

**Official Proceedings
2022 Pontiac Charter Revision Commission
26th 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 Saturday, January 20, 2024, at 10:15 a.m.

Roll Call

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

A quorum was announced.

Excuse Commissioners

24-45 **Motion to excuse Commissioner Gill Garrett, and Jose Ybarra III for personal reasons.** Moved by Commissioner Williams and second by Commissioner Killian.

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

No: None

Motion Carried

Amendments and or Approval of the Agenda

24-46 **Motion to approve the agenda.** Moved by Commissioner Williams and second by Commissioner Stewart.

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

No: None

Motion Carried

Public Comment – None

Amendments to the 2013 Charter

24-47 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.301 – Board of Ethics Creation Membership.** Moved by Commissioner Williams and second by Commissioner Stewart.

In order to provide an orderly procedure for consideration and review of the issues which may arise concerning questions of standards of conduct for public servants, a Board of Ethics for the City, is hereby created:

- a. The Board of Ethics shall consist of five (5) members.
- b. Two (2) shall be appointed by the City Council.
- c. Two (2) shall be appointed by the Mayor.
- d. One (1) shall be appointed by the Election Commission.
- e. Such appointments shall be made after applications are received, reviewed and interviews conducted.

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

No: None

Motion Carried

Commissioner Gill Garrett arrived at 10:40 a.m.

24-48 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (a) – Member Appointment, Terms, and Removals.** Moved by Commissioner Williams and second by Commissioner Killian.

(a) Members of the Board of Ethics shall be City residents. All terms shall be five (5) years, except for the initial terms. The initial terms shall be one Mayoral appointment for three (3) years, one Council appointment for three (3) years and all other appointments for five (5) years. Thereafter, all terms shall be for five (5) years each. Appointees are eligible to serve additional time until their replacement is confirmed.

Ayes: Ramsey, Stewart, Turpin, Williams, Garrett, Killian, and Payne
No: Burrows

Motion Carried

24-49 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (b) – Member Appointment, Terms, and Removals.** Moved by Commissioner Williams and second by Commissioner Stewart.

(b) No person shall serve more than two (2) terms.

Ayes: Stewart, Turpin, Williams, Burrows, Garrett, Killian, Payne, and Ramsey
No: None

Motion Carried

24-50 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (c) – Member Appointment, Terms, and Removals.** Moved by Commissioner Williams and second by Commissioner Payne.

c) No elected official, appointive officer, or employee of any City agency, nor any person serving in an elective office at any level, shall be a Board of Ethics member. Members shall also not have been candidates for any elective City office for two (2) years prior to their appointment or one (1) year after their term. Any individual serving on the Board of Ethics may not hold elective office while serving.

Ayes: Turpin, Williams, Burrows, Killian, Payne, and Stewart
No: Garrett, and Ramsey

Motion Carried

24-51 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (d) – Member Appointment, Terms, and Removals.** Moved by Commissioner Williams and second by Commissioner Stewart.

(d) If any issue before the Board of Ethics involves any member of the board, the Election Commission shall appoint an additional member or members to sit for the purpose of that determination in place of that member or members involved.

Ayes: Williams, Burrows, Garrett, Killian, Payne, Ramsey, Stewart, and Turpin
No: None

Motion Carried

24-52 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (e) – Member Appointment, Terms, and Removals.** Moved by Commissioner Turpin and second by Commissioner Payne. Discussion and debate. Commissioner Turpin rescind his motion and Commissioner Payne.

24-53 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.302 (e) – Member Appointment, Terms, and Removals.** Moved by Commissioner Payne and second by Commissioner Williams.

(e) Members of the Board of Ethics are subject to removal for cause as defined by Section 6.109 of this Charter, upon conclusion of investigation, by two-thirds (2/3) majority vote of the Board.

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

No: None

Motion Carried

24-54 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.303 (a) – Rules and Procedures.** Moved by Commissioner Williams and second by Commissioner Stewart. Discussion. Commissioner Williams rescind his motion and Commissioner Stewart rescind his second.

24-55 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.303 (a) – Rules and Procedures.** Moved by Commissioner Garrett and second by Commissioner Payne.

(a) At the initial board meeting, the City Clerk shall convene the meeting and the first order of business will be for a Board Chair to be elected by a majority of the board. The term of board chair shall be at least two (2) years.

Ayes: Killian, Payne, Stewart, Turpin, Burrows, and Garrett

No: Ramsey, and Williams

Motion Carried

24-56 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.303 (b) – Rules and Procedures.** Moved by Commissioner Williams and second by Commissioner Payne.

(b) The Board of Ethics shall adopt its own rules and procedures consistent with ordinances, this Charter and law.

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

No: None

Motion Carried

Commissioner Killian was absent for the vote.

24-57 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.303 (c) – Rules and Procedures.** Moved by Commissioner Williams and second by Commissioner Stewart.

