

September 5, 2023, Approved Minutes

**Official Proceedings
Pontiac City Council
106th 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, September 5, 2023, at 6:02 p.m. by Council President Mike McGuinness.

Invocation – Pastor Chris Johnson - All Saints Episcopal Church – 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.

Excuse Councilmembers

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

Ayes: Carrington, Goodman, James, McGuinness, 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 Carrington. Discussion.

Motion to amend agenda and add a resolution as the new item #4 calling on the State of Michigan to remove the Preemption of Local Rent Control. Moved by Councilperson Goodman and second by Councilperson Nicholson.

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

No: None

Motion Carried

Motion to amend the agenda and remove item #B (August 28, 2023, City Council Parks, Recreation, and Public Works Subcommittee Meeting Minutes) from the agenda. Move by Councilperson Nicholson and second by Councilperson Goodman.

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

No: None

Motion Carried

The vote was taken to approve the agenda as amended.

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

No: None

Motion Carried

Consent Agenda

23-317 **Resolution to approve the consent agenda for September 5, 2023.** Moved by Councilperson Parker and second by Councilperson Goodman.

Whereas, the City Council has reviewed the consent agenda for September 5, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for September 5, 2023, including August 22, 2023, City Council Minutes to correct the previously adopted minutes and August 29, 2023, City Council Meeting Minutes.

23-317 (B) **Resolution to Amend August 22, 2023, City Council Meeting Minutes to Correct the Previously Adopted Minutes.** Moved by Councilperson Parker and second by Councilperson Goodman.

WHEREAS, the Pontiac City Council approved its Meeting Minutes for the August 22, 2023, City Council Meeting on August 29, 2023; and,

WHEREAS, the Pontiac City Council Meeting Minutes for August 22, 2023 did not include the names of three individuals who spoke during agenda address; and,

WHEREAS, the Pontiac City Council is amending its August 22, 2023, City Council Meeting Minutes to reflect that Darlene Clark addressed item 1, Gloria Miller addressed item 1 and Patrice Waterman addressed item 1 during agenda address.

NOW THEREFORE, BE IT RESOLVED, that the Pontiac City Council approves the amending of its August 22, 2023, City Council Meeting Approved Minutes to reflect that Darlene Clark addressed item 1, Gloria Miller addressed item 1 and Patrice Waterman addressed item 1 during agenda address.

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

No: Nicholson and Carrington

Resolution Passed

Special Presentations

City of Pontiac Small Business Support American Rescue Plan-Funded Technical Assistance Grants

Service Changes for SMART 450 Woodward Local Pontiac and 462 FAST Woodward Pontiac-Auburn Hills, with the Woodward Avenue & Long Lake Road Stop Added for Both Routes

Recognition of Elected Officials – None

Agenda Address

1. Darlene Clark addressed item #1
2. Gloria Miller addressed item #4

Agenda Items

Ordinance

2422 **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 Two (2) parcels on Orchard Lake Road, on the South Side of Orchard Lake Road between Bagley Street and Congress Street from C-1 Local Business to M-1 Limited Industrial. (Second Reading)** Moved by Councilperson Nicholson and second by Councilperson Carrington.

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

Ordinance Passed

****See Ordinance #2422 as Exhibit A after the minutes****

Resolutions

City Council

23-318

Resolution Calling on the State of Michigan to Remove the Preemption of Local Rent Control. (Agenda add-on) Moved by Councilperson Goodman and second by Councilperson Nicholson.

Whereas, the mission of the Pontiac City Council is to promote the economic, cultural, and physical welfare of Pontiac citizens and residents through the powers and responsibilities given to us by the City Charter; and

Whereas, nearly six-tenths of the households in Pontiac (57%) are renter-occupied; and

Whereas, the Michigan State Housing and Development Authority (MSHDA) found that, as of November 2019, 50% of Michigan rental households are cost-overburdened, which The United States Department of Housing and Urban Development has defined as families who spend more than 30 percent of their household income on housing and “may have difficulty affording necessities such as food, clothing, transportation, and medical care;” and

Whereas, in Pontiac more than half (57%) of our tenants are considered cost burdened; and,

Whereas, the average cost of rent for a one-bedroom apartment in Pontiac is \$1,018 as of January 2023, according to current renter market trends from Rent.com. The United States Census Bureau found that the median income in Pontiac in 2020 was \$27,169 for individuals and \$36,214 for households. This means that an individual making the median income in Pontiac would need to spend roughly 45% of their income on rent alone to afford the average one-bedroom apartment. MSHDA classifies any household spending more than 50% of their income on housing as severely cost-overburdened; and

