

September 19, 2023, Approved Minutes

**Official Proceedings
Pontiac City Council
108th 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 19, 2023, at 6:09 p.m. by Council President Mike McGuinness.

Invocation – Bishop Theresa Lee – New Birth International 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, William Parker Jr., and Melanie Rutherford

Mayor Tim 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 agenda and add a discussion regarding Senior Center Renovations Process after public comment to the agenda. Moved by Councilperson Rutherford and second by Councilperson Parker.

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

Motion Carried

Motion to add a new item #4 Resolution to support Guaranteed Severance Pay Legislation to the agenda. Moved by Councilperson Goodman and second by Councilperson Carrington.

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

Motion Carried

The vote was taken to approve the agenda as amended.

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

Motion Carried

Consent Agenda

23-331 **Resolution to approve the consent agenda for September 19, 2023.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

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WHEREAS, the City Council has reviewed the consent agenda for September 19, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for September 19, 2023, including September 11, 2023, Economic Development, Housing and Planning Subcommittee Minutes, September 12, 2023, City Council Meeting Minutes, September 14, 2023, Finance and Personnel Subcommittee Meeting Minutes, Resolution Reclassifying City Council Office Assistant to Administrative Assistant, Resolution Authorizing the City Clerk to Post Notice of A Budget Amendment for Reclassification of Pontiac City Council Office Assistant to Administrative Assistant, Resolution Authorizing the City Clerk to Post Notice of a Budget Amendment Modifying Salary Range for City Council Outreach Specialist, Resolution Recognizing September 18-24, 2023, as Rail Safety Week, and resolution Celebrating the 100th Anniversary of the Pontiac Lions Club.

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

No: None

Resolution Passed

23-331 (D) **Resolution Reclassifying City Council Office Assistant to Administrative Assistant.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, the Pontiac City Council authorizes the reclassification of the titled position of Office Assistant to Administrative Position and;

WHEREAS, the titled position of Office Assistant has the same duties and responsibilities of, and Administrative Position and title change should be reflective of that and;

WHEREAS, The Pontiac City believes the position of Office Assistant should be reclassified to the Administrative Assistant and;

WHEREAS, it has been determined that the appropriate annual compensation for the Administrative Assistant shall not exceed the amount of \$55,000 and.

NOW THEREFORE, BE IT RE RESOLVED, the Pontiac City Council approves the reclassification of Office Assistant to Administrative Assistant.

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

No: None

Resolution Passed

23-331 (E) **Resolution Authorizing the City Clerk to Post Notice of a Budget Amendment for Reclassification of Pontiac City Council Office Assistant to Administrative Assistant.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

THEREFORE BE IT RESOLVED, Council Resolution to authorize the City Clerk to publish the proposed budget amendment to establish budget appropriations in the total amount of \$16,895 for GL account number 101-101-702.000- Salaries & Wages-shall be increased by \$15,000; The appropriation for GL Account 101-101-715.000 FICA-City Contribution-shall be increased by \$1,150; The appropriation for GL 101-101-718-500 MERS Contribution-shall be increased by \$600.00; The appropriation for GL 101-101-725.000 Sick and Vacation Contribution shall be increased by \$145.00 for the purpose of reclassification of Office Assistant to Administrative Assistant.

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

No: None

Resolution Passed

23-331 (F) **Resolution Authorizing the City Clerk to Post Notice of a Budget Amendment Modifying Salary Range for City Council Outreach Specialist.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

THEREFORE BE IT RESOLVED, That the Pontiac City Council authorizes the City Clerk to publish the proposed budget amendment to establish budget appropriations In the amount of \$8,450 in the following accounts GL account number 101-101-702.000- Salaries & Wages-shall be increased by \$7,500; The appropriation for GL Account 101-101-715.000 FICA-City Contribution-shall be increased by \$575; The appropriation for GL 101-101-718-500 MERS Contribution-shall be increased by \$300; The appropriation for GL 101-101-725.000 Sick and Vacation Contribution shall be increased by \$75 for the purpose of salary range modification for the Outreach Specialist.

