

January 18, 2024, Approved Minutes

**Official Proceedings  
2022 Pontiac Charter Revision Commission  
25<sup>th</sup> 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 18, 2024, at 6:13 p.m.

**Roll Call**

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

A quorum was announced.

**Excuse Commissioners**

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

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

No: None

**Motion Carried**

**Amendments and or Approval of the Agenda**

24-25 **Motion to approve the agenda.** Moved by Commissioner Turpin and second by Commissioner Payne.

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

No: None

**Motion Carried**

**Public Comment** – None

Commissioner Bryan Killian arrived at 6:20 p.m.

Commissioner Scott Stewart arrived at 6:27 p.m.

Commissioner Jose Ybarra III arrived at 6:37 p.m.

**Amendments to the 2013 Charter**

24-26 **Motion to add and amend Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.204 – Limitations: Prohibited Activities.** Moved by Commissioner Stewart and second by Commissioner Payne.

~~During his or her term, the Public Integrity Officer may not engage in an occupation for profit, except for teaching, or hold any other government office outside the duties of the Public Integrity Officer.~~ During his or her term, the Public Integrity Officer may only engage in an occupation for profit, as approved by the Ethics Board. The Public Integrity Officer may not hold any other government office outside the duties of the Public Integrity Officer and shall follow all conflict-of-interest provisions outlined in this Charter.

Subject to applicable law, the Public Integrity Officer shall not solicit votes or raise monetary or in-kind contributions for any candidate for an elective office.

~~Any person who has held the position of Public Integrity Officer is not eligible for re-appointment.~~

Subject to applicable law, the Public Integrity Officer may not hold any elective city office until two (2) years after leaving the position.

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

No: Turpin, and Williams

**Motion Carried**

24-27 **Motion to table Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (a) – Powers and Duties: Jurisdiction for further discussion.** Moved by Commissioner Williams and second by Commissioner Killian.

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

No: Turpin

**Motion Carried**

24-28 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (b) – Powers and Duties: Jurisdiction as is.** Moved by Commissioner Williams and second by Commissioner Stewart.

(b) The Office of Public Integrity shall have the authority and responsibility to conduct independent and objective investigations into allegations of fraud, waste, abuse, corruption, or misconduct in the administration of city programs and operations.

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

No: Turpin

**Motion Carried**

24-29 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (c) – Limitations: Prohibited Activities as is.** Moved by Commissioner Williams and second by Commissioner Payne.

(c) The Public Integrity Officer may subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, enter and inspect premises within the control of any city agency during regular business hours. The Public Integrity Officer may enforce a subpoena or order for production of evidence. The Public Integrity Officer may work with the appropriate court and law enforcement agency to impose any penalty prescribed for failure to obey a subpoena or order.

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

No: Turpin

**Motion Carried**

24-30 **Motion to add and amend Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (d) – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Stewart.

~~(d) The Public Integrity Officer shall serve as the liaison for challenges between elected officers of the city, including between members of City Council, the Mayor, and other necessary positions. The public integrity officer shall serve as liaison between elected officers of the city, including any public servants.~~

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

24-31 **Motion to table Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (e) – Limitations: Prohibited Activities for further discussion.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

Ayes: Ybarra III, Burrows, Killian, Payne, Ramsey, Stewart, Turpin, and Williams  
No: None  
**Motion Carried**

24-32 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (f) – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Stewart.

(f) The Public Integrity Officer shall be the City Official in charge of the transition process, in cooperation with the City Clerk, to ensure effective maintenance of records, city documents, and property retrieve, that ethical standards are addressed, and necessary processes and procedures are followed for a smooth transition between elected and appointed officials of the City.

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

24-33 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (g) – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Payne.

(g) The Office of Public Integrity shall conduct audits and review of city agencies, departments, and programs to ensure compliance with applicable laws, regulations, and policies to promote efficiency and effectiveness in city government. As part of this process, the office shall ensure compliance with ethical standards, policies, and procedures of all city vendors and contractors.

Ayes: Payne, Ramsey, Stewart, Williams, Ybarra III, and Burrows  
No: Turpin  
**Motion Carried**  
Commissioner Killian was absent for the vote.

24-34 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (h) – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Stewart.

(h) The Office of Public Integrity shall submit reports outlining findings and recommendations on a regular basis to the Board of Ethics and may provide reports as requested by the City Council and Mayor. The process shall detail any recommended corrective actions and advice on the implementation of best practices to mitigate future issues.

