

March 14, 2023 Approved Minutes

**Official Proceedings
Pontiac City Council
76th Session of the Eleventh Council**

Call to order

A Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, March 14, 2023 at 6:15 p.m. by Council President Pro-Tem William Carrington.

Invocation – Pastor Lawrence Kelsey

Pledge of Allegiance to the Flag of the United States

Moment of Silence

Roll Call

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

Mayor Greimel was present
A quorum was announced.

Excuse Councilmembers

Motion to excuse Councilwoman Melanie Rutherford for personal reasons. Moved by Councilperson Parker and second by Councilperson Goodman.

Ayes: Carrington, Goodman, James, Nicholson and Parker

No: None

Motion Carried

Amendments to and Approval of the Agenda

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

Ayes: Godman, James, Nicholson, Parker and Carrington

No: None

Motion Carried

Consent Agenda

23-96 **Resolution to approve the consent agenda for March 14, 2023.** Moved by Councilperson Parker and second by Councilperson Goodman.

Whereas, the City Council has reviewed the consent agenda for March 14, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for March 14, 2023 including March 6, 2023 Economic Development, Housing and Planning Subcommittee Meeting Minutes and March 7, 2023 City Council Meeting Minutes.

Ayes: James, Nicholson, Parker, Carrington and Goodman

No: None

Resolution Passed

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Subcommittee Reports

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

Council President Mike McGuinness arrived at 6:15 p.m. and presided over the meeting

Special Presentations

Pontiac United Presentation of Beyond Martin and Rosa Black history Month Contest Winners
Presentation Presenter: Tracy Hursh, Sean Preston and Kano Phillips

President McGuinness called for a one-minute recess

Resolutions

Council

23-97

Resolution honoring the Accomplishments of Wrestler Adam

Polk. Moved by Councilperson Carrington and second by Councilperson Parker.

Whereas, it is the sense of this legislative body to honor an outstanding, young adult of remarkable character, who is inspirational and who serves as a role model to others; and,
Whereas, Adam Polk has the unique distinction and privilege of becoming the first athlete at Pontiac high School to place in the MHSAA State Finals three years in a row, after winning the 2021 MHSAA State Championship 120lbs. as a freshman; and,
Whereas, Adam Polk in his sophomore season placed 4th in the MHSAA State Finals, and in his junior season placed 3rd in the State Finals; and,
Whereas, Adam Polk is a Pontiac resident and attends Pontiac High School and is coached by his father Adam Polk , and assistant coach Tyler Evenson; and,
Whereas, Adam Polk's talent did not go unrecognized, as both his parents Adam and Monica Polk were eagerly committed and devoted to his development as a consequence, his father studied the sport and became indoctrinated in wrestling, ultimately becoming his primary coach; and,
Whereas, Adam Polk is an exceptional and accomplished wrestler who was taught to never be selfish and to maintain great sportsmanship-like conduct at all times; and,
Whereas, Adam Polk's other accomplishments, include: Oakland County Runner-up in 2021 and Champion in 2022 and 2023; and 2021 All-MHSAA Dream Team selection, and the 2023 Division-2 Michigan Grappler All-Junior team selection; now,
Therefore, Be It Resolved, that the Pontiac Council, and members of this great community, honor and salute the personal accomplishments and achievements of Adam Polk for a job well done and for truly, representing the City of Pontiac. Congratulations.

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

No: None

Resolution Passed

23-98

Resolution honoring the Accomplishments of Wrestler Cory Thomas, Jr. Moved by

Councilperson Carrington and second by Councilperson Nicholson.

