

**Official Proceedings  
Pontiac City Council  
217<sup>th</sup> Session of the Tenth Council**

**Call to order**

A Formal Meeting of the City Council of Pontiac, Michigan was called to order electronically, on Tuesday, March 2, 2021 at 6:00 p.m. by Council President Kermit Williams.

**Invocation** – Hon. Jim Nash, Oakland County Water Commissioner

**Pledge of Allegiance**

**Roll Call**

<b>Members Present</b>	<b>Attendance</b>	<b>Location</b>
Carter	Remotely	Pontiac, Oakland County, MI
Miller	Remotely	Pontiac, Oakland County, MI
Pietila	Remotely	Pontiac, Oakland County, MI
Shramski	Remotely	Pontiac, Oakland County, MI
Taylor-Burks	Remotely	Pontiac, Oakland County, MI
Waterman	Remotely	Pontiac, Oakland County, MI
Williams	Remotely	Pontiac, Oakland County, MI

Mayor Waterman was present.  
Clerk announced a quorum.

**Amendments and Approval of the Agenda**

21-53 **Motion to remove item #8 (Resolution to Remove Council Member Carter as the Council President Pro Tem) from the agenda.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Shramski, Taylor-Burks, Waterman, Williams and Carter  
No: None  
**Motion Carried**

21-54 **Motion to move item #12 (Resolution to authorize the City of Pontiac Wastewater Treatment Facility Drainage District to Issue Series 2021 Refunding Bonds) after approval of the minutes; Defer item #4 (Discussion on the impact of COVID-19 on City Income Tax) for one week; Remove items #6 (Special Presentation on Snow Emergency Plan Update) and #7 (Special Presentation Office of the City Clerk Medical Marihuana Review Process Update) from the agenda; and Add Discussion on the Phoenix Center Discussion after item #12 to the agenda.** Moved by Councilperson Miller and second by Councilperson Waterman.

Ayes: Pietila, Shramski, Taylor-Burks, Waterman, Williams, Carter and Miller  
No: None  
**Motion Carried**

Point of Privilege - Councilwoman Patrice Waterman

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21-55 **Motion to add a Resolution from Councilwoman Waterman to the agenda.** Moved by Councilperson Pietila and second by Councilperson Taylor-Burks.

Ayes: Carter and Pietila

No: Shramski, Taylor-Burks, Waterman, Williams and Miller

**Motion Failed**

President Pro-Tem Randy Carter left the meeting

### **Approval of the Agenda**

21-56 **Motion to approve agenda as amended.** Move by Councilperson Waterman and second by Councilperson Shramski.

Ayes: Taylor-Burks, Waterman, Williams, Miller, Pietila and Shramski

No: None

**Motion Carried**

### **Approval of Minutes**

21-57 **Approve meeting minutes for February 23, 2021.** Moved by Councilperson Taylor-Burks and second by Councilperson Waterman.

Ayes: Waterman, Williams, Miller, Pietila, Shramski and Taylor-Burks

No: None

**Motion Carried**

### **Resolution**

#### **Oakland County Water Resources Commission**

21-58 **Resolution to authorize the City of Pontiac Wastewater Treatment Facility Drainage District to Issue Series 2021 Refunding Bonds.** Moved by Councilperson Taylor-Burks and second by Councilperson Waterman.

Whereas, pursuant to the provision of Chapter 20 of Act No. 40, Public Acts of Michigan, 1956, as amended, the City of Pontiac Wastewater Treatment Facility Drainage District issued its Drain Bonds, Series 2012A (Taxable), dated August 23, 2012, in the original principal amount of \$53,480,000 (the "Prior Bonds"), to defray the cost of acquiring the City of Pontiac Wastewater Treatment Facility, in anticipation of the collection of the several installments against the City of Pontiac (the "City") on Special Assessment Roll No. 1 for the City of Pontiac Wastewater Treatment Facility, as supplemented by the Supplemental Order of the Chairperson of the Drainage Board for the City of Pontiac Wastewater Treatment Facility; and

Whereas, the City has been advised that conditions in the bond market have now improved from the conditions which prevailed at the time the Prior Bonds were sold and that the Prior Bonds could be refunded at a considerable savings to the City; and

Whereas, it is the determination and judgement of this City Council that the Prior Bonds should be refunded to secure for the City the anticipated savings.

