

January 11, 2024, Approved Minutes

**Official Proceedings
2022 Pontiac Charter Revision Commission
24th Session**

Call to order

A 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, January 11, 2024, at 6:02 p.m.

Roll Call

Members Present – Lucy Payne, Tameka Ramsey, Scott Stewart, Bruce Turpin, and Kermit Williams.

A quorum was announced.

Excuse Commissioners

24-1 **Motion to excuse Commissioners Norbert Burrows, Gill Garrett, Bryan Killian, and Jose Ybarra III for personal reasons.** Moved by Commissioner Stewart and second by Commissioner Williams.

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

No: None

Motion Carried

Amendments and or Approval of the Agenda

24-2 **Motion to approve the agenda.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

Approval of the Minutes

24-3 **Motion to approve meeting minutes from December 14, 2023.** Moved by Commissioner Williams and second by Commissioner Turpin.

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

No: None

Motion Carried

Public Comment – None

Special Presentation – Hafeli, Staran & Christ, P.C. – proposal for Charter Revision Commission Legal Services

Commissioner Norbert Burrows arrived at 6:08 p.m.

Commissioner Bryan Killian arrived at 6:22 p.m.

Commissioner Jose Ybarra III arrived at 6:25 p.m.

Resolution

24-4 **Resolution to approve Legal Counsel with Hafeli, Staran & Christ, P.C.** Moved by Commissioner Williams and second by Commissioner Stewart.

Whereas, the 2022 Charter Revision Commission of the City of Pontiac (the “Commission”) is a public body organized pursuant to the affirmative vote of the people of the City of Pontiac at an election held Tuesday, August 3, 2021, to propose certain revisions to the City Charter of the City of Pontiac (the current Charter being effective as of May 3, 1982), and;

Whereas, the Charter Revision Commission seeks the assistance of legal counsel to review its proposed changes to the City of Pontiac Charter, and;

Whereas, Hefeli, Staran and Christ, P.C. has submitted a proposal to provide legal services to the Pontiac Charter Revision Commission, and;

Whereas, Hafeli, Staran and Christ, P.C. attorneys have extensive local government law experience including serving as legal counsel to the City of Clawson Charter Commission, and;

Whereas, the City of Pontiac allocated \$25,000 in the 2023-24 Fiscal Year Budget for legal services for the Charter Commission.

Now, Therefore, Be It Resolved, the Pontiac Charter Revision Commission approves Hafeli, Staran and Christ, P.C. to serve as its legal counsel at an hourly rate of \$200.00 not to exceed \$25,000.

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

No: None

Resolution Passed

Communication from Councilwoman Kathalee James

24-5 **Motion to postpone item X, Communication from Councilwoman Kathalee James until next week (1-18/2024) Charter Revision Commission Meeting.** Moved by Commissioner Stewart and second by Commissioner Williams.

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

No: None

Motion Carried

2024 Meeting Schedule

24-6 **Motion to approve the 2024 Charter Revision Commission Meeting Monthly Schedule.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

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

No: None

Motion Carried

****See 2024 Charter Revision Commission Meeting Schedule as Exhibit A after the minutes****

Amendments to the 2013 Charter

24-7 **Motion to keep Article VII, Ethical Standards, Section 7.102 – Disclosures as is.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

24-8 **Motion to add Chapters for each Header in Section VII.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

24-9 **Motion to amend Article VII, Ethical Standards, Chapter 1, Section 7.103 – Lobbying Registration and Reporting.** Moved by Commissioner Williams and second by Commissioner Stewart.

To the extent by law, lobbyists shall register, file reports, and pay fees.

a. A lobbyist, as defined by this Charter, who lobbies within the City government shall be required to register with the City and file a report of his or her lobbying activity with the City and its personnel.

b. All documents filed by lobbyists shall be filed with the City Clerk, be a public record and additionally published electronically or by other formats as to provide access to the reports.

c. A fee may be assessed to each lobbyist, as approved by ordinance.

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

No: None

Motion Carried

24-10 **Motion to keep Article VII, Ethical Standards, Chapter 1, Section 7.104 – Gifts and Gratuities as is.** Moved by Commissioner Killian and second by Commissioner Ybarra III.

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

No: None

Motion Carried

24-11 **Motion to keep Article VII, Ethical Standards, Chapter 1, Section 7.105 – One Year Post-Employment Prohibition as is.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

24-12 **Motion to keep Article VII, Ethical Standards, Chapter 1, Section 7.106 – Contracts Voidable and Rescindable as is.** Moved by Commissioner Williams and second by Commissioner Killian.

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

No: None

Motion Carried

24-13 **Motion to amend Article VII, Ethical Standards, Chapter 1, Section 7.107 – Campaign Activities.** Moved by Commissioner Williams and second by Commissioner Killian.