Whereas, it is the sense of this legislative body to honor an outstanding, young adult of remarkable character, who is inspirational and who serves as a role model to others; and,

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Whereas, Cory Thomas, Jr. has the unique distinction and privilege of becoming the Pontiac High School Phoenix State Champion in the MHSAA State Finals, after winning the 2023 MHSAA State Championship at 157lbs. ; and,

Whereas, Cory Thomas, Jr. in his sophomore season placed 3rd in the MHSAA State Finals while attending Novi Detroit Catholic Central; and

Whereas, Cory Thomas, Jr. is a Pontiac resident and attends Pontiac High School and is coached by Adam Polk , and assistant coach Tyler Evenson; and,

Whereas, Cory Thomas, Jr. has supportive parents: Cory and Lilliana Thomas, Sr; who are Corey' Jr.'s #1 fans and,

Whereas, Cory Thomas, Jr. is an exceptional and accomplished wrestler who has laser focus and who maintains great sportsmanship-like conduct at all times; and,

Whereas, Cory Thomas, Jr. other accomplishments, include: Oakland County Champion in 2023 and 2022 Grappler Fall Classic All-American, and the 2023 Division-2 Michigan Grappler All-Junior team selection; now,

Therefore, Be It Resolved, that the Pontiac Council, and members of this great community, honor and salute the personal accomplishments and achievements of Cory Thomas, Jr. for a job well done and for truly, representing the City of Pontiac. Congratulations.

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

No: None

Resolution Passed

Council President Mike McGuinness called for a 30 seconds recess

Recognition of Elected Officials – None

Agenda Address

1. Norman Elam addressed item #11
2. Carlton Jones addressed item #11
3. DeLeah Sharp and Denise Harris addressed item #32
4. Quincy Stewart addressed item #47
5. Dr. Deidre Waterman addressed item #37
6. Matt Gibb addressed item #3
7. Roslyn Northcross addressed item #11
8. Christopher Northcross addressed items #11

Agenda Items

Ordinances

Adoption of an Ordinance to Amend the City Of Pontiac Zoning Ordinance to include Adult-Use Marihuana Businesses in Designated Overlay Districts and Amend Appendix B of the Municipal Code of the City Of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to Create Four (4) Adult-Use Marihuana Overlay Districts Located in the City Of Pontiac, Specifically to be Known as Follows: Adult-Use Marihuana East Walton Overlay District, Adult-Use Marihuana Cesar Chavez Overlay District, Adult-Use Marihuana Downtown Overlay District, And Adult-Use Marihuana Woodward Gateway Overlay District (Second Reading) Moved by Councilperson Nicholson and second by Councilperson Goodman. Discussion

Motion to amend Article 3.1207 D Appendix B the Boundary of the Woodward Overlay District #4 Option A. Moved by Councilperson James and second by Councilperson Carrington.

- 1b. The Woodward Gateway Overlay District shall begin at Huron Street Southbound side of

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Woodward Avenue and continue on for the parcels on the western side to where northbound and southbound Woodward merge into one road, where it continues along both sides of Woodward Avenue and at the end of Nebraska Ave.

Ayes: Carrington, James, McGuinness, and Parker

No: Goodman and Nicholson

Motion Carried

Motion to amend Section 2.303 table 2.1 to allow five (5) Adult Use Retail uses per Overlay District. Moved by Councilperson Carrington and second by Councilperson Goodman. Discussion. Amendment #2 is withdrawn. Councilman Carrington withdrew his motion and Councilman Goodman withdrew his second. Council will deliberate, research and come back to this motion at the next City Council Meeting on March 21, 2023.

Motion to amend Section 2.303 table 2.1 to allow a maximum of one (1) Adult-use Marihuana Social Equity Retailer shall be allowed in each of the four (4) overlay districts.

Discussion. Council will deliberate, research and come back to this motion at the next City Council Meeting on March 21, 2023.

Motion to amend Section 2.553 E (2.) (d.) Marihuana Facilities in the Woodward Gateway Overlay District need not be adjacent to the M-1 or M-2 Zoning Districts. Discussion. Council will deliberate, research and come back to this motion at the next City Council Meeting on March 21, 2023.

Motion to amend Section 3.1208 (B) The Buffer Distance Restrictions Calculations. Moved by Councilperson Carrington and second by Councilperson Nicholson.

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

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

No: None

Motion Carried

Motion to postpone for one week the Adoption of an Ordinance to Amend the City Of Pontiac Zoning Ordinance to include Adult-Use Marihuana Businesses in Designated Overlay Districts and Amend Appendix B of the Municipal Code of the City Of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to Create Four (4) Adult-Use Marihuana Overlay Districts Located in the City Of Pontiac, Specifically to be Known as Follows: Adult-Use Marihuana East Walton Overlay District, Adult-Use Marihuana Cesar Chavez Overlay District, Adult-Use Marihuana Downtown Overlay District, And Adult-Use Marihuana Woodward Gateway Overlay District (Second Reading) Moved by Councilperson Carrington and second by Councilperson James.

