

April 25, 2023 Approved Minutes

**Official Proceedings
Pontiac City Council
82nd 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, April 25, 2023 at 6:00 p.m. by Council President Mike McGuinness.

Invocation – Pastor Chris Johnson

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, William Parker, Jr. and Melanie Rutherford

Mayor Greimel was present
A quorum was announced.

Amendments to and Approval of the Agenda

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

Motion to amend the agenda to add a resolution acknowledging International Worker’s Day for the new agenda item #6. Moved by Councilperson Goodman and second by Councilperson Rutherford.

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

Motion Carried

The vote was taken to approve the agenda as amended.

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

Motion Carried

Consent Agenda

23-153 **Resolution to approve the consent agenda for April 25, 2023.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

Whereas, the City Council has reviewed the consent agenda for April 25, 2023.
NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for April 25, 2023 including April 13, 2023 Public Safety, Health and Wellness Subcommittee Meeting Minutes, April 18, 2023 City Council Meeting Minutes and Emergency request to approve the increase for Trailers Contract.

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

Resolution Passed

Special Presentations

Pontiac Case Fire/Anti-Violence Commission Status Report and Recommendations

Presentation Presenter: Megan McDonald, Director of Programs for the National Network for Safe Communities at John Jay College and Kaino Phillips, Chair

Oakland County Prosecutor Office and Racial Justice Advisory Council on Initiatives and Resources

Presentation Presenter: David Williams, Oakland County Prosecutor's Office

\$7.5 Million Awarded to City of Pontiac by State of Michigan for Opdyke Connector Roadwork, Clinton River Trail Surfacing

Recognition of Elected Officials – None

Agenda Address

1. Carlton Jones addressed items #1 and #3
2. Dr. Deirdre Waterman addressed item #9
3. Darlene Clark addressed item #4
4. Gloria Miller addressed item #1

Ordinance

Adoption of a Zoning Text Amendment for Mixed Use District Language Updates including Zoning Text Amendment regulating Donation Bins and Zoning Text Amendment regulating Container Pods. Moved by Councilperson Rutherford and second by Councilperson Nicholson. Discussion. Councilperson Rutherford withdrew her motion and Councilperson Nicholson withdrew his second.

Motion to postpone Adoption of a Zoning Text Amendment for Mixed use District Language Updates including Zoning Text Amendment regulating Donation Bins and Zoning Text Amendment regulating Container Pods for one week. Moved by Councilperson Parker and second by Councilperson James.

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

Motion Carried

Resolutions

City Clerk

23-154

Resolution to recognize Leadership Oakland as a non-profit organization in Pontiac for the purpose of obtaining a Charitable License from the State of Michigan. Moved by Councilperson Rutherford and second by Councilperson Goodman.

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

Resolution Passed

Councilwoman Rutherford was absent during the vote

****See Charitable Gaming License as Exhibit A after the minutes****

City Council

23-155

Resolution Acknowledging International Worker’s Day. (Agenda Add-on) Moved by Councilperson Nicholson and second by Councilperson Goodman.

Whereas, International Worker’s Day (also known as May Day) has a rich history of labor activism and workers’ rights struggles that dates back to the late 19th century;

Whereas, May Day commemorates the Haymarket Affair in Chicago in 1886, when workers were killed and injured while striking for an eight-hour workday and better working conditions;

Whereas, Pontiac, Michigan has a history of labor activism and union organizing, with many workers in the city fighting for fair wages, safe working conditions, and workers’ rights;

Whereas, the COVID-19 pandemic has highlighted the essential role that workers play in keeping our community functioning, and the need to prioritize their health and safety; Whereas, many workers in Pontiac, Michigan continue to face systemic barriers to fair wages, safe working conditions, and workers’ rights, including but not limited to discrimination, wage theft, and unfair labor practices;

Therefore, Be It resolved, that on this International Workers’ Day, the city of Pontiac reaffirms its commitment to supporting and protecting the rights of workers in our community, as well as recognizing the historical significance of May Day and the struggles of workers who fight and sacrificed for better working conditions; and further

Resolved, we call upon all employers in Pontiac to respect workers’ right and to prioritize the health and safety of their employees; and further

Resolved, that the city will continue to support and invest in programs that promote worker training and education, job creation, and economic development that supports good jobs with truly livable wages; and further

Resolved, the city of Pontiac recognizes that the fight for workers’ rights is ongoing and that we must continue to work together to create a more just and equitable society for all.

