for the future development of a parts assembly building along with workforce development. The request to rezone is from One-Family Dwelling (R-1) to Corridor Commercial (C-3).

The applicant provided a conditional rezoning agreement with two (2) conditions.

With the conditional rezoning (ZMA23-11) that was approved by City Council last week, the City requests approval of this resolution to authorize the Mayor to sign a contract to execute this conditional rezoning agreement.

Proposal

The applicant has voluntarily offered the following two (2) condition in consideration for the City's granting of the rezoning:

- i. The property shall not be utilized for any of the following uses without an applicant receiving a separate Conditional Rezoning approval from the City:
 - a. Automobile Services (Commercial) as defined in the City's Zoning Ordinance
 - b. Bakery or confectionary
 - c. Bar, tavern, or alcohol service establishment
 - d. Child care center or day care center
 - e. Funeral home or mortuary
 - f. Hotel or inn
 - g. Medical marihuana facility
 - h. Personal service establishment as defined in the City's Zoning Ordinance
 - i. Pet boarding facility
 - j. Restaurant
 - k. Retail sales
 - l. Terminal public transportation
 - m. Toxic or hazardous material storage and/or distribution
 - n. Hospital
 - o. Veterinary hospital and/or clinic
 - p. Outdoor retail sales
 - q. Outdoor sidewalk and/or patio dining

- ii. Any and all outdoor storage shall be prohibited on the site.

After City Council approved conditional rezoning (ZMA23-11) at their October 24, 2023 meeting, the City requests approval of this resolution to authorize the Mayor to sign a contract to execute this conditional rezoning agreement, that if approved and once signed, would be recorded on the property.

Per City Ordinance, the applicant would need to receive Site Plan and Building approvals and begin construction within two (2) years of the Rezoning approval. (10/24/2025)

Staff Recommendation

Staff recommends City Council consider approval of the resolution based on the Conditional Rezoning (ZMA23-11) approved by City Council on October 24, 2023.

Attachment:

Conditional Rezoning Agreement
Resolution



**Resolution of the Pontiac City Council
To Authorize Mayor to Execute Conditional Rezoning Agreement regarding
729 Linda Vista Drive.**

Resolution to Authorize Mayor to Execute Conditional Rezoning Agreement regarding 454 Auburn Avenue.

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

PRESENT: _____

ABSENT: _____

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

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend the City of Pontiac Zoning Ordinance Map to conditionally rezone 9.6 acres at 729 Linda Vista Drive (formerly the Mark Twain School); specifically to amend the Zoning Ordinance Map which list 729 Linda Vista Drive from the classification(s) One Family Dwelling (R-1) to Corridor Commercial (C-3) with the Conditional Rezoning Agreement.

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

NOW THEREFORE, BE IT RESOLVED by the Pontiac City Council that it hereby authorizes the Mayor to Execute the Conditional Rezoning Agreement regarding 454 Auburn Avenue.

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

YES:

NO:

ABSTAIN:

THE RESOLUTION WAS THEREUPON DECLARED ADOPTED.

CERTIFICATION

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

Dated: October, ____, 2023

By: _____
Its: City Clerk

**CITY OF PONTIAC
CONDITIONAL REZONING AGREEMENT**

This Conditional Rezoning Agreement (the “**Agreement**”) is made this ____ day of _____, 2023, by and between THE CITY OF PONTIAC, with its offices located at 47450 Woodward Ave., Pontiac, MI 48342 (the “**City**”), and ACORP Services, LLC (“**ACORP**”) with its principal office located at 1601 Valdosta Circle., Pontiac, MI 48340.

THE PARTIES RECITE THAT:

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

729 Linda Vista Dr., Pontiac, MI 48342

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

Parcel Number(s)	Previous Zoning District	Rezoned to the following Zoning District:
14-21-451-002	One-Family Dwelling District (R-1)	Corridor Mixed Use District (C-3)

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

WHEREAS, ACORP submitted the Application for Zoning Map Amendment, which was supplemented by the Offer of Conditions on August 29, 2023, attached as **Exhibit B** (collectively “**Application**”), voluntarily offering, in writing, certain conditions to rezone the Property as set forth in the table above, subject to the conditions of this Agreement; and

WHEREAS, the City Planning Commission on September 6, 2023, held a Public Hearing on the request for Conditional Rezoning and proposed amendment to the City’s Zoning Map Ordinance; and

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

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

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

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

B. **Project Definition.** The Project shall be based on ACORP’s Site Plan Approval Application Submittal Package that is to be submitted subsequent to the approval and execution of this Agreement and is a condition of this Agreement as more fully set forth below. Except as modified herein or pursuant to any variances or deviations approved by the City, the Property shall remain subject to all other zoning and use district regulations of the City Zoning Ordinance, for property zoned Corridor Mixed Use District (C-3), as applicable in accordance with the zoning of each respective parcel as set forth above, and as limited by ACORP’s Offer of Conditions, and shall remain subject to all other requirements of the City’s building, zoning, and other land use regulations.

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

- i. The property shall not be utilized for any of the following uses without prior written approval of the City:
 - a. Automobile Services (Commercial) as defined in the City's Zoning Ordinance
 - b. Bakery or confectionary
 - c. Bar, tavern, or alcohol service establishment
 - d. Child care center or day care center
 - e. Funeral home or mortuary
 - f. Hotel or inn
 - g. Medical marihuana facility
 - h. Personal service establishment as defined in the City's Zoning Ordinance
 - i. Pet boarding facility
 - j. Restaurant
 - k. Retail sales
 - l. Terminal public transportation
 - m. Toxic or hazardous material storage and/or distribution
 - n. Hospital
 - o. Veterinary hospital and/or clinic
 - p. Outdoor retail sales
 - q. Outdoor sidewalk and/or patio dining

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

- i. That the property in question shall not be developed or used in a manner inconsistent with this conditional rezoning agreement.
- ii. That each of the requirements and conditions set forth in this Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved rezoning with conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.