Ayes: McGuinness, Nicholson, Parker, Carrington and James

No: None

Motion Carried

Councilman Goodman was absent during the vote

Motion to amend Section 8 sub-section B and sub-section D of the Adult-Use Marihuana Business Licensing Ordinance Rules and Regulations. Move by Councilperson Nicholson and second by Councilperson Carrington.

B. ~~Retailer establishments and Social Equity Retailer establishments located outside the C2 Downtown Adult Use Marihuana Business Overlay District shall be closed for business, and no sale or other distribution of marihuana in any form shall occur upon the premises, between the hours of 10:00 p.m. and 7:00 a.m.~~ Retailer establishments and social Equity Retailer establishments located in the Downtown overlay District shall be closed for business and no sale or other distribution of marihuana in any firm shall occur upon the premises, between the hours of 2:00 a.m. and 7:00 a.m.

D. ~~Drive thru windows at Retailer Establishments and Social Equity retailer Establishments are prohibited.~~ Drive throughs and drive through, walk-up window service, and curbside service shall be a prohibited use for all Retailer Establishments and Social Equity Retailer Establishments.

Ayes: Nicholson, Parker, Carrington, James and McGuinness

No: None

Motion Carried

Councilman Goodman was absent during the vote

Motion to amend Section 17 Class A Microbusinesses and Section 18 Designated Consumption Establishments of the Pontiac Adult-Use Marihuana Business Ordinance. Moved by Councilperson James and second by Councilperson Goodman.

Section 17

E. Class A Microbusinesses are prohibited if the location is within 1,000 feet from any pre-existing School; (i) The distance separation requirement set forth above shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines, at right angles to the centerline, from the primary point of ingress to the School, and from the primary point of ingress to the contemplated location from nearest property line of the Business Location to the nearest property line of the parcel on which the listed use is located, regardless of the ownership of property or Permittee.

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

Section 18

B. Designated Consumption Establishments shall be limited to ~~C2-Downtown Adult Use Marihuana Business~~ Overlay District as identified in the City zoning ordinance and on the City Zoning Map, with three Designated Consumption Establishments permitted north of Huron Street and three Designated Consumption Establishments permitted south of Huron Street.

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

~~C~~ D. Designated Consumption Establishments shall be classified as Special Land uses in the permitted zoning districts.

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

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F. Designated Consumption Establishments are prohibited if the location is within 1,000 feet from any pre-existing School; (i) The distance separation requirement set forth above shall be measured along the centerline of the street or streets of address between two fixed points on the centerline determined by projecting straight lines, at right angles to the centerline, from the primary point of ingress to the School, and from the primary point of ingress to the contemplated location ~~from nearest property line of the Business Location to the nearest property line of the parcel on which the listed use is located~~, regardless of the ownership of property or Permittee.

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

No: None

Motion Carried

Motion to amend Section 17 sub-section F of the Pontiac Adult-Use Marihuana Business Ordinance. Moved by Councilperson Carrington and second by Councilperson Nicholson. Discussion. Amendment #3 is withdrawn. Councilman Carrington withdrew his motion and Councilman Nicholson withdrew his second. Council will deliberate, research and come back to this motion at the next City Council Meeting on March 21, 2023.

Motion to postpone for one week the Adoption of City of Pontiac Adult-use Marihuana Business Ordinance. (Second Reading Postponed from March 7, 2023 City Council Meeting) Moved by Councilperson Carrington and second by Councilperson Nicholson.

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

No: None

Motion Carried

Postponed for one week 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 Specific parcels on Woodward Ave. (ZMA 22-011 for Lighthouse of Oakland County at 46156 Woodward Ave.) (Second Reading Postponed from February 28, 2023 City Council Meeting) Moved by Councilperson Carrington and second by Councilperson Goodman.