Now, Therefore, Be It Resolved by the City Council of the City of Pontiac, Michigan as follows:

1. The City of Pontiac Wastewater Treatment Facility Drainage District is requested and authorized to issue its funding bonds (the "Refunding Bonds") pursuant to the provisions of Act No. 34, Public Acts of Michigan, 2001 as amended, in an amount necessary to refund all or part of the Prior Bonds (as shall be determined by the Drainage Board) and paying the costs of issuing the Refunding Bonds.
2. The proceeds of the Refunding Bonds shall be sufficient to pay the costs of issuing the Refunding Bonds and to establish an Escrow Fund in an amount which will be sufficient to

- pay the principal of and interest on the Prior Bonds that are refunded without further payment by the city.
3. The City agrees and consents to the imposition of a special assessment against the City on a refunding bonds special assessment roll for the payment of the Refunding Bonds.
  4. The Mayor or the Clerk is authorized, if necessary, to file an Application for State Treasurer's Approval to Issue Long-term Securities with respect to the Refunding Bonds.
  5. The Mayor, Clerk and Treasurer are each authorized to approve the circulation of a preliminary and final official statement for the Refunding Bonds, and to cause the preparation of those portions of the preliminary and final official statement for compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule"). The Mayor, Clerk and Treasurer are each authorized to execute and deliver such certificates and to do all other things necessary to effectuate the sale and delivery of the Refunding Bonds.
  6. The Mayor, Clerk and Treasurer are each authorized to execute and deliver in the name and on behalf of the City a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking by the City pursuant to paragraph (b) (5) of the rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate".) the City hereby covenants and agrees that it will comply with and carry out all the provisions of the Continuing Disclosure Certificate.

Ayes: Williams, Miller, Pietila, Shramski and Taylor-Burks

No: None

**Resolution Passed**

Councilwoman Waterman did not vote, lost computer connection

**Discussion**

Phoenix Center

**Subcommittee Reports**

Received Department of Public Works (DPW) – February 19, 2021

Received Public Safety – January 2021

**Discussion**

Mayor Waterman refuses to pay City Clerk Invoices

The Interim City Clerk informed the Council that Mayor Waterman refuses to allow Finance to release the checks to pay the Medical Marijuana Professional Experts. The Clerk stated that the application review process will be suspended until the professional experts are paid.

**Resolution**

**Economic Development**

21-59            **Resolution to schedule a public hearing on the establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road.** Moved by Councilperson Taylor-Burks and second by Councilperson Pietila.

WHEREAS, pursuant to PA 198 of 1974, as amended (M.C.L.A. 207.551 et. seq.), the Pontiac City Council has the authority to establish an Industrial Development District, as defined in M.C.L.A. 207.553(2), within the City of Pontiac;

WHEREAS, 2100 S Opdyke, LLC ("Petitioner") is the owner of that certain real property located in the City of Pontiac and legally described below (the "Property");

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WHEREAS, pursuant to M.C.L.A. 207.554(2), Petitioner is the owner of 100% of the state equalized value of the industrial property located within the proposed Industrial Development District;

WHEREAS, Petitioner has petitioned the Pontiac City Council to establish an Industrial Development District on the Property;

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish the proposed Industrial Development District;

WHEREAS, before adopting a resolution establishing an industrial development district, the legislative body shall give notice by certified mail to the owners of all real property within the proposed industrial development district and shall hold a public hearing on the establishment of the industrial development district at which those owners and other residents or taxpayers of the local governmental unit shall have a right to appear and be heard;

WHEREAS, the Pontiac City Council deems it to be in the public interest of the City of Pontiac to schedule a public hearing to consider the establishment of the Industrial Development District as proposed, and to give notice of such hearing as provided in M.C.L.A. 207.554(4):