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

24-35 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.205 (i) – Limitations: Prohibited Activities.** Moved by Commissioner Williams and second by Commissioner Stewart.

(i) If the Public Integrity Officer has probable cause to believe that any Public Servant, or any person doing or seeking to do business with the City has performed an alleged illegal act, then he or she shall promptly refer the matter to the appropriate prosecuting authorities.

Ayes: Payne, Ramsey, Stewart, Turpin, Williams, Ybarra III, Burrows, and Killian  
No: None  
**Motion Carried**

24-36 **Motion to add and amend VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.206 (a) – Independence, Retaliation, Confidentiality, and Immunity.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

(a) The Public Integrity Officer and their office shall operate independently from other city agencies and officials in the performance of duties to ensure impartiality and objectivity in investigations and audits. The Public Integrity Officer and their office shall report directly to the Board of Ethics.

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

24-37 **Motion to table Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.206 (b) – Independence, Retaliation, Confidentiality, and Immunity for further discussion.** Moved by Commissioner Williams and second by Commissioner Payne.

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

24-38 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.206 (c) – Independence, Retaliation, Confidentiality, and Immunity.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

(c) No person shall retaliate against, punish, or penalize any person or entity for complaining to, cooperating with, or assisting the Public Integrity Officer in the performance of his or her duties. Any person that violates this provision shall be subject to a fine outlined in rules and procedures by the Board of Ethics for each violation and any other penalties under applicable law, ordinance, or this Charter. The person or entity is subject to whistleblower protections provided by law or regulation.

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

24-39 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.206 (d) – Independence, Retaliation, Confidentiality, and Immunity.** Moved by Commissioner Williams and second by Commissioner Killian.

(d) All investigative files of the Office of Public Integrity shall be confidential and shall not be divulged to any person or agency, except to the United States Attorney, the Michigan Attorney General or Oakland County Prosecutor’s Office, or as otherwise provided in this Charter or other applicable law.

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

No: Turpin

**Motion Carried**

24-40 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.206 (e) – Independence, Retaliation, Confidentiality, and Immunity.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

(e) The Public Integrity Officer and their staff shall be, to the full extent permitted by law, immune from any suit based on any report or communication within the scope of official duties.

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

No: Killian, Ramsey, and Turpin

**Motion Carried**

24-41 **Motion to table Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.207 (a) – Funding: Office Staffing for further discussion.** Moved by Commissioner Stewart and second by Commissioner Killian.

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

No: None

**Motion Carried**

24-42 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.208 (a) – Reporting and Transparency: Consultation Required.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

(a) The Public Integrity Officer shall submit an annual report to the Mayor and City Council, and citizens of Pontiac summarizing the activities, findings, and recommendations of the Office of Public Integrity. These reports shall be made available to the public ensuring transparency and accountability with proper redactions.

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

No: Turpin

**Motion Carried**

24-43 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.208 (b) – Reporting and Transparency: Consultation Required.** Moved by Commissioner Williams and second by Commissioner Stewart.

(b) Where there exists a conflict of interest between the Public Integrity Officer, and another branch of city government, person, or entity, the Public Integrity Officer has the authority to retain necessary consultative services, including but not limited to the retention of an attorney licensed to practice law in

Michigan who shall represent the Office of Public Integrity in legal proceedings, as approved by the Board of Ethics. Such attorney shall not represent the City as a municipal corporation in any legal proceedings.

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

No: Payne

**Motion Carried**

24-44 **Motion to add Article VII, Ethical Standards, Chapter 2, Office of Public Integrity, Section 7.208 (c) – Reporting and Transparency: Consultation Required as is.** Moved by Commissioner Burrows and second by Commissioner Payne.

(c) No report or recommendation that criticizes an official act shall be announced until every agency or person affected is allowed a reasonable opportunity to be heard and consulted as part of the investigative process. A copy of any statement made by the agency or individual affected shall accompany the report. A meeting may be requested of the Board of Ethics by the Public Integrity Officer and/or the individual or agency affected to review the report and provide a response.

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

No: None

**Motion Carried**

**Closing Comments** – Commissioner Lucy Payne, Commissioner Bruce Turpin, Commissioner Norbert Burrows, and Commissioner Bryan Killian made closing comments.

### **Adjournment**

Chair Temaka Ramsey adjourned the meeting at 8:38 p.m.

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Sheila R. Grandison  
Deputy City Clerk