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

No: None

Motion Carried

Resolution Continued

Community Development

23-99

Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023. Increase the appropriation in the following GL accounts, 101-690-804.016 – Legal Services – Iron Mountain -\$10,000, 101-690-971.000 – Land Purchase - \$26,500, 101-721-719.001– Dental Insurance - \$1,500, 101-721-721.010 – Healthcare Waiver - \$6,000, 249-371-852.010 – Cable TV Intranet - \$1,200. Moved by Councilperson Parker and second by Councilperson Carrington.

WHEREAS, the Redevelopment and Housing Department has been operating without adequate appropriation for some of the expense line items given below which are essential for the functioning of Redevelopment, Planning, and Building operations; and

WHEREAS, the Senior Accountant of the City of Pontiac has requested a budget amendment for the current fiscal year to increase the appropriation for the following five (5) expense line items for the Redevelopment and Housing Department:

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GL Account number 101-690-804.016 – Legal Services- Iron Mountain - \$10,000 - Reason for amendment - There was no budget appropriation in the current fiscal year for this essential service.

GL Account number 101-690-971.000 – Land Purchase - \$26,500 - Reason for amendment – These purchases were not anticipated, hence, there was no appropriation in the original budget.

GL account number 101-721-719.001 – Dental Insurance - \$1,500 - Reason for amendment - There was no budget appropriation in the current fiscal year for this employee benefit line item.

GL account number 101-721-721.010 - Healthcare Waiver - \$6,000 - Reason for amendment - There was no budget appropriation in the current fiscal year for this employee benefit.

GL Account number 249-371-852.010 – Services – Cable TV / Intranet - \$1,200 - Reason for amendment - There was no budget appropriation in the current fiscal year for this essential service.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget of the City of Pontiac, Michigan for the fiscal year ending June 30, 2023, is hereby amended as follows for the Code Enforcement Division requested by the Administration:

The appropriation for GL Account number 101-690-804.016 – Legal Services- Iron Mountain - shall be increased by \$10,000.

The appropriation for GL account number 101-690-971.000 – Land Purchase - shall be increased by \$26,500.

The appropriation for GL account number 101-721-719.001 – Dental Insurance - shall be increased by \$1,500.

The appropriation for GL account number 101-721-721.010 - Healthcare Waiver - shall be increased by \$6,000.

The appropriation for GL account number 249-371-852.010 – Services – Cable TV / Intranet - shall be increased by \$1,200.

BE IT FURTHER RESOLVED that the total increase in appropriation for these five items (5) for the Code Enforcement Division shall be \$45,200.

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

No: None

Resolution Passed

~~23-100~~ **Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023. Increase the appropriation in the following GL accounts 101-733-702.004 – Overtime Wages -\$20,000, 101-733-749.001 – Motor Fuel, Oil & Lubricants - \$2,000, 101-733-818.006 – Contractual mowing services - \$25,000, 101-733-852.010 – Services – Cable TV/Intranet - \$2,640 (This budget amendment is for the Code Enforcement Division.)** Moved by Councilperson Parker and second by Councilperson Nicholson. Discussion.

Motion to amend the Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023. Increase the appropriation in the following GL accounts 101-733-702.004 – Overtime Wages -\$20,000. Moved by Councilperson Goodman and second by Councilperson Nicholson.

GL Account number 101-733-702.004 - Overtime Wages - ~~\$18,000~~ - \$20,000 - Reason for amendment - to complete the inspection of all the apartment complexes in the City for compliance.

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

No: None

Motion Carried

23-100 **Resolution to authorize the City Clerk to publish the proposed budget amendment for Budget Year 2022-2023. Increase the appropriation in the following GL accounts 101-733-**

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702.004 – Overtime Wages -\$20,000, 101-733-749.001 – Motor Fuel, Oil & Lubricants - \$2,000, 101-733-818.006 – Contractual mowing services - \$25,000, 101-733-852.010 – Services – Cable TV/Intranet - \$2,640 as amended. (This budget amendment is for the Code Enforcement Division.)
Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, the Code Enforcement Division has been operating without adequate appropriation for some of the essential expense line items which are essential for the functioning of Code Enforcement operation; and

WHEREAS, the Senior Accountant of the City of Pontiac has requested a budget amendment for the current fiscal year to increase the appropriation for the following four (4) expense line items for the Code Enforcement Division:

GL Account number 101-733-702.004 - Overtime Wages - \$18,000 - Reason for amendment - to complete the inspection of all the apartment complexes in the City for compliance.