NOW, THEREFORE BE IT RESOLVED, by the Pontiac City Council, that the Pontiac City Council hereby schedules a public hearing on the establishment of an industrial development district on the following described parcel of land situated in the City of Pontiac, Oakland County, and State of Michigan, such hearing to be held on March 16, 2021 at 6:00 PM:

LAND IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, BEING PART OF LOTS 8 & 9, A PART OF "ASSESSOR'S PLAT NO. 110", A PART OF SECTION 3, T. 2N., R. 10 E., AS RECORDED IN LIBER 52 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE NORTHEAST PROPERTY CONTROLLING CORNER OF SECTION 3 (AS PREVIOUSLY SURVEYED), T. 2 N., R. 10 E., CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN; THENCE S 00°36'21" W ALONG THE EAST LINE OF SAID SECTION 3, 1215.50 FEET; THENCE N 89°23'39" W 60.00 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTH LINE OF CAMPUS DRIVE (WIDTH VARIES) WITH THE WEST LINE OF OPDYKE ROAD (120 FEET WIDE); THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 1331.66 FEET TO THE POINT OF BEGINNING; THENCE S 00°36'21" W ALONG THE WEST LINE OF OPDYKE ROAD, 728.35 FEET TO A POINT OF DEFLECTION; THENCE S. 00°24'47" E. ALONG THE WEST LINE OF OPDYKE ROAD, 901.82 FEET TO THE NORTHEAST CORNER OF UNIT 5 OF CENTERPOINT BUSINESS CAMPUS CONDOMINIUM, A CONDOMINIUM ACCORDING TO THE MASTER DEED THEREOF RECORDED IN LIBER 16667, PAGE 11, OAKLAND COUNTY RECORDS, AND DESIGNATED AS OAKLAND COUNTY CONDOMINIUM PLAN NO. 1004, AND ANY AMENDMENTS THERETO, AS LAST AMENDED BY EIGHT AMENDMENT TO MASTER DEED RECORDED IN LIBER 35596, PAGE 855, OAKLAND COUNTY RECORDS; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTH LINE OF SAID UNIT 5 AND UNITS 21, 22, 40, AND 24 OF SAID CENTERPOINT BUSINESS CAMPUS CONDOMINIUM: (1) S 89°35'13" W 35.00 FEET, AND (2) N 00°24'47" W 20.00 FEET, AND (3) 210.91 FEET ALONG A CURVE TO THE LEFT (RADIUS 215.00 FEET, CENTRAL ANGLE 56°12'23", LONG CHORD BEARS S 61°29'01" W 202.56 FEET) TO A POINT OF

REVERSE CURVATURE, AND (4) 226.24 FEET ALONG A CURVE TO THE RIGHT (RADIUS 225.00 FEET, CENTRAL ANGLE 57°36'46", LONG CHORD BEARS S 62°11'13" W 216.83 FEET), AND (5) N 89°00'24" W 706.20 FEET; THENCE N 00°59'36" E 1815.00 FEET; THENCE S 89°00'24" E 1080.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,939,980 SQUARE FEET OR 44.536 ACRES OF LAND.

SUBJECT TO ANY EASEMENT AND OR RIGHTS OF WAY RECORDED OTHERWISE.

FURTHER RESOLVED, by the Pontiac City Council, that the Pontiac City Council hereby instructs the Interim Clerk to give notice of such public hearing, by certified mail, to all the owners of all real property within the proposed industrial development district prior to the date of the public hearing.

Ayes: Miller, Pietila, Shramski, Taylor-Burks, Waterman and Williams

No: None

**Resolution Passed**

21-60 **Motion to defer item#10 (Resolution to approve Speculative Building Designation for 2100 S Opdyke, LLC) until public hearing on item #9 (Public Hearing on the Establishment of an Industrial Development District (IDD) for 2100 S. Opdyke Road).** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Miller, Pietila, Shramski, Taylor-Burks, Waterman and Williams

No: None

**Motion Carried**

## **Resolutions**

### **Planning**

21-61 **Resolution to approve Zoning Map Amendment [ZMA 21-01] for PAAJK Holdings LLC at 673 W. Kennett Road, PIN 64-14-18-351-022 from C-4 Suburban Commercial to M-1 Light Manufacturing with [CR] Conditional Rezoning.** Moved by Councilperson Pietila and second by Councilperson Shramski.