Whereas, Affordable housing for an individual making the minimum wage of \$10.10 per hour and working full-time should cost no more than \$484.80 per month based on 30% of their income, which is less than half of the average rent for a 1-bedroom apartment in Pontiac, according to current rental market trends. The rental market trends also show that properties with rent under \$700 per month only make up less than 5% of the rental properties in Pontiac. This illustrates a severe lack of affordable housing for individuals making less than the Area Living Wage; and

Whereas, the lack of affordable housing causes financial stress and exacerbates poverty by preventing individuals from saving money for emergencies or for necessary purchases. The financial strain also causes physical stress to Pontiac residents that can result in chronic health problems; and

Whereas, MCL 123.411 prohibits local governments from enacting any resolution or ordinance “that would have the effect of controlling the amount of rent charged for leasing private residential property.” As a result, Pontiac is currently unable to use rent control as a tool to ensure that there is adequate affordable housing for its citizens; and

Whereas, the lack of rent control in Pontiac also contributes to the astounding number of evictions that Pontiac residents experience every year. Prior to the COVID 19 pandemic, eviction cases averaged over 4,000 per year; and

Whereas, Evictions increase poverty, disrupt education, cause mental health issues, and accelerate the cycle of homelessness in Pontiac. These evictions harm individuals and families; especially seniors, people with disabilities and households headed by Black women with young children; and

Whereas, according to a recent study by the University of Michigan, “At the current filing rate, 31% of Pontiac renters will face the threat of eviction this year.” This data is absolutely shocking and illustrates the enormity of the problem that a significant segment of our residents are facing. The eviction problem has reached epidemic proportions, and it requires immediate and effective action from all levels of government; and

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Whereas, Pontiac residents' human rights depend on adequate, affordable housing for all, but our current systems and laws governing housing have a long failed to address the crisis. It is time for more effective policies.

Now, Therefore, Be It Resolved, the Pontiac City Council strongly urges State Representative Brenda Carter and State Senator Jeremy Moss to introduce or sponsor and enact legislation rescinding the ban on rent control laws.

THEREFORE, BE IT FINALLY RESOLVED, that the Pontiac Clerk is directed to send this resolution to the Pontiac delegation of the Michigan State House and Senate, the members of both legislative chambers, Housing committees, and Governor Gretchen Whitmer.

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

No: None

Resolution Passed

Communications

23-319 **Resolution to authorize payment for newsletter printing and delivery to the Original Print Shoppe in the amount of \$12,991.35.** Moved by Councilperson Nicholson and second by Councilperson James.

WHEREAS, the City of Pontiac solicited responses from four vendors to print and deliver a newsletter to residents; and

WHEREAS, four companies responded to the request; and

WHEREAS, one company was able to provide the requested services in the requested time frame at a total cost of \$12,991.35; and

WHEREAS, the total cost included \$7,822.91 for postage.

NOW THEREFORE, BE RESOLVED, City Council hereby authorizes payment to The Original Print Shoppe in the amount of \$12,991.35 for printing and delivery of the newsletter.

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

No: None

Resolution Passed

Councilman Goodman was absent during the vote.

Community Development

23-320 **Resolution to approve the awarding of the bid and execute an agreement for Enterprise Fleet Management Inc. via the Sourcewell Cooperative Purchasing Program not to exceed \$36,486.00. (5 fleet vehicles for building inspectors)** Moved by Councilperson Carrington and second by Councilperson Nicholson.

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.

WHEREAS, the Purchasing Manager is requesting approval to execute a City contract with Enterprise Fleet Management, Inc.

NOW, THEREFORE, The Pontiac City Council approves the Mayor or Mayor Designee to execute a City contract with Enterprise Fleet Management, Inc. as stated herein.

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

No: None

Resolution Passed

Councilman Goodman was absent during the vote.

Department of Public Works (DPW)

23-315 **Resolution to execute an agreement with DLZ for the replacement of the Sheriff Building Cooling Tower for the City of Pontiac. (Postponed from August 29, 2023 City Council Meeting)** Moved by Councilperson Rutherford and second by Councilperson Parker.

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 DLZ to complete the engineering design for the replacement of the Sheriff Building cooling tower no later than November 2023;

NOW, THEREFORE IT IS RESOLVED: The Pontiac City Council approves the Mayor or Mayor Designee to execute a contract with DLZ for the Engineering design of the replacement of the Sheriff Building cooling tower.

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

No: None

Resolution Passed

Councilman Nicholson was absent during the vote.

Grants and Philanthropy

23-321 **Resolution to authorize the Mayor to execute the agreement between the City of Pontiac and the MI Department of Environment, Great Lakes, and Energy for the EGLE High Water Grant award in the amount of \$1,500,000.** Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, the City of Pontiac has been awarded \$1,500,000 from Michigan Department of Environment, Great Lakes, and Energy Water Resources Division State High Water Infrastructure Grant Program in the amount of \$1,500,000; and,

WHEREAS, the grant program requires that the City of Pontiac certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns.