GL Account number 101-733-749.001 - Motor Fuel, Oil & Lubricants - \$2,000 - Reason for amendment – Increase in the vehicle use due to increase in the Code Enforcement activities.

GL account number 101-733-818.006 - Contractual Mowing Services - \$25,000 - Reason for amendment - The current appropriation is not sufficient to cover the cost of mowing due to vigorous enforcement of the code.

GL account number 101-733-852.010 - Services - Cable TV/Intranet - \$2,640 - Reason for amendment - There was no budget appropriation in the current fiscal year for this essential service.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget of the City of Pontiac, Michigan for the fiscal year ending June 30, 2023, is hereby amended as follows for the Code Enforcement Division requested by the Administration:

The appropriation for GL Account number 101-733-702.004 - Overtime Wages - shall be increased by \$18,000.

The appropriation for GL Account number 101-733-749.001 - Motor Fuel, Oil & Lubricants - shall be increased by \$2,000.

The appropriation for GL account number 101-733-818.006 - Contractual Mowing Services - shall be increased by \$25,000.

The appropriation for GL account number 101-733-852.010 - Services - Cable TV/Intranet - shall be increased by \$2,640.

BE IT FURTHER RESOLVED that the total increase in appropriation for these four (4) items for the Code Enforcement Division shall be \$47,640.

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

No: None

Resolution Passed

DPW

23-101 **Resolution to approve a Budget Amendment for Department of Public Works Engineering Services in the amount of \$360,000.** Moved by Councilperson Parker and second by Councilperson Goodman.

WHEREAS, the DPW is operating without City Engineer and other supporting staff for many months in the current budget year. Hence, acting DPW director has been using Consultant Engineer to perform these engineering functions for DPW and other departments. As the outside Consultants are more expensive than the internal staff, savings in the pay and benefit cost is not enough to offset the cost of external consultants; and,

WHEREAS, this amendment addresses the funding shortfall in the Engineering Services account through the end of this fiscal year; and,

WHEREAS, this budget amendment will decrease the fund balance in the Fund 101 – General Fund by

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\$119,700;

NOW THEREFORE, BE RESOLVED, that the City Council hereby approves the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

This budget amendment allocates the funds in the categories as given below:

101-447-806.000 Engineering Services	\$360,000
101-447-702.000 Salaries & Wages	(\$200,000),
101-447-715.000 FICA City Contribution	(\$15,300),
101-447-718.500 – MERS Employer Contribution	(\$10,000),
101-447-716.000 – Medial Insurance	(\$15,000)
Net Decrease in the General Fund Balance	\$119,700

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

No: None

Resolution Passed

Finance

23-102 **Resolution to approve a Budget Amendment for Finance Department Accounting Support Professional Services in the amount of \$40,000.** Moved by Councilperson Nicholson and second by Councilperson Parker.

WHEREAS, the positions of the Finance Director, Senior Accountant and Grant Accountant positions remain vacant for many months, hence, the Finance department is in dire need of a couple of temporary accounting staff to perform the critical accounting functions such as bank reconciliation, month end close, write adjusting journal entries etc.; and,

WHEREAS, there is a shortfall the in the funding for telephone services: and,

WHEREAS, there is a shortfall in the appropriation in the Professional Service account to pay the Consultants CVHT CPAs; and,

WHEREAS, this budget amendment will decrease the fund balance in the Fund 101 – General Fund by \$40,000;

NOW THEREFORE, BE RESOLVED, that the City Council hereby approves the proposed budget amendment for Fiscal Year 2022-23 as requested by the Administration as given below:

This budget amendment allocates the funds in the categories as given below:

101-201-818.000 Other Professional Services	\$40,000
101-201-851.000 Services–Communication Telephone	\$800
101-206-851.000 Services-Communication Telephone	\$1,600
101-206-819.000 Contractual Temp/PT Labor	\$28,800
101-206-702.000 Salaries & Wages	(\$25,000)
101-206-715.000 FICA City Contribution	(\$1,913)
101-206-718.500 – MERS Employer Contribution	(\$1,250)
101-206-721.010 – Healthcare Waiver	(\$3,037)
Net Decrease in the General Fund Balance	<u>\$40,000</u>

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

No: None

Resolution Passed

23-103 **Resolution to authorize the City Clerk to publish the proposed budget amendment for Fiscal Year 2022-2023 Changes in the Estimated Revenue and the Appropriation in the following GL accounts 101-000-532.000 – Federal Grant Others – (\$10,000,000) 101-000-674.285 – Contribution from ARPA - \$10,000,000, 285-000-532.000-REVLOS – Federal Grants Others – 10,000,000, 285-699-956.101-REVLOS – Contribution to General Fund - \$10,000,000.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, in the budget year 2022-23, the City Council approved the transfer of \$10,000,000 from the ARPA fund to the General Fund revenue to offset the revenue loss due to COVID pandemic; and

WHEREAS, this transfer was budgeted in the incorrect revenue line item in the General Fund; and

WHEREAS, this transfer should have been budgeted in the Fund 285 – ARPA which was established in accordance with the Uniform State Chart of Accounts to track the ARPA grant related transactions; and

NOW THEREFORE, BE RESOLVED, that the City Council hereby authorizes the City Clerk to publish in a newspaper the proposed budget of the City of Pontiac, Michigan for the fiscal year ending June 30, 2023, is hereby amended as follows requested by the Administration as given below:

The Estimated Revenue in GL Account number 101-000-532.000 – Federal Grant Others - shall be decreased by \$10,000,000.

The Estimated Revenue in GL Account number 101-000-674.285– Contribution from ARPA- shall be increased by \$10,000,000.

The Estimated Revenue in GL Account number 285-000-532.000-REVLOS – Federal Grant Others - shall be increased by \$10,000,000.

The appropriation for GL account number 285-699-956.101-REVLOS – Contribution to General Fund - shall be increased by \$10,000,000.

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

No: None

Resolution Passed

23-104 **Resolution to authorize the City Clerk to publish the proposed budget amendment to establish budget appropriations in the amount of \$1,000 to account 285-699-902.005-ARPPRK Public Notices, \$10,000 to account 285-699-728.000-ARPPRK Postage, \$10,000 to account 285-699-901.000-ARPPRK Printing and Bindery Services, \$15,000 to account 285-699-818-.000-ARPPRK Other Professional Services, \$571,428.50 to account 285-699-816.101 Prof. Serv. – District 1, \$571,428.50 to account 285-699-816.102 Prof. Serv. – District 2, \$571,428.50 to account 285-699-816.103 Prof. Serv. – District 3, \$571,428.50 to account 285-699-816.104 Prof. Serv. – District 4, \$571,428.50 to account 285-699-816.105 Prof. Serv. – District 5, \$571,428.50 to account 285-699-816.106 Prof. Serv. – District 6, \$571,428.50 to account 285-699-816.107 Prof. Serv. – District 7.** Moved by Councilperson Nicholson and second by Councilperson Parker.

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

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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 \$4,000,000 to establish a park revitalization program for neighborhood and mini 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 following budget amendment reflects funding for the Pontiac Park Revitalization Program and associated costs, and;

WHEREAS, the budget amendment will increase the budgeted appropriations in the amount of \$4,035,999.50, representing the Pontiac Home Repair Program expenditures.

NOW THEREFORE, be it resolved that the City Council hereby authorizes the City Clerk to publish the proposed budget amendment to establish budget appropriations in the amount of \$1,000 to account 285-699-902.005-ARPPRK Public Notices, \$10,000 to account 285-699-728.000-ARPPRK Postage, \$10,000 to account 285-699-901.000-ARPPRK Printing and Bindery Services, \$15,000 to account 285-699-818.000-ARPPRK Other Professional Services, \$571,428.50 to account 285-699-816.101 Prof. Serv. – District 1, \$571,428.50 to account 285-699-816.102 Prof. Serv. – District 2, \$571,428.50 to account 285-699-816.103 Prof. Serv. – District 3, \$571,428.50 to account 285-699-816.104 Prof. Serv. – District 4, \$571,428.50 to account 285-699-816.105 Prof. Serv. – District 5, \$571,428.50 to account 285-699-816.106 Prof. Serv. – District 6, \$571,428.50 to account 285-699-816.107 Prof. Serv. – District 7.