Appointees, appointive officers, employees, and contracted entities' staff are prohibited from engaging in campaign activities using City property. **Engaging in political activity during working hours is prohibited.**

The Mayor and City Council members, appointees, appointive officers, and employees **are prohibited from engaging in campaign activities using City property. Engaging in political activity during working hours is prohibited.** No appointee, appointive officer, employee or contracted entities' staff can be required or pressured to work on or financially contribute to campaigns as a condition of their hiring or continued employment.

Ayes: Ramsey, Stewart, Turpin, Williams, Ybarra III, Burrows, and Killian
No: Payne
Motion Carried

Commissioner Gill Garrett arrived at 7:22 p.m.

24-14 **Motion to strike out Article VII, Ethical Standards, Chapter 1, Section 7.108 – Board of Creation and Membership, and Section 7.109 - Member Appointment, Terms and Rules.** Moved by Commissioner Stewart and second by Commissioner Williams.

Ayes: Stewart, Turpin, Williams, Ybarra III, Burrows, Payne, and Ramsey
No: None
Abstain: Garrett
Motion Carried
Commissioner Killian was absent for the vote.

24-15 **Motion to add Chapter 2 - Office of Public Integrity to the amended City Charter.** Moved by Commissioner Williams and second by Commissioner Stewart.

Chapter 2 - Office of Public Integrity

Ayes: Williams, Ybarra III, Burrows, Garrett, Killian, Payne, Ramsey, and Stewart
No: Turpin
Motion Carried

24-16 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.201 – Establishment of Office as is.** Moved by Commissioner Garrett and second by Commissioner Stewart.

There shall be established an independent Office of Public Integrity (OPI) within the government of the City of Pontiac. The Public Integrity Officer shall head the office. The purpose of the Office of Public Integrity is to ensure honesty and integrity in City government by rooting out waste, abuse, fraud, and corruption.

Ayes: Williams, Ybarra III, Burrows, Garrett, Killian, Payne, Ramsey, and Stewart
No: Turpin
Motion Carried

24-17 **Motion to keep Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.202 – Appointment, Removal, Term of Office, and Vacancy as is.** Moved by Commissioner Payne and second by Commissioner Ybarra III. Discussion. Deliberation. Commissioner Payne rescind her motion and Commissioner Ybarra III rescind his second.

24-18 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.202 – Appointment, Removal, Term of Office, and Vacancy.** Moved by Commissioner Williams and second by Commissioner Garrett.

- a. The Public Integrity Officer shall be appointed by a majority (51%) of City Council members serving for a term of six (6) years.
- b. The Public Integrity Officer may be removed for cause by a three-fourths (3/4) vote of City Council members serving. The Public Integrity Officer may only be removed from the office for cause, such as gross misconduct or incompetence.
- c. If a vacancy occurs in the Office of Public Integrity, the City Council shall, within ninety (90) days, fill the office for a full term.
- d. This position is subject to recall provisions as outlined in this City Charter.

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

No: None

Motion Carried

24-19 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.203 – Minimum Qualifications.** Moved by Commissioner Williams and second by Commissioner Payne. Discussion. Deliberation. Commissioner Williams rescind his motion and Commissioner Payne rescind her second.

24-20 **Motion to add and amend Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.203 – Minimum Qualifications.** Moved by Commissioner Williams and second by Commissioner Garrett.

The Public Integrity Officer shall be a person who:

- 1.. Has an associate degree from an accredited institution of higher learning.
- 2. Has at least five (5) years of experience in any combination of the following fields:
 - a. As a federal, state, or local law enforcement officer;
 - b. As a federal, state, or local government attorney, including a public defender;
 - c. As a federal or state court judge;
 - d. Progressive supervisory experience in an investigative public agency similar to an inspector general or public integrity office;
 - e. Has managed and completed complex investigations involving allegations of fraud, theft, deception, and conspiracy; and
 - f. Has demonstrated the ability to work with local, state and federal law enforcement agencies and the judiciary.
 - g. Related field of experience.

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

No: Payne, and Turpin

Motion Carried

24-21 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.204 – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Ybarra III. Discussion. Deliberation. Commissioner Williams rescind his motion and Commissioner Ybarra III rescind his second.

24-22 **Motion to add and amend Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.204 – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Garrett. Discussion. Deliberation. Commissioner Williams rescind his motion and Commissioner Garrett rescind his second.

24-23 **Motion to table Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.204 – Limitations: Prohibited Activities for further discussion.** Moved by Commissioner Stewart and second by Commissioner Garrett.

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

No: None

Motion Carried

Closing Comments – Commissioner Scott Stewart, Commissioner Lucy Payne, Commissioner Norbert Burrows, Commissioner Bryan Killian, and Chair Tameka Ramsey made closing comments.

Adjournment

Chair Temaka Ramsey adjourned the meeting at 8:42 p.m.

Sheila R. Grandison
Deputy City Clerk