

November 9, 2023, Approved Minutes

**Official Proceedings
2022 Pontiac Charter Revision Commission
21st Session**

Call to order

A Meeting of the 2022 Charter Revision Commission of Pontiac, Michigan was called to order by Vice Chair Kermit Williams at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Thursday, November 9, 2023, at 6:00 p.m.

Roll Call

Members Present – Norbert Burrows, Lucy Payne, Scott Stewart, Bruce Turpin and Kermit Williams.

A quorum was announced, and Vice Chair Kermit Williams assumed the meeting.

Excuse Commissioners

23-121 **Motion to excuse Commissioners Gill Garrett, Byran Killian, Temeka Ramsey and Jose Ybarra III for personal reasons.** Moved by Commissioner Stewart and second by Commissioner Turpin.

Ayes: Payne, Stewart, Turpin, Williams, and Burrows

No: None

Motion Carried

Amendments and or Approval of the Agenda

23-122 **Motion to approve the agenda.** Moved by Commissioner Stewart and second by Commissioner Burrows.

Ayes: Payne, Stewart, Turpin, Williams, and Burrows

No: None

Motion Carried

Approval of the Minutes

23-123 **Motion to approve meeting minutes from November 4, 2023.** Moved by Commissioner Payne and second by Commissioner Stewart.

Ayes: Payne, Stewart, Turpin, Williams and Burrows

No: None

Motion Carried

Public Comment – None

Amendments to the 2013 Charter

23-124 **Motion to table Article IV Executive Branch, Chapter 3 – Finance Department, Section 4.307 – Assessment Division (City Assessor) and Section 4.308 – Assessor’s Duties until the next meeting.** Moved by Commissioner Stewart and second by Commissioner Burrows.

Ayes: Stewart, Turpin, Williams, Burrows and Payne

No: None

Motion Carried

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Council President Mike McGuinness is recognized and speaks.

Commissioner Byran Killian arrived @ 6:11 p.m.

Commissioner Jose Ybarra III arrived @ 6:30 p.m.

Commissioner Tameka Ramsey arrived @7:04 p.m.

23-125 **Motion to keep Article IV Executive Branch, Chapter 4 – Police Department, Section 4.401 – Police Department (Police Services) as is.** Moved by Commissioner Payne and second by Commissioner Stewart.

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

No: None

Motion Carried

23-126 **Motion to keep Article IV Executive Branch, Chapter 4 – Police Department, Section 4.402 – Powers and Duties as is.** Moved by Commissioner Willaims and second by Commissioner Stewart.

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

No: None

Motion Carried

23-127 **Motion to amend Article IV Executive Branch, Chapter 4 – Police Department, Section 4.403 – Powers and Duties of Police Chief.** Moved by Commissioner Payne and second by Commissioner Ybarra III.

The Chief of Police **or contracted agency head** is responsible for the public **safety**, peace and order and the enforcement of the criminal laws of Michigan and ordinances of the City. Other departments of the City may be given concurrent enforcement jurisdiction for ordinances, which cover technical fields of municipal operations. The Chief of Police **or contracted agency head** shall define the duties of police officers and prescribe rules relative to the performance thereof.

Commissioner Ybarra III rescinds his second.

23-127 **Motion to amend Article IV Executive Branch, Chapter 4 – Police Department, Sections 4.403 – Powers and Duties of Police Chief.** Moved by Commissioner Payne and second by Commissioner Ybarra III.

The Chief of Police **or contracted agency head** is responsible for the public **safety**, peace and order and the enforcement of the criminal laws of Michigan and ordinances of the City. Other departments of the City may be given concurrent enforcement jurisdiction for ordinances which cover technical fields of municipal operations. The Chief of Police **or contracted agency head** shall define the duties of police officers and prescribe rules relative to the performance thereof.