- iii. Nothing in this Agreement shall be construed as replacing the requirement for ACORP to obtain preliminary and final Site Plan, subdivision, condominium, or special land use review and approval, as applicable.

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

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

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

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

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

3. **RECORDATION.** This Rezoning shall become effective following publication in the manner provided by law and recording of the conditional rezoning agreement with the County Register of Deeds.

4. **DEFAULT.** If development and/or actions are undertaken on or with respect to the property in violation of the conditional rezoning agreement, such development and/or actions shall constitute a nuisance per se. In such case, the City may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the conditional rezoning agreement, the City may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates in addition to or in lieu of such other lawful action to achieve compliance. In the event that

ACORP defaults on the condition(s) of this Agreement, then, the City may, at its option and within its sole discretion, terminate this Agreement. In the event that this Agreement is terminated by then, by written notice given by the City to ACORP within three (3) months following such failure by ACORP, the City may, at its option and within its sole discretion, declare the Property to revert back to its previous Zoning District(s) and terminate the approval of any Site Plan for the Project.

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

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

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

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

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

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

11. **NO PERSONAL LIABILITY.** The obligations hereunder of the City and ACORP shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, Board member, agent, employee or partner of any of said entities shall have any personal obligation, responsibility or liability for the performance of the terms of this Agreement.

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

[SIGNATURES COMMENCE ON NEXT PAGE]

WITNESSED:

WITNESSED:

Approved as to Form:

By: _____
Its: _____

SIGNED:

CITY OF PONTIAC

By: _____
Its: _____

By: _____
Its: _____

SIGNED:

ACORP

By: _____
Its: _____

EXHIBIT A

(Legal Description)

T3N, R10E, SEC 21 ASSESSOR'S PLAT NO 13 LOTS 33 TO 37 INCL EXC W 50 FT OF EACH, ALSO EXC N 25 FT OF LOT 37 EXC W 50 FT THEREOF, ALSO LOTS 50 TO 53 INCL, ALSO LOTS 55, 56 & 57, ALSO ALL OF VAC PONTIAC DR ADJ TO SD LOTS

EXHIBIT B

Copy of Application for Conditional Rezoning

(See following pages)

#14

RESOLUTION

**CITY OF PONTIAC
Oakland County, Michigan**

**RESOLUTION TO PROCEED IN CLOSED SESSION
TO DISCUSS THE CONFIDENTIAL LEGAL OPINION AND TO DISCUSS SETTLEMENT IN
CONNECTION WITH PENDING LITIGATION**

RESOLUTION # _____

Minutes of a regular meeting of the City Council for the City of Pontiac, held City Hall, 47450 Woodward Ave, Pontiac, MI on November 2, 2023 at 6:00 p.m., local time.

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

WHEREAS, in September 2022 a complaint relief was filed against the City of Pontiac in the Circuit Court of Oakland County, *Katz v City of Pontiac*, Case No. #22-195877-CH; and

WHEREAS, Section 8(e) of the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consult with its attorney regarding settlement strategy in connection with pending litigation, but only if an open meeting would have a detrimental financial effect on the litigation or settlement position of the City; and

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

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

NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8(e) and 8(h) of the Open Meetings Act, MCL 15.268(e) and (h), to discuss settlement and the confidential legal opinion of counsel in connection with pending litigation, *Katz v City of Pontiac*.

YEAS: Council Members _____

NAYS: Council Members _____

ABSTAIN: Council Members _____

RESOLUTION DECLARED ADOPTED.

Garland Doyle, Clerk
City of Pontiac

CERTIFICATION

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I, Garland Doyle, City Clerk, City of Pontiac, Michigan (the "County") does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on November 2, 2023, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of _____, 2023.

Garland Doyle, Clerk
City of Pontiac

#16

COMMUNICATION



*From Councilwoman
Kathalee W. James*

District #4

Pontiac City Council



Community Holiday Meeting & Celebration



Meeting Details

Date: Monday, November 6, 2023

Location:

**New Mount Moriah International Church
313 Walton Blvd, across from Dollar Tree**

Time: 5:30pm - 7:30pm

Special Guests

State Representative, Brenda Carter

Mayor Tim Greimel

Code Enforcement Manager, Jack McIntyre

Community Policing Team, Sargent Threlkeld

**REFRESHMENTS WILL BE SERVED!
COME OUT AND JOIN US**

**"We're bilding
Community!"**

#29

COMMUNICATION

SAVE THIS DATE

Holiday Extravaganza

communities of:
AUBURN HILLS
PONTIAC
WATERFORD
WHITE LAKE

saturday **DEC. 2nd 2023**
Downtown
PONTIAC

11:00 AM
HOLIDAY PARADE

**NEW TIME!
& MORE FUN!**



JOIN US BEFORE & AFTER THE PARADE...



RUN ELF RUN!

WINTER FUN FESTIVAL

8 AM

SPONSORED BY:



12-3 PM

PRESENTED BY:

Lee INDUSTRIAL CONTRACTING

Oakland County
MICHIGAN
WORKS!