(c) All meetings of the Board of Ethics shall be subject to the Michigan Open Meetings Act MCL 15.261, et al., and open to the public unless an individual involved in the matter to be addressed requests in writing that the meeting be closed, or unless otherwise provided by ordinance and consistent with state law.

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

No: None

Motion Carried

24-58 **Motion to add and amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.303 (d) – Rules and Procedures.** Moved by Commissioner Williams and second by Commissioner Stewart.

(d) The Board of Ethics shall be supported by the Office of Public Integrity and Public Integrity Officer.

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

No: None

Motion Carried

24-59 **Motion to table Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (a) – Powers and Duties for further discussion.** Moved by Commissioner Williams and second by Commissioner Killian.

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

No: None

Motion Carried

24-60 **Motion to add Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (b) – Powers and Duties as is.** Moved by Commissioner Williams and second by Commissioner Garrett. Discussion. Commissioner Williams rescind his motion but then withdrew his rescind.

(b) Receive and resolve complaints arising under Article VII of this Charter. The Board of Ethics shall work in cooperation with the Office of Public Integrity to conduct investigations on its own initiative, subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, appoint independent counsel when necessary, and to perform other functions essential to ensure the integrity of City government.

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

No: None

Motion Carried

24-61 **Motion to add and Amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (c) – Powers and Duties.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

(c) Work in cooperation with the Office of Public Integrity to prepare an annual report for submission to the Mayor, City, Council, and Election Commission. The Board of Ethics may recommend improvements in addressing ethical behaviors for City elective officers, appointees, and employees in establishing standards of conduct, this Charter, city ordinances, and other laws or regulations, including procedures related to the administration and enforcement of those standards.

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

No: None

Motion Carried

24-62 **Motion to add and Amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (d) – Powers and Duties.** Moved by Commissioner Williams and second by Commissioner Burrows. Discussion. Commissioner Williams rescind his motion and Commissioner Burrows rescind his second.

24-63 **Motion to add and Amend Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (d) – Powers and Duties.** Moved by Commissioner Stewart and second by Commissioner Garrett.

~~(d) Work with the Public Integrity Office to provide training related to ethical standards for all elective officers, appointive officers, and employees.~~

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

No: None

Motion Carried

24-64 **Motion to revisit and strike Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (a) – Powers and Duties.** Moved by Commissioner Williams and second by Commissioner Payne.

~~(a) Issue advisory opinions regarding the meaning and application of provisions of the Charter, city ordinance or other laws or regulations establishing standards of conduct for elected and appointed officials. The Advisory opinions shall not disclose the identity of the Public Servant concerned.~~

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

No: None

Motion Carried

24-65 **Motion to re-letter the provisions under Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 – Powers and Duties. Section C would be the new A, Section B will remain the same and Section D would be the new C.** Moved by Commissioner Stewart and second by Commissioner Williams.

~~(a) Work in cooperation with the Office of Public Integrity to prepare an annual report for submission to the Mayor, City, Council, and Election Commission. The Board of Ethics may recommend improvements in addressing ethical behaviors for City elective officers, appointees, and employees in establishing standards of conduct, this Charter, city ordinances, and other laws or regulations, including procedures related to the administration and enforcement of those standards.~~

~~(b) Receive and resolve complaints arising under Article VII of this Charter. The Board of Ethics shall work in cooperation with the Office of Public Integrity to conduct investigations on its own initiative, subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, appoint independent counsel when necessary, and to perform other functions essential to ensure the integrity of City government.~~

~~(c) Work with the Public Integrity Office to provide training related to ethical standards for all elective officers, appointive officers, and employees.~~

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

No: None

Motion Carried

24-66 **Motion to add Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.304 (d) – Powers and Duties.** Moved by Commissioner Stewart and second by Commissioner Williams.

(d) The Board of Ethics shall provide direct oversight over the Public Integrity Officer.

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

No: None

Motion Carried

Commissioner Killian was absent for the vote.

24-67 **Motion to add Article VII, Ethical Standards, Chapter 3, Boards of Ethics, Section 7.305 – Board of Ethics Funding as is.** Moved by Commissioner Williams and second by Commissioner Burrows.

The City shall annually appropriate funds sufficient to enable the Board of Ethics to perform its duties. Funding shall be in accordance with this Charter.

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

No: None

Motion Carried

Commissioner Killian was absent for the vote.

Closing Comments - None

24-68 **Motion to adjourn the meeting.** Moved by Commissioner Garrett and second by Commissioner Burrows.

Ayes: Turpin, Burrows, Ramsey, and Stewart

No: Williams, Garrett, and Payne

Motion Carried

Commissioner Killian was absent for the vote.

Adjournment

Chair Temaka Ramsey adjourned the meeting at 1:10 p.m.

Sheila R. Grandison
Deputy City Clerk