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

No: Turpin

Motion Carried

23-128 **Motion to keep strike through of Article IV Executive Branch, Chapter 4 – Police Department, Sections 4.404 - Probationary Employment, 4.405 – Police Trial Board, 4.406 – Case**

Panels and 4.407 – Rules and Regulations. Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

23-129 **Motion to keep Article IV Executive Branch, Chapter 4 – Police Department, Section 4.408 – Citizens Review Board (Now 4.404) as is.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

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

No: None

Motion Carried

23-130 **Motion to keep strike through of Article IV Executive Branch, Chapter 4 – Police Department, Sections 4.409 – Commencement of Proceedings, 4.410 – Taking of Proofs and Decision and 4.411 – Proceedings to Be Public.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: Payne

Motion Carried

23-131 **Motion to keep Article IV Executive Branch, Chapter 5 – Fire Protection Services, Section 4.501 – Fire Department (Fire Protection Services) as is.** Moved by Commissioner Williams and second by Commissioner Burrows.

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

No: None

Abstain: Killian

Motion Carried

23-132 **Motion to keep Article IV Executive Branch, Chapter 5 – Fire Protection Services, Section 4.503 – Emergency Power as is.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: Killian

Motion Carried

23-133 **Motion to keep Article IV Executive Branch, Chapter 5 – Fire Protection Services, Section 4.504 – Powers of Fire Chief as is.** Moved by Commissioner Williams and second by Commissioner Payne.

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

No: None

Motion Carried

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23-134 **Motion to amend Article IV Executive Branch, Chapter 6 – Remainder of the Executive Branch, Section 4.601 – Other Departments, Boards and Commissions to get rid of boards and commissions.** Moved by Commissioner Stewart and second by Commissioner Williams.

Other Departments, ~~Boards and Commissions~~

Other departments, ~~boards and commissions~~, not created by this charter, for performance of executive and administrative functions may be created in the executive branch by ordinance, consistent with ~~Sections 4.106–4.109~~ of this Charter.

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

No: None

Motion Carried

23-135 **Motion to keep Article IV Executive Branch, Chapter 6 – Remainder of the Executive Branch, Section 4.602 – Assignment of Administrative Functions as is.** Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

23-136 **Motion to keep Article IV Executive Branch, Chapter 6 – Remainder of the Executive Branch, Section 4.603 – Initial Continuation of Departments, Boards and Commissions as is.** Moved by Commissioner Williams and second by Commissioner Turpin.

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

No: None

Motion Carried

23-137 **Motion to keep Article IV Executive Branch, Chapter 6 -Mayor, Section 4.109 – Boards and Commission as new Section 4.108, move Boards and Commission and Article IV, Chapter 7, changing Arts Commission to Commissions under Article VI – General Provisions.** Moved by Commissioner Stewart and second by Commissioner Williams.

Ayes: Ybarra III, Burrows, Garrett, Payne, Ramsey, Stewart, Turpin, and Williams

No: None

Motion Carried

23-138 **Motion to keep Article V Financial Procedures, Chapter 1 - Budget, Section 5.101 – Fiscal Year as is.** Moved by Commissioner Stewart and second by Commissioner Burrows.

Ayes: Burrows, Killian, Payne, Ramsey, Stewart, Turpin and Ybarra III

No: None

Motion Carried

Commissioner Williams was absent from the vote.

Vice Chair Kermit Williams left the meeting.

~~23-139~~ **Motion to keep Article V Financial Procedures, Chapter 1 – Budget, Section 5.102 – Mayoral Budget and Appropriation Ordinance as is.** Moved by Commissioner Stewart and second by Commissioner Killian.

Commissioner Stewart withdrew his motion and commissioner Killian withdrew his second.

23-139 **Motion to amend Article V Financial Procedures, Chapter 1 – Budget, Section 5.102 – Mayoral Budget and Appropriation Ordinance.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

At least ~~thirty (30) sixty (60)~~ **ninety (90) days** before the end of each fiscal year, the Mayor shall prepare and submit to the Council a proposed annual budget and proposed annual appropriation ordinance for the next fiscal year. To assist the Mayor in preparing such budget and ordinance, the departments of City government shall furnish the Mayor with detailed estimates of expenses, according to a classification which is nearly uniform as possible. Proceedings on the proposed budget and the appropriation ordinance and the adoption thereof shall be provided by law.

