

**PONTIAC CHARTER REVISION COMMISSION**

**Chair, Tameka Ramsey**

**Vice Chair, Kermit Williams**

**Norbert Burrows**

**Gill Garrett**

**Bryan Killian**

**Lucy Payne**

**Scott Stewart**

**Bruce Turpin**

**Jose Ybarra III**



47450 Woodward Ave. Pontiac, MI 48342 Phone: (248) 758-3200 Website: <http://www.pontiac.mi.us>

Sheila Grandison, MiPMC, Deputy City Clerk

**37<sup>th</sup> Session**

**MEETING AGENDA**

**June 13, 2024, at 6:00 p.m.**

**Meeting Location: Bowen Senior Center  
52 Bagley Pontiac, MI 48342**

- I. Call to Order**
- II. Roll Call**
- III. Authorization to Excuse Commissioners**
- IV. Amendments to and Approval of the Agenda**
- V. Approval of the Minutes**  
June 13, 2024
- VI. Special Presentation on the 2024 Proposed Charter – Commissioner Stewart**
- VII. Public Comments or Questions regarding the 2024 Proposed Charter**
- VIII. Report from Subcommittees**
- IX. Closing Comments**
- X. Adjournment**

**V.**

# **Minutes**

June 13, 2024, Draft

**Official Proceedings  
2022 Pontiac Charter Revision Commission  
36<sup>th</sup> Session**

**Call to order**

A Special Meeting of the 2022 Charter Revision Commission of Pontiac, Michigan was called to order by Chair Tameka Ramsey at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Thursday, June 13, 2024, at 6:13 p.m.

**Roll Call**

**Members Present** – Norbert Burrows, Bryan Killian, Lucy Payne, Tameka Ramsey, Bruce Turpin, and Kermit Williams

A quorum was announced.

**Excuse Commissioners**

24-311        **Motion to excuse Commissioners Gill Garrett, Scott Stewart and Jose Ybarra for personal reasons.** Moved by Commissioner Williams and second by Commissioner Killian.

Ayes: Killian, Payne, Ramsey, Turpin, Williams and Burrows

No: None

**Motion Carried**

**Amendments and or Approval of the Agenda**

24-312        **Motion to approve the agenda.** Moved by Commissioner Williams and seconded by Commissioner Turpin.

Ayes: Killian, Payne, Ramsey, Turpin, Williams and Burrows

No: None

**Motion Carried**

**Approval of Minutes**

24-313        **Motion to approve the minutes for April 14, 2024.** Moved by Commissioner Williams and second by Commissioner Killian.

Ayes: Payne, Ramsey, Turpin, Williams, Burrows and Killian

No: None

**Motion Carried**

Commissioner Ybarra arrived at 6:23 p.m.

**Public Comment**

1. Darlene Clark

Commissioner Williams asked for a point of privilege to answer question during public comment.

**Discussion on the Budget**

24-314 **Motion to increase Printing & Binding Services from \$10,000 to \$30,000.** Moved by Commissioner Williams and second by Commissioner Turpin.

Ayes: Ramsey, Turpin, Williams, Ybarra, Burrows and Payne

No: Killian

**Motion Carried**

24-315 **Motion for remainder of Legal Services moved to increase Postage from \$12,200 to \$22,200.** Moved by Commissioner Williams and second by Commissioner Ybarra. Commissioner Williams rescind his move and Commissioner Ybarra rescind his second.

24-315 **Motion to move \$11,000 from Legal Services to Postage increasing Postage to \$21,000 and leaving Legal Services with \$1,200.** Moved by Commissioner Williams and second by Commissioner Ybarra.

Ayes: Turpin, Williams, Ybarra, Burrows, Killian and Payne

No: Ramsey

**Motion Carried**

24-316 **Motion to reduce Printing and Binding Services to \$20,000 and move \$10,000 to Other Professional Services (Community Outreach).** Moved by Commissioner Williams and second by Killian.