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

No: None

Resolution Passed

Councilman Parker was absent during the vote

Department of Public Works (DPW)

23-156

Resolution for approval to execute a contract with Action Traffic Maintenance for the City’s right Away Signage Services. Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, The Purchasing Division has completed its due diligence by requesting a contract in accordance with the City’s municipal code, Division II. Purchasing, Section 2-519;

WHEREAS, the Purchasing Manager is requesting to establish a three-year contract with Action Traffic Maintenance for Right Away Signage Services, and that the agreement has an option to renew for year four and five;

NOW, THEREFORE, The Pontiac City Council approves that the mayor executes a three-year agreement, with Action Traffic Maintenance, with an option to renew for year four and five.

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

No: None

Resolution Passed

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Grants

23-157 **Resolution to approve and execute the order form Agreement for the Grants Management Software Amplifund and Alternative Grants Software Solution.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, The Purchasing Division has completed its due diligence by requesting a contract in accordance with the City’s municipal code, Division II. Purchasing, Section 2-519;

WHEREAS, the Purchasing Manager is requesting to establish a three-year agreement with AmpliFund for its Grants Management Software;

NOW, THEREFORE, The Pontiac City Council approves that the mayor executes a three-year agreement, with StreamLink Software doing business as AmpliFund.

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

No: None

Resolution Passed

Public Comment

1. Carlton Jones
2. Marsha Easley
3. Dr. Deirdre Waterman
4. Terri Covington
5. Beatrice Wright
6. Pastor Kathy Dessureau
7. Darlene Clark
8. Gloria Miller

Discussions

Pontiac Deputy Mayor Khalfani Stephens Joins Michigan Municipal League Board of Directors
Pontiac Pride & Beautification 2023 Nominations and Awards Process

Closed Session

23-158 **Resolution to proceed in Closed Session at 9:27 p.m. to consider and discuss the purchase of Real Property and to discuss the Confidential Legal Opinion in connection with the purchase of Real Property; and to discuss Settlement Strategy and Confidential Legal Opinion in connection with pending litigation, Vanguard Equity Management, LLC v. City of Pontiac. (Case No. 2022-197361-CH.** Moved by Councilperson Goodman and second by Councilperson Rutherford.

WHEREAS, Section 8(d) of the Michigan Open Meetings Act provides that a public body may meet in Closed Session to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained; and

WHEREAS, a legal complaint was filed against the City of Pontiac in the Oakland County Circuit Court, Case No. 2022-197361-CH, Vanguard Equity Management, LLC V. City of Pontiac; 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).

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NOW THEREFOR BE IT RESOLVED, the City Council will proceed in Closed Session pursuant to Sections 8(d), 8(e) and 8(h) of the Open Meetings Act, MCL 15.268(d), (e) and (h), to discuss to consider the purchase of certain real property, and the confidential legal opinion of counsel in connection with the purchase of real property; and to discuss settlement strategy and the confidential legal opinion of counsel in connection with pending litigation, Vanguard Equity Management, LLC V. City of Pontiac.

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

No: None

Resolution Passed

Motion to come out of Closed Session at 10:33 p.m. Moved by Councilperson Nicholson and second by Councilperson Rutherford.

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

No: None

Motion Carried

Suspend the Rules

Motion to suspend the rules to amend the agenda to add on a Resolution. Moved by Councilperson Carrington and second by Councilperson Nicholson.

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

No: None

Motion Carried

23-159 **Resolution to approve and authorize the Mayor to execute First Amendment to Purchase Agreement for the purchase of 191 N. Glenwood property (the former McCarroll School) at the revised price of \$355,000. (Agenda add-on)** Moved by Councilperson Nicholson and second by Councilperson Parker.

Now, Therefore, Be It Resolved, that the Pontiac City Council approve and authorize the Mayor to execute First Amendment to Purchase Agreement for the purchase of 191 N. Glenwood property (former McCarroll School) at the revised price of \$355,000.

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

No: None

Motion Carried

Communications

City Council and Mayor's Office

Mayor, Clerk and Council Closing Comments

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

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 11:06 p.m.

Sheila R. Grandison
Deputy City Clerk