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

No: None

Motion Carried

23-140 **Motion to keep Article V Financial Procedures, Chapter 1 – Budget, Section 5.103 – Veto as is.** Moved by Commissioner Stewart and second by Commissioner Turpin.

Ayes: Payne, Ramsey, Stewart, Turpin, Ybarra III, Burrows, and Killian

No: None

Motion Carried

23-141 **Motion to remove Article V Financial Procedures, Chapter 1 – Budget, Section 5.104 – Budget to Be Balanced and have its own section.** Moved by Commissioner Stewart and second by Commissioner Payne.

~~Budget to Be Balance~~

~~The total amount of appropriations shall not exceed the estimated revenues of the City. No liabilities shall be incurred by any elective officer, appointee or employee of the City, except in accordance with the provisions of the appropriation ordinance, or under continuing contracts and loan authorized under this charter.~~

Ayes: Ramsey, Stewart, Turpin, Ybarra III, Burrows, Killian and Payne

No: None

Motion Carried

23-142 **Motion to add Article V Financial Procedures, Chapter 1 – Budget, Section 5.104 – Budget to Be Adopted as the new Section 5.105.** Moved by Commissioner Stewart and second by Commissioner Turpin.

Budget to Be Adopted

An annual budget and appropriation ordinance shall be adopted at least thirty (30) days before each new fiscal year.

Ayes: Stewart, Turpin, Ybarra III, Burrows, Killian, Payne and Ramsey

No: None

Motion Carried

23-143 **Motion to keep Article V Financial Procedures, Chapter 1 – Budget, Section 5.105 – Interim Authority as is as the new Section 5.106.** Moved by Commissioner Stewart and second by Commissioner Payne.

Ayes: Turpin, Ybarra III, Burrows, Killian, Payne, Ramey and Stewart

No: None

Motion Carried

23-144 **Motion to keep Article V Financial Procedures, Chapter 1 – Budget, Section 5.106 – Transfers and Supplemental Appropriations as is as the new Section 5.107.** Moved by Commissioner Stewart and second by Commissioner Killian.

Ayes: Ybarra III, Burrows, Killian, Payne, Ramsey, Stewart and Turpin

No: None

Motion Carried

23-145 **Motion to table Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.201 – Property Tax Levy until the next meeting.** Moved by Commissioner Killian and second by Commissioner Ybarra III.

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

No: None

Motion Carried

Commissioner Scott Stewart was absent for the vote.

Commissioner Scott Stewart left the meeting at 8:07 p.m.

23-146 **Motion to keep Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.202 – Other Revenue as is.** Moved by Commissioner Killian and second by Commissioner Ybarra III.

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

No: None

Motion Carried

23-147 **Motion to keep Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.203 – Duties of Clerk as is.** Moved by Commissioner Turpin and second by Commissioner Payne.

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

No: None

Motion Carried

23-148 **Motion to keep Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.204 – Lien as is.** Moved by Commissioner Payne and second by Commissioner Ybarra III.

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

No: None

Motion Carried

23-149 **Motion to table Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.205 – Tax Limits until the next meeting.** Moved by Commissioner Killian and second by Commissioner Payne.

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

No: None

Motion Carried

23-150 **Motion to keep Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.206 – Special Assessment Financing as is.** Moved by Commissioner Turpin and second by Commissioner Killian.

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

No: None

Motion Carried

23-151 **Motion to keep Article V Financial Procedures, Chapter 2 – Taxation and Special Assessments, Section 5.207 – Limits on Incurring Obligations as is.** Moved by Commissioner Ybarra III and second by Commissioner Killian.

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

No: None

Motion Carried

Closing Comments – Commissioner Lucy Payne, Commissioner Bruce Turpin, Commissioner Jose Ybarra III, Commissioner Bryan Killian, Commissioner Norbert Burrows, and Chair Tameka Ramsey made closing comments.

Adjournment

Chair Tameka Ramsey adjourned the meeting at 8:32 p.m.

Jonathan Starks
Deputy City Clerk