

July 11, 2023, Approved Minutes

**Official Proceedings
Pontiac City Council
97th Session of the Eleventh Council**

Invocation – Imam Steve L. Turk

Pledge of Allegiance to the Flag of the United States

Moment of Silence

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, July 11, 2023, at 6:22 p.m. by Council President Mike McGuinness.

Roll Call

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

Mayor Greimel was present.

A quorum was announced.

Excuse Councilmembers

Motion to excuse Councilman Bret Nicholson for personal reasons. Moved by Councilperson Parker and second by Councilperson Carrington.

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

No: None

Motion Carried

Amendments to and Approval of the Agenda

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

Ayes: Goodman, James, McGuinness, Parker and Carrington

No: None

Motion Carried

Consent Agenda

23-252 (A) **Resolution to approve the consent agenda for July 11, 2023.** Moved by Councilperson Carrington and second by Councilperson Parker.

Whereas, the City Council has reviewed the consent agenda for July 11, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for July 11, 2023, including July 6, 2023, City Council Minutes and Resolution scheduling a Special Meeting of the Pontiac City Council.

Ayes: James, McGuinness, Parker, Carrington and Goodman

No: None

Resolution Passed

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23-252 (B) **Resolution scheduling a Special Meeting of the Pontiac City Council.** Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, the Pontiac City Council holds weekly regular meetings per the requirements of the Pontiac City Charter; and,
WHEREAS, the Pontiac City Charter provides for the ability for the City Council to call for a Special Meeting, providing us with the tools to handle additional business that requires a quorum of the City Council to be present; and,
WHEREAS, the City Council is considering applicants for open positions for the staff of the Pontiac City Council offices and is conducting interviews with finalists;
NOW, THEREFORE BE IT RESOLVED, the Pontiac City Council hereby schedules a City Council Special Meeting on Saturday, July 22, 2023 at 8:00 a.m. for the purposes of conducting prospective employee hiring interviews, to be held in the Legislative Conference Room at Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342; and further
RESOLVED, the City Council request the Pontiac City Clerk's office prepare, post, and circulate information of these public meetings as required by State law, City ordinance, and Council rules and procedures.

Ayes: James, McGuinness, Parker, Carrington and Goodman

No: None

Resolution Passed

Subcommittee Reports

1. Communications, Engagement & Operations
2. Economic Development, Housing & Planning
3. Finance & Personnel

Councilwoman Melanie Rutherford arrived at 6:29 p.m.

4. Law & The Courts
5. Parks, Recreation & Public Works
6. Public Safety, Health & Wellness
7. Facilities & Property

Recognition of Elected Officials

1. Beatrice Wright, Precinct Delegate

Agenda Address

1. Carlton Jones addressed item #2
2. Beatrice Wright addressed item #9
3. Tashenia Eason addressed item #9
4. Gloria Miller addressed item #6

Agenda Items

Ordinance

2419 **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 Classifications for a Specific Parcel on the North Side of Walton Boulevard Between Baldwin Avenue and Hollywood Avenue.** Moved by Councilperson Goodman and second by Councilperson Parker.

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

No: McGuinness

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Abstain: Rutherford
Ordinance Adopted

****See Ordinance #2419 as Exhibit A after the minutes**

Resolutions

23-253 **Resolution to approve the First Reading of an Ordinance to amend the City of Pontiac Zoning Ordinance Map to rezone the ten (10) parcels 7.7 acres at 31 N. Astor Street; specifically, to amend the Zoning Ordinance Map which list these properties as R-1 One-Family Dwelling to R-3 Multiple Family Dwelling.** Moved by Councilperson Goodman and second by Councilperson Parker.

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend the City of Pontiac Zoning Ordinance Map to rezone the ten (10) parcels 7.7 acres at 31 N. Astor Street; specifically, to amend the Zoning Ordinance Map which list these properties as R-1 One-Family Dwelling to R-3 Multiple Family Dwelling.

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 adopts the first reading of the amendments as presented to the City Council on July 11, 2023, to the City's Zoning Ordinance Map.

Ayes: Parker, Carrington, Goodman, James and McGuinness
No: Rutherford
Resolution Passed

Community Development

23-254 **Resolution to schedule a Public Hearing for July 25, 2023 to establish an Obsolete Property Rehabilitation District for Parcel Number 14-29-434-023, located at 46 N. Saginaw 46 N. Saginaw HCP, LLC.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

NOW, THEREFORE BE IT RESOLVED, by the Pontiac City Council, that the Pontiac City Council hereby schedules a public hearing to establish an Obsolete Property Rehabilitation District for Parcel Number 14-29-434-023, located at 46 N. Saginaw 46 N. Saginaw HCP, LLC in the City of Pontiac, Oakland County, and State of Michigan, such hearing will be held on July 25, 2023 at 6:00 pm in the Council Chamber on the 2nd floor at 47450 Woodward Ave, Pontiac, Michigan 48342.

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

23-255 **Resolution to enter into a rehabilitation agreement with the Oakland County Land Bank using grant funding.** Moved by Councilperson Carrington and second by Councilperson Rutherford.