Ayes: Williams, Ybarra, Burrows, Killian, Payne, Ramsey and Turpin

No: None

**Motion Carried**

24-317 **Motion to approve amended budget.** Moved by Commissioner Ybarra and second by Commissioner Burrows.

Ayes: Ybarra, Burrows, Killian, Payne, Ramsey, Turpin and Williams

No: None

**Motion Carried**

**Outreach Discussion**

24-318 **Motion to do outreach to all district meetings.** Moved by Commissioner Williams and second by Commissioner Burrows.

Ayes: Burrows, Killian, Payne, Ramsey, Turpin, Williams and Ybarra

No: None

**Motion Carried**

24-319 **Motion to do outreach at association meetings.** Moved by Commissioner Williams and second by Commissioner Killian.

Ayes: Killian, Payne, Ramsey, Williams, Ybarra and Burrows

No: Turpin

**Motion Carried**

June 13, 2024, Draft

24-320        **Motion to do outreach at CDC meetings.** Moved by Commissioner Ybarra and second by Commissioner Killian.

Ayes: Killian, Payne, Ramsey, Williams, Ybarra and Burrows

No: Turpin

**Motion Carried**

24-321        **Motion to allow outreach committee to attend other meetings.** Moved by Commissioner Williams and second by Killian.

Ayes: Payne, Ramsey, Turpin, Williams, Ybarra, Burrows and Killian

No: None

**Motion Carried**

24-322        **Motion to allow outreach committee ability to make decision to table/host events.** Moved by Commissioner Williams and second by Commissioner Killian.

Ayes: Ramsey, Turpin, Williams, Ybarra, Burrows, Killian and Payne

No: None

**Motion Carried**

#### **New Meeting Dates**

Outreach meeting - 6/17/2024 @ 6:20 p.m. via zoom

#### **Marketing Strategies**

**Closing Comments** – Commissioner Turpin, Commissioner Ybarra, Commissioner Burrows, Commissioner Killian, and Commissioner Ramsey made closing comments.

#### **Adjournment**

Chair Ramsey adjourned the meeting at 8:29 p.m.

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Sheila R. Grandison  
Deputy City Clerk

**VI.**

**2024 Proposed  
Charter Power  
Point Presentation**

# **THE CHARTER HAS BEEN REVISED!**

**Here's What You Need To Know!**



# Updating the Charter to Reflect Current City Dynamics



## Revitalization of the Preamble

- Revitalized Preamble to reflect the city's purpose and intentions.
- Emphasizes protection of rights and promotion of efficient government.
- Highlights Pontiac's strong history, settled in 1818 and incorporated in 1861.
- Charter forged to ensure Pontiac thrives for current and future generations.

## Updated Election Language

- City primary and general elections held in odd years - kept the same as we currently have it
- Ensures compliance with state and federal laws.
- Clarified that city elections are non-partisan.

## **Updated Election Commission Language**

- Changed the structure of the Election Commission with the addition of two residents appointed by Council, as well as a city staff member appointed by the Mayor instead of City Attorney.
- City Treasurer and City Clerk are unchanged - Clerk serves as chair.
- Hiring assistants, inspectors, election personnel, independent attorney or law firm.

## **Updated Organizational Meeting Language**

- Council establishes rules at the first meeting of the new term.
- Rules address governance, orientation, communication, and coordination.
- Council meets regularly twice per month.
- Special meetings called by Mayor or two members with 18 hours' notice.
- Proceedings are kept in a journal in English and Spanish.

## **Updating Transfer of City Property; Contacts**

- City property cannot be sold without approval.
- Contracts need council approval if funds are insufficient.
- Park land cannot be sold without elector majority vote, includes any public park, public recreation area, or public playground area owned by the City.
- Enhances resident involvement in city property decisions.
- Removed exception for minor property classification as undefined.