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

Resolution Passed

23-331 (G) **Resolution Recognizing September 18-24, 2023, as Rail Safety Week.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, The Pontiac City Council recognizes September 18th to September 24th, 2023, as Rail Safety Week; and
WHEREAS, The Pontiac City Council unequivocally supports highway-rail grade crossing and pedestrian safety programs; and
WHEREAS, it is in the public's interest to raise citizen's awareness of the dangers safety warnings at level crossings and trespassing on rail property to reduce avoidable deaths, injuries and damage caused by incidents involving trains and citizens; and
WHEREAS, on September 18th to September 24th, 2023, and throughout the year, all citizens are encouraged to observe added caution as motorists or pedestrians near tracks or trains; and
WHEREAS, this important observation should lead to greater safety awareness and a reduction in highway-rail grade crossing crashes and pedestrian/railroad incidents; and
NOW, THEREFORE BE IT RESOLVED, that the Members of the Pontiac City Council hereby attest our full support proclaiming September 18th to September 26th, 2023, as Rail Safety Week and we encourage all residents to recognize the importance of rail safety education.

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

Resolution Passed

23-331 (H) **Resolution Celebrating the 100th Anniversary of the Pontiac Lions Club.** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, it is fitting that the Pontiac City Council recognize those exemplary organizations and their remarkable members who, through their unwavering commitment to excellence, are a credit to this City; and
WHEREAS, one such notable organization is the Pontiac Lion's Club, which is celebrating their 100th anniversary; and
WHEREAS, The Lions Club International is the world's largest service club organization with more than 1.4 million members in approximately 46,000 clubs in more than 200 countries and geographically areas around the world; and
WHEREAS, The Pontiac Lion's Club Motto is "We Serve" and they believe everyone deserves a healthy life and they epitomizes the spirit of volunteerism; and
WHEREAS, The Pontiac Lions Club provides health programs that focus on hearing and vision loss, support schools, and eyeglasses recycling centers; and
WHEREAS, The Pontiac Lions Club are volunteers helping, leading, planning and supporting and serving the unique needs of the community; and

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WHEREAS, the members of the Pontiac Lion's Club have worked countless hours to make their communities a vibrant and compassionate place of which every resident can be proud of; and NOW, THEREFORE BE IT RESOLVED, that the Members of the Pontiac City Council and members of this great community pause to specifically honor this fine group and commend the members of the Pontiac Lions Club for their service to the community and wish them well in their future endeavors.

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

No: None

Resolution Passed

Special Presentation

Announcing Pontiac Community Calendar Feature

Presenter: Cody MacPhee, IT Manager and Paula Bridges, Communications Director

Recognition of Elected Officials – Beatrice Wright, Precinct Delegate

Agenda Address

1. Dr. Deirdre Waterman addressed items #D, #E, #F, and item #2
2. Quincy Stewart addressed items #28, #31 and #34
3. Beatrice Wright Addressed items #11, #12 and #15
4. H. Bill Maxey addressed item #6
5. Carlton Jones addressed item #2
6. Darlene Clark addressed item #1
7. Chuck Johnson addressed item #6
8. Gloria Miller addressed every item

Agenda Items

Ordinance

2423 Adoption of an Ordinance to Amend Ordinance 2406 An Ordinance to Allow Adult-Use Marihuana Establishments to Operate in the City of Pontiac Pursuant to the Michigan Regulation And Taxation Of Marihuana Act, Initiated Law 1 of 2018, MC 333.27951 Et Seq.; to Provide for Standards and Procedures to Permit and Regulate Adult-Use Marihuana Establishments; to Provide for the Imposition of Permit Application Fees and Renewal Fees; and to Impose Conditions For The Operation Of Adult-Use Marihuana Establishments. (Second Reading) Moved by Councilperson Carrington and second by Councilperson Parker. Discussion.

Motion to postpone Adoption of an Ordinance to Amend Ordinance 2406 An Ordinance to Allow Adult-Use Marihuana Establishments to Operate in the City of Pontiac Pursuant to the Michigan Regulation And Taxation Of Marihuana Act, Initiated Law 1 of 2018, MC 333.27951 Et Seq.; to Provide for Standards and Procedures to Permit and Regulate Adult-Use Marihuana Establishments; to Provide for the Imposition of Permit Application Fees and Renewal Fees; and to Impose Conditions For The Operation Of Adult-Use Marihuana Establishments for one week. (Second Reading) Moved by Councilperson Carrington and second by Councilperson Parker.

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

No: None

Abstain: Rutherford

Motion Carried

Councilman Nicholson was absent during the vote.