Whereas, the City has received an application [ZMA 21-01] for a Zoning Map Amendment with [CR] Conditional Rezoning for 673 W Kennett Road identified as parcel number 64-14-18-351-022 from applicant, PAAJK Holdings LLC, - Patrick Kinaya; and

Whereas, the Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.807 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, in accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On February 3, 2021, a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council to approve the Zoning Map Amendment request for 673 W Kennett Road approving the change from the current C-4 Suburban Commercial to M-1 Light Manufacturing with CR Conditional Rezoning; and

Now, Therefore, Be It Resolved that the City of Pontiac City Council approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 21-01) request for 673 W Kennett Road known

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as parcel number 64-14-18-351-022 to amend the current site zoning C-4 Suburban Commercial to M-1 Light Manufacturing with CR Conditional Zoning.

Be It Further Resolved, that the City of Pontiac City Council authorize the execution of a Conditional Rezoning Agreement with the applicant.

Ayes: Pietila, Shramski, Waterman and Williams

No: Taylor-Burks and Miller

**Resolution Passed**

21-62      **Resolution to approve Zoning Map Amendment [ZMA 21-02] for Select Laboratories LLC at 585 W Kennett Road, PIN 64-14-18-351-023 from C-4 Suburban Commercial to M-1 Light Manufacturing with [CR] Conditional Rezoning.** (*Note: The City Council approved a rezoning from C-4 to M-1 for 585 W Kennett on September 22, 2020.*) Moved by Councilperson Pietila and second by Councilperson Shramski.

Whereas, the City has received an application [ZMA 21-02] for a Zoning Map Amendment with [CR] Conditional Rezoning for 585 W Kennett Road identified as parcel number 64-14-18-351-023 from applicant, Select Laboratories LLC - Patrick Kinaya; and

Whereas, the Planning Division has reviewed the applicant's rezoning request and the requirements set forth by Section 6.807 of the Zoning Ordinance, and the Planning Division has determined the aforementioned request and proposed intended use of the property complies with the City of Pontiac Zoning Ordinance; and

Whereas, in accordance with the procedures outlined in the Zoning Ordinance, Sections 6.802 as it relates to Zoning Map Amendments, the request has undergone the required: Technical Review, Public Hearing, and Planning Commission Recommendation; and

Whereas, On February 3, 2021, a Public Hearing was held and in consideration of public opinion, the Planning Commission recommends City Council to approve the Zoning Map Amendment request for 673 W Kennett Road approving the change from the current C-4 Suburban Commercial to M-1 Light Manufacturing with CR Conditional Rezoning; and

Now, Therefore, Be It Resolved that the City of Pontiac City Council approve the Planning Commission recommendation for the Zoning Map Amendment (ZMA 21-02) request for 585 W Kennett Road known as parcel number 64-14-18-351-023 to amend the current site zoning C-4 Suburban Commercial to M-1 Light Manufacturing with CR Conditional Zoning.

Be It Further Resolved, that the City of Pontiac City Council authorize the execution of a Conditional Rezoning Agreement with the applicant.

Ayes: Shramski and Williams

No: Taylor-Burks, Waterman, Miller and Pietila

**Resolution Failed**

## Mayoral Monthly Reports

Received Personnel Monthly Staff Report

Received Monthly Check Register (**The check register for January 29, 2021 and February 5, 2021 are attached. The check registers for February 12 and 19, 2021 have not been posted on the website**)

City Credit Card Statement (**The statement was not submitted**)

## Public Comment

Seven (7) individuals submitted a public comment read by the City Clerk

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**Mayor, Clerk and Council Closing Comments**

Mayor Waterman, Interim City Clerk Doyle, Legislative Counsel Sharpe, Councilwoman Shramski, Councilwoman Waterman, Councilwoman Taylor-Burks, Councilwoman Miller, Councilwoman Pietila and Council President Williams made closing comments.

**Adjournment**

President Kermit Williams adjourned the meeting at 8:44 p.m.

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GARLAND S DOYLE  
INTERIM CITY CLERK