## **City Hospital**

- Removed reference to the City Hospital as it is no longer owned

## **Department Heads**

- Modified language to broaden to “Department Heads” versus “Directors” due to current City structure

## **Assessment Services**

- Broadened language to note that the City shall appoint a City Assessor or contract for assessment services

## **Fire Department Section Revisions**

- City mandated to provide fire protection services.
- Option to establish Fire Department within executive branch.
- Fire Chief operates under Mayor's supervision.
- Permits contracting with external agencies for fire services.

## **Police Department Section Revisions**

- Potential establishment of Police Department within executive branch.
- Chief of Police to be supervised by Mayor.
- Allows contracting external law enforcement agencies.
- Ensures compliance with legal provisions for services

## **Revised Budget Section**

- Fiscal year starts July 1, ends June 30.
- Mayor submits budget proposal 75 days before fiscal year, must be adopted at least 30 days before each new fiscal year.
- Budget must be balanced, no excess expenditures.
- Independent annual audit of City's accounts within 180 days of end of FY.

## **City Attorney**

- Changed to note that the City Attorney may be either an attorney or law firm versed in municipal law.
- Defined that all ordinances they draft and review is to ensure proper form, and their advisement on leases, deeds, contracts, etc.

## **Assessment of Taxes Chapter Updates**

- Board of Review includes Finance Director, City Attorney.
- Board has legal powers to adjust assessments.
- Property taxes due July 1, payable without penalty through July & August
- Additional charge for unpaid taxes from September 1.
- Notices about tax payments published in newspaper..

## **Restructured Personnel Matters Chapter 1 (Article VI Ch. 6)**

- Equal employment opportunity, no discrimination allowed.
- Vacancy in office due to various reasons, adding absences.
- Conflict of interest rules for hiring.
- Violation can lead to job voidance, penalties.



# Ensuring Greater Ethics and Transparency

## 1. Creation of General Ethical Standards

### **Ethical Standards of Conduct Subsection:**

- Ethical standards apply to all City public servants.
- Goal: Prioritize public interest, prevent conflicts.
- Maintenance of supporting City ordinances.
- Prohibitions: Neglecting duties, misusing information.
- Restrictions: Personal financial interests, improper influence.
- Rules ensure transparency, integrity in governance.

## **Created Lobbying Registration and Reporting:**

- Lobbyists must register and report activities.
- Documentation with City Clerk, publicly accessible plus Electronic publication.
- Lobbyists subject to fee determined by ordinance.
- System fosters transparency, accountability in lobbying.

### **Created Gift and Gratuities Subsection:**

- Public servants cannot accept gifts from certain entities.
- Exceptions include public service awards, informational materials.
- Gifts from family allowed if not bypassing rules.
- Expenses for official City events or activities allowed.
- Provisions ensure integrity, prevent conflicts of interest.

### **Created One year Post-Employment Prohibition:**

- One-year post-employment restriction for public servants.
- Prohibited from lobbying or appearing before City bodies.
- No compensation for services related to past involvement.
- Cannot join entities with past City business ties.
- Prohibition maintains integrity and public trust.

### **Created Contracts Voidable and Rescindable:**

- Contracts can be voided for undisclosed public servant interests.
- Voidable if prohibited gifts offered in contract connection.
- Contractors face fines for violations.
- Actions referred to prosecutors for further action.
- Clause ensures transparency, prevents conflicts in contracts.

### **Created Campaign Activities Subsection:**

- City property use for campaigns strictly forbidden.
- Political campaigning during work hours prohibited.
- No requests for campaign participation or contributions.
- Coercion for campaign support forbidden for employment.
- Rules ensure professionalism, impartiality, and resource integrity..



## 2. Creation of Public Integrity Office

### **Establishment of Office Subsection:**

- Independent Office of Public Integrity established in Pontiac.
- Headed by the Public Integrity Officer.
- Ensures honesty and integrity in City government.
- Aims to root out waste, abuse, fraud, and corruption.

