

**Official Proceedings
Pontiac City Council
105th Session of the Tenth Council**

A Study Session of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, July 16, 2019 at 6:02 p.m. by Council President Kermit Williams.

Call to Order

Roll Call

Members Present: Carter, Miller, Waterman and Williams. Pietila and Taylor-Burks arrived at 6:04 p.m.

Members Absent: Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-357 **Excuse Councilperson Don Woodard for personal reasons.** Moved by Councilperson Waterman and second by Councilperson Pietila.

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

No: None

Motion Carried.

19-358 **Motion to add an agenda item on an Easement for United Shore and an add-on Resolution for the Cable Division to the agenda and remove item #18 (discussion on Local Street Improvement Project.)** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

Ayes: Taylor-Burks, Waterman, Williams, Carter and Miller

No: Pietila

Motion Carried.

19-359 **Approval of the agenda with amendments.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: None

Motion Carried.

19-360 **Approval of meeting minutes for July 9, 2019.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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

No: None

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Motion Carried.

Thirteen (13) individuals addressed the body during public comment.

Discussions

Perry Street Road Diet Summary

Since litigation will not be pursued at this time, the Mayor and Council agreed that the Mayor's Administration will talk to MDOT about having the bike lanes removed. The six month trial period has ended. The Mayor stated that it did not work. The City Council approved a resolution to have the bike lanes removed on June 11, 2019.

Pontiac Youth Recreation and Enrichment Center (PYREC) Management Changes and Participants Update

Cable

Ordinance

First Reading: An Ordinance to allow Redevelopment Liquor Licenses and Conditions for Issuance and Operations

19-361 **Suspend the Rules.** Move by Councilperson Taylor-Burks and second by Councilperson Waterman.

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

No: None

Motion Carried.

19-362 **Resolution to consider appeal from A&S Kajy Enterprise, Inc., parcel #64-14-16-402-030, also known as 1124 Joslyn Avenue; regarding Planning Commission's denial of their Special Exception Permit application to sell packaged liquor at 1124 Joslyn Avenue. (This item is from the July 9, 2019 Council Meeting.)** Moved by Councilperson Miller and second by Councilperson Carter. There was discussion on clarifying which Resolution the Council passed. Did they passed the approval or denial for the said resolution? **Council rescind the previous vote.**

19-363 **Motion to rescind the previous vote.** Moved by Councilperson Carter and second by Councilperson Taylor-Burks.

Ayes: Carter, Miller, Taylor-Burks, and Williams

No: Pietila

Motion Carried.

Councilwoman Patrice Waterman was absent during the vote.

Councilwoman Mary Pietila and Councilwoman Patrice Waterman left the meeting.

19-364 **Resolution to approve Appeal 19-03 Special Exception Permit application to sell packaged liquor at 1124 Joslyn Avenue from A&S Kajy Enterprise, Inc., parcel #64-14-16-402-030.** Moved by Councilperson Carter and second by Councilperson Miller.

Whereas, the City has received an application for a Special Exception Permit for parcel #64-14-16-402-030, also known as 1124 Joslyn Avenue for the Applicant, A&S Kajy Enterprise, Inc., and;

Whereas, the Planning Division has reviewed the applicant's Special Exception Permit request to sell packaged alcoholic beverages with a Special Designated Distributor [SDD] license, in addition to the existing Special Designated Merchant [SDM] license for the sale of beer and wine sales, and;

Whereas, the Planning Division has reviewed the requirements set forth in Section 2.515 of the Zoning Ordinance and Section 10.188 of the Pontiac Municipal Code and the Planning Division determined that aforementioned request and proposed sale of packaged liquor does not comply with the City of Pontiac Zoning Ordinance, and;

Whereas, in accordance with the procedures outlined in the Zoning Ordinance, Section 6.302 as it relates to Special Exception Permit Review Procedures and Requirements, the request has undergone the required; technical review, Public Hearing, and Planning Commission decision, and;

Whereas, on April 3, 2019 a Public Hearing was held, the Planning Commission voted to deny the request sale of packaged liquor at 1124 Joslyn Avenue,

Whereas, Following Section 6.303, [H. Appeals] of the Zoning Ordinance, the applicant submitted a letter to the Planning Manager Gustafsson within ten days of the Planning Commission decision requesting an appeal from City Council,

Now, Therefore, Be It Resolved that the City Council for the City of Pontiac appeal the Planning Commission decision to grant a Special Designated Distributor license at parcel #64-14-16-402-030, also known as 1124 Joslyn Avenue from the applicant, A&S Kajy Enterprise, Inc.

