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Lawsuit involving Pontiac's Phoenix Center parking garage tossed



Pontiac's emergency manager wants to tear down the Phoenix Center parking garage and amphitheater on Woodward Avenue, citing repair and maintenance costs the city can't afford. The owners of the adjacent Ottawa Towers office buildings are fighting to block the demolition in a case that's shown some rare momentum in favor of a party challenging the actions of a manager appointed under Michigan's strong

PONTIAC, MI - **Nearly nine months after the city of Pontiac said there would be continued efforts to demolish** the Phoenix Center parking garage, a judge has again dismissed a lawsuit filed by the city.

Oakland Circuit Judge Michael Warren Monday threw out a lawsuit filed by the city against Ottawa Towers LLC.

Ottawa Towers uses part of the 2,500-space garage to park its tenants.

Mike Stephens, partner with Ottawa Towers LLC, said the following in a statement: "Our family company would prefer to work collaboratively and cooperatively with the city that we are so invested in, but the city has chosen to adopt an adversarial and confrontational stance that needs to end. This week's ruling is an important victory but unfortunately we're still entangled

in litigation with the city that is hampering local economic development and investment in Pontiac."

The structure was first ordered demolished in 2012 by the city's former emergency manager, Louis Schimmel. The city couldn't afford to maintain the structure, he said.

Mayor Deirdre Waterman, who said last fall that said the city's attorneys "respectfully disagree" with Oakland County Circuit Judge Michael Warren's decision to halt the city's plans to demolish the parking garage, has since stabilized the city's budget.

The Detroit Free Press reports that Waterman might look at other options regarding the parking garage.

Stephens a company maintain that the garage is essential to Pontiac business.

When the city kicked all the vehicles out of the garage and shut down the facility after finding Ottawa Towers maintenance workers inside making repairs without permits last year, Oakland County Circuit Judge Michael Warren found Pontiac in contempt and ordered the garage reopened.

Business owners and residents have said the structure could serve the city well if it was maintained.

"The real victims of the city's baseless legal witch hunt are the taxpayers because the city is spending precious taxpayer dollars on frivolous litigation, attempting to smear and destroy our business. Businesses like ours would prefer to spend our time and energy rebuilding Pontiac," Stephens said in a release.

The Stephens family has spent over \$1 million maintaining the structure over recent years.

The structure, which can hold 2,500 cars and is topped by an amphitheater, would cost roughly \$8 million to repair.

Business owners in Pontiac see the "legal assault" on Ottawa Towers LLC as a bad move by the city.

Blair McGowan, owner of the Crofoot Ballroom said in a statement that "...Pontiac's legal assault on Ottawa Towers sends a terrible message to business owners looking to invest in downtown Pontiac. What we should be doing is working together to bring back our downtown, instead of filing lawsuits that tear down and harass local businesses."