### **Appointment, Removal, Term of Office and Vacancy Subsection:**

- Public Integrity Officer appointed for six-year term.
- Appointment requires City Council majority and Mayor's concurrence.
- Removal requires three-fourths City Council vote.
- Vacancy filled within 90 days for new term.
- Position subject to recall provisions in City Charter.

### **Minimum Qualifications Subsection:**

- Must possess an Associate's Degree from accredited institution.
- Five years of experience in specific areas required.
- Experience as law enforcement officer at any level.
- Experience as government attorney or public defender.
- Experience as a federal or state court judge.
- Supervisory roles in investigative public agencies.
- Managing complex investigations into fraud, theft, deception.
- Ability to collaborate with law enforcement and judiciary.

### **Limitations; Prohibited Activities:**

- For-profit occupations require Board of Ethics approval.
- Cannot hold other government offices beyond appointed role.
- Must adhere to conflict of interest rules in Charter.
- Prohibited from soliciting votes or fundraising for candidates.
- Barred from holding elective City office for two years post-tenure.

### **Powers and Duties Subsection:**

- Investigates misconduct within City programs and operations.
- Subpoena power, can inspect City agency premises.
- Liaison between City's elected officers and public servants.
- Supports Board of Ethics with documentation and information.
- Oversees transition process between City officials.
- Audits and reviews City agencies for legal and ethical compliance.
- Reports findings to Board of Ethics, City Council, and Mayor.
- Refers cases with probable cause to prosecuting authorities.

## **Independence; Retaliation, Confidentiality, and Immunity Subsection:**

- PIO and office function independently, report to Board of Ethics.
- Cooperation required from City public servants and contractors.
- Penalties for obstructing investigations.
- Strict prohibitions against retaliation for cooperation.
- Investigative files kept confidential, disclosed only to legal authorities.
- PIO and staff granted immunity from lawsuits related to official duties.

## **Funding; Office Staffing:**

- OPI has a separate budget from other City agencies.
- Compensation determined by Local Officers Compensation Committee.
- City Council required to allocate annual funding to OPI, with allocation at least equivalent to City's Purchasing Department budget.
- Funding structure ensures OPI's effective operation.



## **Reporting and Transparency; Consultation Required Subsection:**

- Regular reporting to Board of Ethics, Mayor, City Council, and residents.
- Publicly accessible reports with confidentiality redactions.
- Authorized to hire consultative services for conflicts of interest.
- Pre-report consultation with affected parties for critical reports.
- Measures ensure independence, transparency, and accountability.

### 3. Creation of Board of Ethics

#### **Board of Ethics Creation and Membership Subsection:**

- Board of Ethics to have five members.
- Two members appointed by City Council.
- Two members appointed by Mayor.
- One member appointed by Election Commission with 4/5 vote.
- Selection involves applications, reviews, and interviews.

## **Member Appointment, Terms, and Removals:**

- Members must be city residents, serving five-year terms.
- Term limits: No more than two consecutive terms.
- Eligibility: No current officials, recent candidates, or elective office holders.
- Conflict of interest: Temporary members appointed for impartiality.
- Removal for cause after investigation and Board vote.

## **Rules and Procedures Subsection:**

- Initial meeting to elect Board Chair for two-year term.
- Board has autonomy to establish own rules and procedures.
- Meetings governed by Michigan Open Meetings Act for transparency.
- Operations supported by Office of Public Integrity and Officer..

## **Power and Duties:**

- Collaborates with Office of Public Integrity for annual report preparation.
- Receives and addresses complaints under Article VII.
- Facilitates ethical standards training for City officials.
- Provides direct supervision to the Public Integrity Officer.

### **Boards of Ethics Funding:**

- City to annually appropriate sufficient funds for Board of Ethics.
- Funding in accordance with Charter to enable Board's duties.