Ayes: Miller, Taylor-Burks, Williams and Carter

No: None

Resolution Passed.

19-365 **Suspend the rules to vote on items #8, #9, #10 and #18.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

Ayes: Taylor-Burks, Williams, Carter and Miller

No: None

Motion Carried.

19-366 **Resolution that mandates that copies of all contracts and agreements entered into by the Mayor and on behalf of the City of Pontiac be forwarded to the City Clerk's Office within five (5) business days of execution.** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

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WHEREAS, pursuant to 3.201 (d) of the Pontiac City Charter, the City Clerk is responsible for maintaining the records of the City and making them available to the public as provided by law; and, WHEREAS, the Pontiac Municipal Code section 2-521, provides that the Mayor shall with the concurrence of the Council adopt administrative rules regarding the retention of professional services; and,

WHEREAS, it is imperative that the Clerk's office maintain accurate and up-to date records.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby mandates that copies of all contracts and agreements entered into by the Mayor and on behalf of the City of Pontiac, be forwarded to the City Clerk's office within five (5) business days of execution.

Ayes: Taylor-Burks, Williams, Carter and Miller

No: None

Resolution Passed.

19-367 **Resolution that requires approved minutes and amended agendas be available for public inspection and posted on the City's website within five days after the meeting.** Moved by Councilperson Miller and second by Councilperson Carter.

WHEREAS, pursuant to 3.201 (b) of the Pontiac City Charter, the City Clerk serves as clerk of the Council, gives required public notices, and keeps a record of all ordinances, resolutions and other proceedings; and,

WHEREAS, MCL 15.269 (3) states that a public body shall make proposed minutes available for public inspection within eight (8) business days after the meeting to which the minutes refer and the public body shall make approved minutes available for public inspection within five (5) business days after the meeting at which the minutes are approved by the public body; and,

WHEREAS, corrections in the minutes must be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes must be available no later than the next meeting after the correction and must show both the original entry and the correction; and,

WHEREAS, MCL 15.271 sec 11. (1), expressly states, that if a public body is not complying with the Open Meetings Act, the attorney general, prosecuting attorney of the county in which the public body serves, or a person may commence a civil action to compel compliance or to enjoin further noncompliance with the Act.

NOW, THEREFORE BE IT RESOLVED that the Pontiac City Council hereby requires that approved minutes and amended agendas be available for public inspection and posted on the City's website within five (5) days after the meeting to which the minutes or amended agenda were approved by the Pontiac City Council.

Ayes: Williams, Carter, Miller and Taylor-Burks

No: None

Resolution Passed.

19-368 **Resolution recognizing the 34th Pastoral Anniversary of Pastors Earl and Earnestine Crump, Door of Faith Christian Ministries.** Moved by Taylor-Burks and second by Councilperson Carter.

WHEREAS, Pastors Earl and Earnestine Crump have been remarkable and extraordinary residents of the City of Pontiac, Michigan as loving parents, family advocates, spiritual leaders, friends and supporters of the Pontiac School District; and,

WHEREAS, Pastors Earl and Earnestine Crump have shown their personal and spiritual commitment to the Lord by virtue of their thirty-four years of spiritual leadership and guidance to their congregation and community of Pontiac, Michigan and surrounding areas as Pastors of DOOR OF FAITH Christian Ministries; and,

WHEREAS, The citizens of Pontiac, Michigan desire to recognize, honor and express their pride and appreciation to Pastors Earl And Earnestine Crump for their personal achievements, and commitments as spiritual leaders and confidants; and,

WHEREAS, The City of Pontiac and along with the members of DOOR OF FAITH Christian Ministries acknowledge with acclamation the value and worth in achievement rendered by this man and woman of God, with a dinner celebrating their 34th Pastoral Anniversary on Sunday, July 28, 2019.