WHEREAS, the Oakland County Land Bank owns 79 Oliver Street, Pontiac, MI 48342 (parcel number 14-21-328-017) and 595 N. Perry Street, Pontiac, MI 48342 (parcel number 14-21-376-031) and the Oakland County Treasurer owns 75 Oliver Street, Pontiac, MI 48342 (parcel number 14-21-238-018); and WHEREAS, all three of these properties are in the Modern Housing Historic District; and WHEREAS, the City of Pontiac has received a Rehabilitation Agreement request from the Oakland County Land Bank for 79 Oliver Street and 595 Perry Street to rehabilitate both existing homes; and WHEREAS, the Oakland County Land Bank agrees that should it not complete the renovation of both 79 Oliver Street and 595 N. Perry Street within the 180-day time frame allowed by the City of Pontiac

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Rehabilitation Agreement Ordinance, the Oakland County Land Bank will use available grant funding to fully demolish these two existing structures; and

WHEREAS, the Oakland County Treasurer agrees that 75 Oliver Street will not be rehabilitated and shall be demolished, with funds from the Treasurer's office, within the 180-day timeframe of the Rehabilitation Agreement and the Treasurer's office will combine that property with 79 Oliver Street; and

WHEREAS, the City of Pontiac recognizes that grand funding monies are strictly reimbursable dollars and not funds that can be allotted in advance, the City will waive the requirement of a cash bond; and NOW, THEREFORE BE IT RESOLVED, that the City of Pontiac waives the cash bond requirement for the 79 Oliver Street and 595 Perry Street Rehabilitation Agreement; and

BE IT FURTHER RESOLVED, that the Oakland County Land Bank will use grant funds to demolish either or both 79 Oliver Street and 595 Perry Street should they not rehabilitate the property within the 180-day time frame; and

BE IT FURTHER RESOLVED, that the Oakland County Treasurer will demolish 75 Oliver Street, using funds from its own office, during the 180-day time frame of the Rehabilitation Agreement and combine said property with that of 79 Oliver Street.

Ayes: Carrington, Goodman, James, McGuinness Parker

No: Rutherford

Resolution Passed

Public Comment

1. Carlton Jones
2. Quincy Steward
3. Beatrice Wright
4. Darlene Clark
5. Gloria Miller
6. Robert Cavin, Jr.

Closed Session

23-256 **Resolution to proceed into closed session pursuant to Section 8(d) of the Open Meetings Act, MCL 15.268(d) to consider the purchase or lease of real property.** Moved by Councilperson Rutherford and second by Councilperson Parker. Discussion.

Motion to amend to state that the first "whereas" and "now therefore be it resolved" to receive an update from legal counsel regarding pending litigation involving the city. Moved by Councilperson Parker and second by Councilperson Carrington.

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

No: None

Motion Carried

23-256 **Resolution as amended to proceed into closed session pursuant to Section 8(d) and 8(h) 8(e) of the Open Meetings Act, MCL 15.268(d).** Moved by Councilperson Rutherford and second by Councilperson Parker.

WHEREAS, the City Council wishes to consider the purchase or lease of real property and to receive an update from legal counsel regarding pending litigation involving the city; and

WHEREAS, the Michigan Open Meetings Act Section 8(d) of MCL 15.268 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 such real property is obtained and receive an update.

WHEREAS, the Michigan Open Meetings Act Section 8(e) of MCL 15.268 provides that a public body may meet in closed session to consult with its attorney regarding trial or settlement strategy in

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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(d) and 8(e) of the Open Meetings Act, MCL 15.268.

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

No: None

Motion Carried

Councilman Mikal Goodman left the meeting.

Motion to come out of closed session at 10:18pm. Moved by Councilperson Parker and second by Councilperson James.

Ayes: James, McGuinness, Parker, Rutherford and Carrington

No: None

Motion Carried

Motion to suspend the rules to take up a resolution not currently on the agenda which is Katz v City of Pontiac settlement resolution. Moved by Councilperson Rutherford and second by Councilperson Parker.

Ayes: McGuinness, Parker, Rutherford, Carrington and James

No: None

Motion Carried

Resolution

23-257 **Resolution to authorize the Mayor to execute settlement agreement in connection with the pending litigation, Raymond Katz v City of Pontiac, Oakland Circuit Court Case #2022-195877-CH in accordance with the recommendations of legal counsel presented in closed session and subject to finalization of legal counsel.** Moved by Councilperson Rutherford and second by Councilperson Parker.

The City Council hereby authorizes the Mayor to execute settlement agreement in connection with the pending litigation, Raymond Katz v City of Pontiac, Oakland Circuit Court Case #2022-195877-CH in accordance with the recommendations of legal counsel presented in closed session and subject to finalization of legal counsel.

Ayes: Parker, Rutherford, James and McGuinness

No: Carrington

Resolution Passed

Communications

City Council and Mayor's Office

Mayor, Clerk and Council Closing Comments

Mayor Tim Greimel, Councilman William Parker Jr., Councilwoman Kathalee James, Councilman William Carrington, Councilwoman Melanie Rutherford and Council President Mike McGuinness made closing comments.

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Adjournment

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

Ayes: Parker, Rutherford, Carrington, James and McGuinness

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 10:34 p.m.

Garland S. Doyle
City Clerk

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO. 2419

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 WALTON BOULEVARD BETWEEN BALDWIN AVENUE AND HOLLYWOOD AVENUE.

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 1461 Baldwin, Parcel ID: 14-08-385-024, from C-1 Local Business to C-3 Corridor Commercial.

Provided Legal Description:

T3N, R10E, SEC 8 MARIMONT SUB LOTS 181 TO 184 INCL, ALSO S 1/2 OF VAC ALLEY ADJ TO SAME

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 July 11, 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.