# Creating Balance Between Government Branches



## Legislative Branch Structure & Requirements

- Council Membership:
  - Moved from 7 districts to 6 districts with 1 at-large seat - moved this way to increase resident representation on Council, more opportunity to engage and get issues taken care of
    - Does NOT change for individuals currently serving when this Charter is approved in 2024
  - Part-time council except for a full-time Council President, chosen amongst their peers.
    - Payment determined by ordinance, Charter, and law - Local Officers Compensation Committee
  - Eligibility - must have been a resident for one-year prior to filing
  - Recall - no person recalled shall be appointed to the city within 4 years after such recall or resignation

## Legislative Branch Structure & Requirements

- Beginning of Term
  - Term of Council shall begin at 8am on the first business day two weeks post-certification of election by Oakland County.
- Meetings
  - Meetings will move from being held once per week to twice per month
  - Written notice can be provided for special meetings within 18 hours
  - Organizational meeting will choose President and Pro-Tem
  - All meetings shall be subject to Public Access, including materials in both English and Spanish
- Effect of Absences:
  - 5 unexcused absences in a year vacate Council seat
  - Over 50% absences in a year vacate seat excused or not
- Relations with City Council & Mayor
  - Mayor or Deputy Mayor attends, responds and presents at meetings
  - Designation of a City officer in case of Mayor's absence

## Legislative Branch Structure & Requirements

- Creation of Department of City Council
  - Established to provide administrative support and assistance to the City Council in fulfilling its legislative functions and serving the residents of the city.
  - Duties
    - Provide administrative support to City Council members, including organizing meetings, maintaining records, and managing correspondence.
    - Conduct research on matters of legislative concern, providing City Council members with relevant information to make informed decisions.
    - Assist in drafting ordinances, resolutions, and other legislative documents as directed by City Council members.
    - Facilitate communication between the City Council and the public, disseminating information about Council meetings, decisions, and public hearings. This may include community outreach.

## Mayor & Executive Branch

- Updated Qualification for Mayor
  - Shall have established a primary residence in the city for two years immediately preceding the filing deadline
  - Shall maintain a primary city residence
  - Shall remain a registered elector within the City on the first day of term and during entire period of the term in office
- Updated Duties for Mayor
  - Possesses all powers and duties being CEO of the executive branch including the following:
    - Ensure laws, Charter, and ordinances are enforced.
    - Present annual balanced budget 75 days pre-fiscal year.
    - Deliver annual state of the City address with budget.
    - Supervise executive branch departments' expenditures and objectives.
    - Provide monthly financial reports and quarterly audited statements to the legislative branch..

## Mayor & Executive Branch

- Qualifications for Deputy Mayor
  - Bachelor's or master's degree (preferred) in relevant fields.
  - Experience in municipal finance, community/economic development, project management and supervisory skills required.
- Approval Process
  - The Mayor shall appoint, with the approval of the Council, a Deputy Mayor
  - If the Deputy Mayor appointment is not approved by the Council within 30 days, the Mayor has the right to re-submit the approval of the denied candidate or bring forth another candidate to Council.
- Appointees
  - Appointees provided by Mayor, subject to approval of Council
  - Any interim appointees may not serve more than 65 days without Council approval, any extension is subject to approval by Council

## City Clerk

- Appointment
  - City Clerk appointed for indefinite period upon an evaluation by majority vote of Council
  - Shall continue appointment with a yearly evaluation
  - Clerk is removable by vote of five member of the Council
- Duties of the Clerk:
  - Clerk of the council and keep a permanent journal of its proceedings
  - Provide and publish required public notices
  - Provide for the registration of electors residing in the City and conducting all elections of the city
  - Maintain all rules, regulations, policies and procedures of the City.
  - Certify all ordinances and resolutions enacted or passed
  - Ensure reasonably accessible polling locations
  - Ensure safekeeping, retention and public accessibility of documents

## Updated Investigative Powers & Independence

- Investigative Powers
  - Council can subpoena witnesses and administer oaths.
  - Council can take testimony and require evidence production.
  - To enforce subpoenas, Council applies to appropriate court.
  - Empowers appropriate boards or commissions with investigative powers.
- Power of Attorney
  - No civil litigations of the City may be settled without Council consent
  - Council may engage independent legal counsel on a temporary basis where the Council is seeking enforcement of a Council subpoena or order, suing or being sued by any City agency or officer, or defending against any action or proceedings involving the Council's official duties.