23-332 Resolution to Approve 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, to Change

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the Zoning Classifications for a Specific Parcel on the South Side of Auburn Road Between South Stanford Street and South Francis Avenue, Subject to the Agreed upon Conditions (*Rezoning of the parcel totaling 1.3 acres at 454 Auburn Avenue, with Lighthouse as the applicant*) Moved by Councilperson Goodman and second by Councilperson Rutherford.

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 parcel (64-14-33-205-034) totaling 1.34 acres at 454 Auburn; specifically, to amend the Zoning Ordinance Map which list these properties as C-1 Local Business, C-3, Corridor Commercial, and R-3, Multiple Family Dwelling to R-4 Multiple Family Dwelling Apartment.

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 September 19, 2023, to the City's Zoning Ordinance Map.

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

Resolution Passed

Resolutions

City Council

23-333

Resolution to Support Guaranteed Severance Pay Legislation. (Agenda add-on)

Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, the City of Pontiac recognizes the importance of protecting workers' rights and promoting fair labor practices within our community; and

WHEREAS, Legislation set to be re-introduced by House Majority Whip Representative Abraham Aiyash aims to establish a comprehensive framework for guaranteed severance pay for employees affected by closures, relocations, and mass layoffs; and

WHEREAS, the prospective "relocation, closing, and mass layoff severance pay act" seeks to ensure that employees facing job loss due to factors beyond their control receive appropriate compensation to help them navigate such transitions; and

WHEREAS, the actions of wealthy corporate executives and private equity firms that lead to job destruction in Michigan have a profound impact on working families, our communities, and the local economy; and

WHEREAS, the Art Van mass layoff at the onset of the pandemic, orchestrated by a Wall Street private equity firm, TH Lee, highlighted the disregard for Michiganders and the local workforce, prompting a united effort by workers to stand against such actions and demand accountability; and

WHEREAS, it is imperative to hold corporations accountable for their actions when they destroy jobs in our state, and the introduction of guaranteed severance pay legislation aligns with our commitment to the well-being of our community members; and

WHEREAS, the practices of certain Wall Street private equity firms and corporate CEOs have adversely affected our communities, including instances like the Art Van closure that left thousands of employees without paychecks, health care, and contributed to the burden on local social services; and

WHEREAS, the economic repercussions of mass layoffs with no notice, severance pay, or safety net for workers not only impact the affected employees but also impose a significant financial burden on our state; and

WHEREAS, these challenges compel working families to depend heavily on vital social programs, such as Unemployment Insurance and other essential support systems, highlighting the urgent need for

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measures like Guaranteed Severance Pay legislation that protect our workers and reinforce the strength of our social safety net; and

WHEREAS, the introduction and passage of Guaranteed Severance Pay legislation presents an opportunity to strengthen worker rights, enhance economic stability, and discourage actions by corporate entities that negatively impact our workforce and community; and

NOW, THEREFORE BE IT RESOLVED, that the Pontiac City Council expresses its strong support for the forthcoming House Bill titled the “relocation, closing, and mass layoff severance pay act,” to be re-introduced in the Michigan Legislature; and

BE IT FURTHER RESOLVED that the City Council strongly urges State Representative Brenda Carter and State Senator Jeremy Moss, and members of the Michigan Legislature to carefully consider and swiftly pass this legislation to ensure that workers’ rights are protected, and that employees facing layoffs, relocations, or closures receive fair and just severance pay; and

BE IT FURTHER RESOLVED that the City Council recognizes that this legislation not only supports workers but also contributes to the long-term financial solvency of the state, particularly during economically challenging times when mass job losses burden the state’s social safety net.

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

No: None

Resolution Passed

Grants and Philanthropy

23-334 **Resolution to approve 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 Carrington and second by Councilperson Goodman.

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

No: None

Resolution Passed

Parks and Recreation

23-335 **Resolution approving Pontiac Oaks Park Action Plan. (First Reading)** Moved by Councilperson Rutherford and second by Councilperson Goodman.

WHEREAS, the City of Pontiac has been given the first draft of the Park Action Plan by Oakland County; and,

WHEREAS, The City of Pontiac is to make suggested changes to the Park Action Plan prior to the second reading of the plan; and

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NOW THEREFORE, Oakland County can include the suggested changes to the Park Action Plan and then provide a final copy for the City of Pontiac to approve during the second reading of this document. Doing so will then finalize the transition period of the Interlocal Agreement and as of October 1, 2023, Oakland County will begin overseeing operations and maintenance of the City's Pontiac Oaks Park.

