

AGENDA

PONTIAC CITY COUNCIL
Thursday, December 12, 2013
6:00 PM
243rd Session of the Eighth Council

Call to order

Invocation

Moment of Silence

Pledge of Allegiance

Roll Call

Authorization to Excuse Members from Meeting

Approval of Journal

1. December 5, 2013
2. Resolution to approve Closed Session Minutes from December 5, 2013

Recognition of Elected Officials

Public Hearing

3. The discussion of Code Violations by Little David's Island Bar, DBA The Yak Club and/or Porky's Bikini Bar, located at 22. E. Kennett.
4. The discussion to consider a Waiver of Separation Requirements application for PF-13-75 Adaptive Specialized Ventures adult foster care program at 131 University Drive.
5. The discussion to consider a Waiver of Separation Requirements, application for PF-13-76, Grace Centers of Hope for the proposed women and children shelter at 210 N Perry Street.
6. The discussion on the offer to purchase Part lot 1AH (University Drive and Huron Street).

Public Comment

The public may address the Council during the public discussion portion of the agenda. You must complete a public discussion card located in the City Council Office. Please indicate on the card your name, address, and topic(s) for discussion, and leave your card with the City Council Office staff prior to the start of the meeting at 6:00 p.m. Citizens will be allowed five (5) minutes to discuss city business during a Council meeting; and provided further; the Council President shall determine the order in which each person may speak (City Council Rule VI-D, adopted 2/27/2003)

Consent Agenda

7. Report received from the City Attorney regarding a resolution for Little David's Island Bar, DBA: The Yak and/or Porky's Bikini Bar located at 22 E. Kennett Pontiac, Michigan 48340.

Closing Comments

Mayor

Deputy Mayor

City Clerk

Council

Adjournment

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**Official Proceedings
Pontiac City Council
242nd Session of the Eighth Council**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Thursday, December 5, 2013 at 6:03 P.M. by President Lee Jones.

Invocation-Pastor Floyd

Moment of Silence

Pledge of Allegiance

Roll Call

Members Present: Jones, Pietila, Waterman, G. Williams and K. Williams.
Absent: Deputy Mayor Glass, Randy Carter and Donald Watkins
Clerk announced a quorum.

13-294 **Excuse Councilmembers Randy Carter and Donald Watkins.** Moved by Councilperson G. Williams and supported by Councilperson Pietila.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams
No: None
Motion Carried.

13-295 **Journal.** Moved by Councilperson G. Williams and supported by Councilperson Pietila to approve the Journals of the meeting minutes held on November 25, 2013.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams
No: None
Motion Carried.

13-296 **Resolution regarding going into a closed session.** Moved by Councilperson G. Williams and supported by Councilperson Pietila.

Whereas, the City's attorney has presented The City a letter concerning the status of the case of Tyrone Combs II v. City of Pontiac; and

Whereas, Section 8 (e), MCL 15.268, permits a public body "(to) consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have detrimental financial effect on the litigation or settlement position of the public body"; and

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Whereas, the Pontiac City Council believes than an open meeting would have a detrimental financial effect on the litigating or settlement position of the City;

Therefore, Be It Resolved, that the Pontiac City Council recesses into closed session for the purpose of consulting with its attorney regarding settlement strategy in the case of Tyrone Combs II vs. The City of Pontiac.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams

No: None

Resolution Adopted

13-297 **Tyrone Combs II vs. City of Pontiac.** Moved by Councilperson G. Williams and supported by Councilperson K. Williams.

A Resolution to approve the recommendation of litigation attorney to grant authority to attempt to negotiate a settlement in the matter of Combs v City of Pontiac, Case No. #12-11539.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams.

No: None

Resolution Adopted.

Recognition of Elected Officials – Deirdre Waterman and Darryl Fowlkes

Deputy Mayor Glass arrived at 6:58 p.m.

There were 15 individuals who address the body during public comments

13-298 **Resolution for Mr. Angelo Henderson.** Moved by Councilperson Waterman and supported by Councilperson Pietila.