# Enhancing Resident Voice and Power



## **Petitions, Referendums**

- To file a petition, must collect signatures from not less than 10% of the registered electors in the preceding Presidential election

## **Candidates for Nomination - Signature Requirements**

- Increased number of signatures to run for office
- Council at-large must have 250 - 400 signatures to run
- Council district seats must be 100 - 150 signatures
- Mayor must also have 250 - 400 signatures to run

## Creation of Boards and Commission Section

### Public Engagement Philosophy Subsection:

- Public engagement seen as crucial for effective governance.
- Emphasizes continuous interaction over sporadic efforts.
- Advocates for diverse engagement channels, both in-person and online.
- Encourages community feedback in decision-making processes.
- Promotes collaboration with entities and individuals for enhanced public engagement.

## **Establishment and Purpose Subsection:**

- Boards and Commissions provide guidance in specific governance areas.
- Established through ordinances, aligned with Charter provisions.
- Cover areas like planning, arts, historical matters, parks, and recreation.
- Creation and dissolution processes defined by City Council ordinances.
- Members typically serve voluntarily, reimbursements possible for official duties.
- Existing entities continue under new Charter until terms end.

### **Composition Subsection:**

- Membership numbers set by City Council ordinances.
- Appointments made by Mayor and City Council.
- At least 51% of members appointed by Mayor.
- Transparent process promoting diversity, inclusivity, and community representation.
- Reappointments require City Council confirmation.

### **Terms of Office Subsection:**

- Terms set at four years unless specified otherwise.
- Staggered terms ensure continuity, with no more than 25% expiring yearly.
- Appointment eligibility typically requires city residency.
- Vacancies filled by appointing authority following established procedures.

### **Powers and Responsibilities Subsection:**

- Board and Commission Capacity to Conduct studies, research, and hearings.
- Make policy recommendations to City Council and officials.
- Governed by Charter and enabling ordinances or resolutions.
- Serve primarily in an advisory capacity.
- City Council can dissolve or alter powers and responsibilities.

### **Meetings and Procedures subsection:**

- Board and commissions must hold regular meetings open to the public.
- Operational aspects like quorum and voting procedures determined by City Council.
- Operations must be transparent, with public access to meetings and documents.
- Meetings recorded and televised on public access channels within two business days.

### **Accountability, Reporting, and Transparency subsection:**

- Board and commissions required to submit quarterly reports to City Council.
- Reports detail activities, findings, and recommendations.
- Reports are accessible to the public.



**Youth Commission subsection:**

- The City Council may establish a Youth Commission by ordinance for individuals between 13-18 years old at the time of appointment

### **Charter Review Board Subsection:**

- Charter Review Board established every five years or as needed, including **immediately upon adoption of this Charter.**
- Role: Identify and suggest revisions to the City Charter.
- Recommendations submitted to City Council for review.
- Consists of five qualified city electors serving one-year terms.
- Members appointed by City Council, Mayor, and joint appointee.
- Board must report findings within one year of appointment.
- City Council may put proposed amendments to public vote.

# Conclusion

## Four Goals

- Cleaning up the Charter to match the current state of the city
- Developing balance and equal power between the branches of government
- Creation of ethics and transparency rules
- Enhancing resident voice and power

## Next Steps

- Charter question will be on the August 6, 2024 ballot
- Charter will be adopted (if passed) upon approval by the county board of state canvassers.
- Council and the Mayor serving in office under the previous Charter shall continue to serve under this Charter for their entire previously elected four (4) year term, with the provisions for these elective offices taking effect for the next regular City election after adoption.
- If there is a provision that you do not like - the Charter Review Board is there to ensure we can further update, recommend changes, etc. afterward.

**THIS IS A LIVING DOCUMENT**