WHEREAS, the Pontiac City Council approved the application for this grant program by way of formal grant agreement on November 15, 2022

WHEREAS, the grant program requires a minimum of 20 percent matching funds.

THEREFORE, BE IT RESOLVED that the Pontiac City Council hereby authorizes the Mayor to execute the agreement between The City of Pontiac and the MI Department of Environment, Great Lakes, and Energy for the EGLE High Water Grant award in the amount of \$1,500,000.

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

No: None

Resolution Passed

23-322 **Resolution to authorize the City Clerk to publish the proposed budget amendment for Fiscal Year 2023-24 to increase budgeted revenues in the amount of \$1,500,000 to account 101-000-539.000 – MIEGLE, and expenditures in the amount of \$1,500,000 to account 101-445-936.000 – MIEGLE, \$75,000 to account 203-463-806.001 – MIEGLE, \$200,000 to account 202-463-818.001- MIEGLE, and \$100,000 to account 101-447-818.001 – MIEGLE.** Moved by Councilperson Nicholson and second by Councilperson James.

WHEREAS, the City of Pontiac has been awarded \$1,500,000 from Michigan Department of Environment, Great Lakes, and Energy Water Resources Division State High Water Infrastructure Grant Program in the amount of \$1,500,000; and,

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WHEREAS, the grant program requires that the City of Pontiac certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns.

WHEREAS, the Pontiac City Council authorized the execution of the grant agreement.

WHEREAS, the grant program requires a minimum of 20 percent matching funds.

NOW THEREFORE, be it resolved that the City Council hereby authorizes the City Clerk to publish the proposed budget amendment to increase budgeted revenues in the amount of \$1,500,000 to account 101-000-539.000-MIEGLE, and expenditures in the amount of \$1,500,000 to account 101-445-936.000-MIEGLE, \$75,000 to account 203-463-806.001-MIEGLE, \$200,000 to account 202-463-818.001-MIEGLE, and \$100,000 to account 101-447-818.001-MIEGLE.

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

No: None

Resolution Passed

23-323 **Resolution to authorize the Mayor to execute the Michigan Indigent Defense Commission Fiscal Year 2024 Grant Agreement.** Moved by Councilperson Parker and second by Councilperson Nicholson.

WHEREAS, the Michigan Indigent Defense Commission (MIDC) has granted the City of Pontiac funding in the amount of \$1,741,055.88 for the period of October 1, 2023, through September 30, 2024. WHEREAS, the total budget is \$1,759,219.93, which includes the required local share contribution of \$18,164.05.

WHEREAS, the FY24 grant award budget is \$1,146,462.12 more than the prior year award.

WHEREAS, the grant program provides funding to the 50th District Court for the purpose of continuing to bring indigent defense systems into compliance with the first four minimum indigent defense standards, MCL 780.993(6).

WHEREAS, the Michigan Indigent Defense Commission Act (MIDC Act), MCL 780.981, et al., requires local funding unites to take over the delivery of indigent defense systems, MCL 780.983(g) and MCL 780.993(10) as specified in standards 1-5.

WHEREAS, the City of Pontiac is the local funding unit for the 50th District Court.

WHEREAS, the MIDC Act requires the City of Pontiac to create, and annual compliance plan and cost analysis required to deliver indigent defense services in compliance with the approved MIDC standards, MCL 780.993(3).

WHEREAS, the MIDC Act requires the MIDC to appropriate funds and provide grant monies to local funding unites for the costs in excess of the local share to continue to provide indigent defense services that comply with the minimum standards established by the MIDC, MCL 780.993(6).

THEREFORE, BE IT RESOLVED that the Pontiac City Council hereby authorizes the Mayor Tim Greimel to execute the agreement between The City of Pontiac and MI Indigent Defense Commission for the grant award with a total budget of \$1,759,219.93.

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

No: None

Resolution Passed

Public Comment

1. Kevin Dyer
2. Dawn Hannah
3. Anita Bow
4. Chuck Johnson
5. Darlene Clark
6. Gloria Miller

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Discussion

Zoning Map Status for 1075 E. Walton Boulevard

Communications

City Council and Mayor's Office

Mayor, Clerk and Council Closing Comments

Mayor Tim Greimel, Councilman Brett Nicholson, Councilman Mikal Goodman, Councilwoman Kathalee James, Councilman William Park Jr., Council President Pro-Tem William Carrington, and Council President Mike McGuinness made closing comments.

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 8:17 p.m.

Garland S. Doyle
City Clerk