WHEREAS, we the members of the Pontiac City Council along with the Mayor take this opportunity to recognize one of our distinguished residents in the City of Pontiac 1999 Pulitzer Prize Winner Mr. Angelo Henderson; and,

WHEREAS, Angelo and his wife Felicia and their son Grant could have lived anywhere but they chose to make their residents in the City of Pontiac District One; and,

WHEREAS, Angelo Henderson began his journalism career in August 1985, as a reporter at the St. Peterson Florida Times, covering the black community and in October of 1986 joined the Courier-Journal in Louisville, KY as a business writer and moved to the Detroit News in 1989, working first as a reporter and later becoming writer/columnist he continued to advance in his career of journalism and now he serves the lord as a Minister and talk show personality of “Your Voice with Angelo Henderson” News talk AM 1200 on 99.9 FM WCHB ; and,

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WHEREAS, we the members of the Pontiac City Council applaud and celebrate the many achievements and programs supported by and the initiatives created by Mr. Angelo Henderson that have made an immeasurable impact and difference on lives of the communities in which he has lived and served; and,

WHEREAS, we join in and thank “My Sister’s Keeper Ministry”, Shelby’s’ Extraordinaire LLC and Dellonnie Productions/Communications for “An Evening of Inspiration” as they honor Mr. Angelo Henderson as the first recipient of the Humanitarian Community Service Award on Sunday, December 8, 2013 at the Marriott Hotel in Southfield.

NOW, THEREFORE, BE IT RESOLVED, that we the elected officials of the Pontiac City Council recognize and commend the outstanding contributions of Mr. Angelo Henderson and wish him continued success in years to come.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams.

No: None

Resolution Adopted.

13-299 **Resolution to Re-appoint Cheryl Crandall to the Local Officers Compensation Commission.** Moved by Councilperson K. Williams and supported by Councilperson Waterman.

Ayes: Jones, Pietila, Waterman, G. Williams and K. Williams.

No: None

Deferred for two weeks.

Mayor Jukowski, Deputy Mayor Glass, Councilman G. Williams, Councilwoman Pietila, Councilman K. Williams, Pro Tem Waterman and President Lee Jones made closing comments. Deputy Clerk Sheila Grandison had no closing comments.

Councilwoman Waterman gave an oral report on the Finance Sub Committee Meeting held on November 26, 2013.

13-300 **Adjournment.** Moved by Councilperson K. Williams and supported by Councilperson Pietila.

Ayes: Pietila, Waterman, G. Williams and K. Williams.

No: None

Motion Carried.

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Meeting Adjourned at 8:53 P.M.

SHEILA GRANDISON
DEPUTY CITY CLERK

Consent Agenda

Pontiac City Council Resolution
State of Michigan
County of Oakland
City of Pontiac

WHEREAS, pursuant to Section 10-194 of the Pontiac Municipal Code, a public hearing was held on Thursday, December 12, 2013 at a regular meeting of the City Council to determine whether the City Council should recommend to the Michigan Liquor Commission that the liquor and entertainment licenses for Little David's Island Bar, DBA: The Yac Club and/or Porky's Bikini Bar, or any other establishment located at 22 E. Kennett, Pontiac Michigan 48340 should be revoked;

WHEREAS, that based on a preponderance of the evidence presented at public hearing, the City Council finds violations of numerous Municipal Code Sections, including but not limited to the following:

- 10-73(i): That there has been disorderly conduct or lewd, obscene, or illegal language, exhibitions, dancing, and entertainment;
- 10-78(a) That the licensee, his agent, or employees have engaged in, or allowed others to engage in, any illegal occupation or illegal act on the licensed premises;
- 10-140: That the licensee permitted or allowed disorderly conduct on the part of patrons of such establishment;
- 10-195(1) That the licensee has violated section 10-140 along with other provisions of local ordinance;
- 10-195(2)(b): That the licensee allowed or permitted a pattern of patron conduct in the neighborhood of the licensed establishment which is in violation of the law and/or disturbs the peace, order and tranquility of the neighborhood;
- 10-195(2)(d): That the licensee allowed or permitted entertainment without a permit and/or entertainment which disturbs the peace, order and tranquility of the neighborhood; and
- 10-195(2)(e): That the licensee allowed or permitted any advertising, promotion or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed establishment.

WHEREAS, that based on a preponderance of the evidence presented at public hearing, the City Council also finds that the violations of the Municipal Code have been frequent and on-going.

NOW THEREFORE, BE IT RESOLVED, that the City Council, pursuant to Municipal Code Sections 10-107, 10-164, 10-193, and 10-195, recommends to the Michigan Liquor Control Commission that the liquor and entertainment licenses and permits should be revoked for Little David's Island Bar, DBA: the Yac Club and/or Porky's Bikini Bar, or any other establishment located at 22 E. Kennett, Pontiac Michigan 48340.

NOW THEREFORE, BE IT RESOLVED, that the City Attorney shall draft a letter to The Michigan Liquor Control Commission setting forth the facts, circumstances, and findings of the December 12, 2013 City Council Public Hearing and shall recommend that the liquor licenses of Little David's Island Bar, DBA: the Yac Club and/or Porky's Bikini Bar, or any other establishment located at 22 E. Kennett, Pontiac Michigan 48340. Be revoked. This letter should be presented to the City Council at the next regular meeting for signature and mailing.

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