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

No: None

Resolution Passed

23-105 **Resolution to authorize the City Clerk to publish the proposed budget amendment to establish budget appropriations in the amount of \$60,000 to account 285-699-702.000-ARPHRP Salaries and Wages, \$4,590 to account 285-699-715.000-ARPHRP F.I.C.A – City Contribution, \$11,210 to account 285-699-716.000-ARPHRP Medical Insurance, \$4,200 to account 285-699-718.500-ARPHRP MERS Employer Contributions, \$10,000 to account 285-699-728.000 Postage, \$3,000 to account 285-699-901.000-ARPHRP Printing and Bindery Service, \$500 to account 285-699-902.005-ARPHRP Public Notices, and \$1,100,000 to account 285-699-818.000-ARPHRP Other Professional Services.** Moved by Councilperson Parker and second by Councilperson Goodman.

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 \$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;

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WHEREAS, the budget amendment will increase the budgeted appropriations in the amount of \$1,193,500, representing the Pontiac Home Repair Program expenditures.

NOW THEREFORE, be it resolved that the City Council hereby authorizes the City Clerk to publish the proposed budget amendment to establish budget appropriations in the amount of \$60,000 to account 285-699-702.000-ARPHRP Salaries and Wages, \$4,590 to account 285-699-715.000-ARPHRP F.I.C.A – City Contribution, \$11,210 to account 285-699-716.000-ARPHRP Medical Insurance, \$4,200 to account 285-699-718.500-ARPHRP MERS Employer Contributions, \$10,000 to account 285-699-728.000 Postage, \$3,000 to account 285-699-901.000-ARPHRP Printing and Bindery Service, \$500 to account 285-699-902.005-ARPHRP Public Notices, and \$1,100,000 to account 285-699-818.000-ARPHRP Other Professional Services.

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

No: None

Resolution Passed

Public Comment

1. Carlton Jones
2. Beatrice Wright

Closed Session

23-106 **Resolution to proceed in Closed Session at 9:49 p.m. to consult with Legal Counsel regarding Trail or Settlement strategy in connection with Oakland County Circuit Court, Case No. 2021-188116-NO (CASADY AND SULIS V CITY OF PONTIAC, et al.)** Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, the Michigan Open Meetings Act authorizes a public body to meet in Closed Session to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.; and,

NOW THEREFORE BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Section 8(1)(e) of the Open Meetings Act, MCL 15.268(1)(e), to consult with its attorney regarding trial or settlement strategy in connection with Oakland County Circuit Court, Case No. 2021-188116-NO (Casady and Sulis v City of Pontiac, et al.) because an open meeting would have a detrimental financial effect on the City’s litigating or settlement position.

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

No: None

Resolution Passed

Motion to come out of Closed Session at 10:18 p.m. Moved by Councilperson Goodman and second by Councilperson Nicholson.

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

No: None

Motion Carried

Suspend the Rules

Motion to suspend the Rules to consider a Resolution as it relates to Case No. 2021-188116-NO (CASADY AND SULIS V CITY OF PONTIAC, et al.) Moved by Councilperson Parker and second by Councilperson Nicholson.

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

Motion to adopt the Resolution to proceed with Case No. 2021-188116-NO (CASADY AND SULIS V CITY OF PONTIAC, et al.) as advice by Legal Counsel during Closed Session. Moved by Councilperson Carrington and second by Councilperson Parker.

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

Communications

City Council and Mayor's Office

Mayor, Clerk and Council Closing Comments

President Pro-Tem William Carrington, Councilwoman Kathalee James, Councilman William Park Jr. and Council President Mike McGuinness made closing comments.

Adjournment

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

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

Council President Mike McGuinness adjourned the meeting at 10:25 p.m.

Sheila R. Grandison
Deputy City Clerk