NOW THEREFORE BE IT RESOVLED, The Pontiac City Council pauses in our deliberations and recognize the 34th Pastoral Anniversary of Pastors Earl and Earnestine Crump.

Ayes: Williams, Carter, Miller and Taylor-Burks

No: None

Resolution Passed.

19-369 **Resolution to instruct the City Attorney to amend City of Pontiac Ordinance 2287 and place the Cable Division and Appointment of the Cable Director under the legislative branch of City government. (Agenda item ad-on)** Moved by Councilperson Taylor-Burks and second by Councilperson Miller.

WHEREAS, the Cable division plays a vital and integral role in the dissemination of information to the residents of the City of Pontiac; and

WHEREAS, the Cable division should allow for the facilitation, encouragement of the production of local programming, cablecasting of programs over access channels within the city, and provide, accurate, timely and uninterrupted information; and,

WHEREAS, the citizens are not being provided a quality, prompt and uninterrupted service; and,

WHEREAS, Emergency Financial Manager Order S-280 and City of Pontiac ordinance number 2287, adopted June 17, 2013, restructured departments and moved the Cable division under the Department of Community Development; and,

WHEREAS, City of Pontiac ordinance number 2287 which is codified in section 2-144 of the Pontiac Municipal Code, provides that the Cable Director's appointment shall be made by the Director of Community Development with the consent of the Mayor; and;

WHEREAS, prior to the adoption of the Emergency Financial Manager's Order and City of Pontiac ordinance number 2287, the Cable division was under the Pontiac City Council; and,

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WHEREAS, the Pontiac City Council believes it is in the best interest of the City of Pontiac and the citizens, to amend the City of Pontiac ordinance to reflect the prior organizational structure of the cable division; and,

WHEREAS, pursuant to section 4.202 of the Pontiac City Charter, the City Attorney is hereby instructed to amend City of Pontiac ordinance 2287.

NOW, THEREFORE BE IT RESOLVED the Pontiac City Council hereby instructs the City Attorney to amend City of Pontiac ordinance 2287 and place the Cable division and appointment of the Cable Director under the legislative branch of City government; thereby, under the direct supervision of the Pontiac City Council.

Ayes: Carter, Miller, Taylor-Burks and Williams

No: None

Resolution Passed.

Communications from the City Clerk

Communication informing the City Council that the Deputy Mayor has not allowed the I.T. staff to post City Council Meetings Agenda Packets, Amended Agenda and Approved Minutes on the City's website. The following items have not been posted.

Agenda Packets:

June 13, 2019 Public Hearing on the Budget

June 24, 2019 Special Meeting on the Budget

Amended Agendas:

June 4, 2019

June 11, 2019

June 13, 2019 Special Meeting on the Budget

June 18, 2019

July 9, 2019

Approved Minutes:

June 6, 2019 Special Meeting on the Budget

June 7, 2019 Special Meeting on the Budget

June 10, 2018 Special Meeting on the Budget

June 11, 2019

June 13, 2019 Special Meeting on the Budget

June 13, 2019 Public Hearing on the 2019-2020 Proposed Budget

June 18, 2019

June 21, 2019 Special Meeting on the Budget

June 24, 2019 Special Meeting on the Budget

June 25, 2019

June 29, 2019

July 2, 2019

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The Clerk informed the Council that the Mayor's Office finally allowed I.T. to post the items. All items were posted yesterday on the City's website.

Communication informing City Council that the Deputy City Clerk Sheila Grandison , CMC has received the designation of Certified Municipal Clerk (CMC) from the International Institute of Municipal Clerks.

Monthly Mayoral Reports

Monthly Check Register

(Received the Finance Department's response to Councilwoman Miller questions asked during the July 9, 2019 meeting)

Monthly Staff Changes Report.

(The June report was not submitted.)

City Credit Card Statement

(Finance department stated that they would provide the June report at the July 9, 2019 meeting. The report has not been submitted.)

Council Pro-Tem Randy Carter asked for Point of Privilege

Council President Kermit Williams Adjourned meeting at 8:22 p.m.

GARLAND S. DOYLE
INTERIM CITY CLERK