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

Resolution Passed

Purchasing

~~23-336~~

Resolution authorizing the Mayor or Mayor's Designee to execute the contract for Allied Building Service of Detroit, Inc. to purchase the HVAC and Painting Services for Pontiac City Hall. Moved by Councilperson Carrington and second by Councilperson James. Discussion.

Motion to table item #7 Resolution authorizing the Mayor or Mayor's Designee to execute the contract for Allied Building Service of Detroit, Inc. to purchase the HVAC and Painting Services for Pontiac City Hall to later in the meeting. Moved by Councilperson Rutherford and second by Councilperson Parker.

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

Motion Carried

Public Comment

1. Dr. Deirdre Waterman
2. Beatrice Wright
3. H. Bill Maxey
4. Robert Bass
5. Lavonte Travis
6. Regina Campbell
7. Quincy Stewart
8. Carlton Jones
9. Bille Swazer
10. Darlene Clark
11. Chuck Johnson
12. Gloria Miller
13. Bishop Theresa Lee

Discussion

Senior Center Renovations Process (**Agenda add-on**)

Motion to amend Resolution authorizing the Mayor or Mayor's Designee to execute the contract for Allied Building Service of Detroit, Inc. to purchase the HVAC and Painting Services for Pontiac City Hall. Moved by Councilperson Goodman 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 for the Finance Director to sign the Allied Building Service quote for HVAC and Painting Services totaling ~~\$69,873~~; \$30,700.13.

NOW, THEREFORE BE IT RESOLVED, The Pontiac City Council approves the Mayor or Mayor Designee to allow the Finance Director to sign the quotes for Allied Building Service of Detroit, Inc. to

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purchase the HVAC ~~and Painting Services~~ for City Hall.

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

No: None

Motion Carried

Councilwoman Rutherford and Councilman Nicholson were absent during the vote.

23-336 **Amended Resolution authorizing the Mayor or Mayor's Designee to execute the contract for Allied Building Service of Detroit, Inc. to purchase the HVAC and Painting Services for Pontiac City Hall.** Moved by Councilperson Carrington and second by Councilperson James.

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 for the Finance Director to sign the Allied Building Service quotes for HVAC \$30,700.13.

NOW, THEREFORE BE IT Resolved, The Pontiac City Council approves the Mayor or Mayor Designee to allow the Finance Director to sign the quotes for Allied Building Service of Detroit, Inc. to purchase the HVAC for City Hall.

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

No: Rutherford

Resolution Passed

Councilman Nicholson was absent during the vote.

Closed Session

23-337 **Resolution to proceed into closed session at 9:03 p.m. pursuant to MCL 15.268 (d) 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 MCL 15.268 (h) to discuss a written legal opinion prepared by the City Attorney Clark Hill, LLC regarding adult-use marihuana ordinance.** Moved by Councilperson Goodman and second by Councilperson Carrington.

WHEREAS, City Council seeks to adjourn into Closed Session for the following reasons, this Resolution is hereby considered:

1. Under MCL 15.268 (d) 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
2. Under MCL 15.268 (h) to discuss a written legal opinion prepared by the City Attorney Clark Hill LLC regarding adult-use marihuana ordinance.

NOW, THEREFORE, BE IT RESOLVED the City Council will proceed in Closed Session pursuant to the Open Meetings Act MCL 15.268 Section 8(d) 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 section 8(h) to discuss a written legal opinion prepared by the City Attorney Clark Hill LLC regarding adult-use marihuana ordinance.

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

No: None

Resolution Passed

Councilwoman Rutherford and Councilman Nicholson were absent during the vote.

Motion to come out of Closed Session at 10:25 p.m. Moved by Councilperson Rutherford and second by Councilperson Parker.

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

No: None

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Motion Carried

Councilman Goodman was absent during the vote.

Communications

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

Mayor, Clerk and Council Closing Comments

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

Adjournment

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

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

No: None

Motion Carried

Council President Mike McGuinness adjourn the meeting at 10:37 p.m.

Garland S. Doyle
City Clerk