

February 1, 2024, Approved Minutes

**Official Proceedings
2022 Pontiac Charter Revision Commission
29th 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 February 1, 2024, at 6:05 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

24-142 **Motion to excuse Commissioner Gill Garrett, Scott Stewart, and Jose Ybarra III for personal reasons.** Moved by Commissioner Williams and second by Commissioner Turpin.

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

No: None

Motion Carried

Amendments and or Approval of the Agenda

24-143 **Motion to approve the agenda.** Moved by Commissioner Williams and second by Commissioner Killian.

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

No: None

Motion Carried

24-144 **Motion to approved meeting minutes form January 20, 2024, and January 25, 2024.**

Moved by Commissioner Turpin and second by Commissioner Payne.

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

No: None

Motion Carried

Public Comment – None

Commissioner Scott Stewart arrived at 6:11 p.m.

Amendments to the 2013 Charter

24-145 **Motion to amend Article III, Legislative Branch, Chapter 1, Section 3.111 – Appointment of Clerk.** Moved by Commissioner Williams and second by Commissioner Payne.

The Council shall appoint a City Clerk for an indefinite period upon a satisfactory evaluation; the Clerk shall continue its appointment with a yearly evaluation. The Clerk is removable by five (5) members of the eCouncil or Council President and three additional members of Council.

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

No: Killian

Motion Carried

24-146 **Motion to amend Article III, Legislative Branch, Chapter 1, Section 3.112e – Ordinance Procedure.** Moved by Commissioner Williams and second by Commissioner Stewart.

The effective date of an ordinance shall be stated ~~therein~~. The effective date shall not be less than 10 business days from the date of ~~adoption or~~ publication, ~~whichever occurs later~~. No ordinance, ~~except an~~ emergency ordinance, shall be adopted on the same day that it is introduced.

Commented [DLH11]: Legalese

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

No: None

Motion Carried

24-147 **Motion to keep Article III, Legislative Branch, Chapter 1, Section 3.112g – Ordinance Procedure as is.** Moved by Commissioner Stewart and second by Commissioner Killian.

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

No: None

Motion Carried

Commissioner Williams was absent for the vote.

24-148 **Motion to suspend our Review of amendments for point of privilege to receive recommendations and comments from Mayor Tim Greimel.** Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

Commissioner Williams was absent for the vote.

24-149 **Motion to update Article II, Elections, Section 2.105 – Election Commission.** Moved by Commissioner Williams and second by Commissioner Stewart.

The Commission has general supervision of all elections in the City, ~~shall be advised by the City Attorney~~, and may hire assistants, inspectors, and other election personnel and an independent Attorney or Law Firm.

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

No: None

Motion Carried

24-150 **Motion to update Article IV – Executive Branch, Chapter 1, Mayor, Section 4.102e – Duties of the Mayor.** Moved by Commissioner Williams and second by Commissioner Stewart. Discussion. Commissioner Williams rescind his motion and Commissioner Stewart rescind his second.

24-151 **Motion to update Article IV – Executive Branch, Chapter 1, Mayor, Section 4.102e – Duties of the Mayor.** Moved by Commissioner Stewart and second by Commissioner Williams.

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e) ~~Seeing that~~ **Providing** monthly regular financial reports of revenues and expenditures to the legislative branch, quarterly financial statements to the legislative branch, annual financial statements provided by independent auditors of the City to the legislative branch.

Ayes: Turpin, Ybarra III, Burrows, Payne, and Stewart
No: None
Motion Carried

24-152 **Motion to update Article IV, Executive Branch, Chapter 1 – Mayor, Section 4.103 – Deputy Mayor.** Moved by Commissioner Stewart and second by Commissioner Williams.

A person serving in the position of Deputy Mayor shall have ~~a combination of a bachelor's degree or~~ **master's degree** in public administration, business administration or related field with a master's degree being preferred. Experience with municipal finance, community and economic development, project manager, and supervisory skills. Good written and oral communications skills.

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

24-153 **Motion to update Article IV, Executive Branch, Chapter 1 – Mayor, Section 4.104 – Relations with City Council.** Moved by Commissioner Williams and second by Commissioner Stewart.

The Mayor or the Deputy Mayor shall attend all meetings of the Council and respond to questions from Council members and citizens, make reports and present proposals by the following regular City Council meeting ~~and/or emergency meeting~~. Failure to present and respond to Council members or citizens **may** be investigated by the Public Integrity Officer.

Commented [DLH12]: Could be only 18 hours if special meeting called. That does not appear entirely reasonable?

The Mayor and the Deputy Mayor may designate a ~~e~~City administrative officer to attend meetings of the Council on their behalf when they are temporarily absent due to an emergency or a disability.

Ayes: Ramsey, Stewart, and Williams
No: Payne, Turpin, Burrows, and Killian
Motion Failed.

24-154 **Motion to update Article IV, Executive Branch, Chapter 1 – Mayor, Section 4.107c – Duties of Department Directors.** Moved by Commissioner Stewart and second by Commissioner Williams.

c. **Shall perform their duties** as consistent with job description.

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

24-155 **Motion to update Article IV, Executive Branch, Chapter 2 – City Attorney, Section 4.202b – Duties of City Attorney.** Moved by Commissioner Williams and second by Commissioner Payne.

b. Preparing and **providing advice about** ~~such~~ leases, deeds, contracts, or other papers as may be required by the Mayor, Council, or any department.

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

No: None

Motion Carried

Point of Privilege

24-156 **Motion to add another meeting on Saturday, February 10, 2024, at 10:00 a.m.**

Moved by Commissioner Williams and second by Commissioner Payne.

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

No: None

Motion Carried

Chair Tameka Ramsey left the meeting at 8:12 p.m. and Vice-Chair Kermit Williams will preside over the meeting.

Continue Review of Amendments from Charter Legal Counsel

24-157 **Motion to table Article III, Legislative Branch, Chapter 1 – City Council, Section**

3.113 – Transfer of City Property: Contracts for legal counsel review. Moved by Commissioner Stewart and second by Commissioner Killian.

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

No: None

Motion Carried

24-158 **Motion to keep Article III, Legislative Branch, Chapter 1 – City Council, Section**

3.115 – Staff as is. Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

Commissioner Burrows was absent for the vote.

24-159 **Motion to update Article III, Legislative Branch, Chapter 1 – City Council, Section**

3.117 – Investigative Powers. Moved by Commissioner Turpin and second by Commissioner Stewart.

The eCouncil may subpoena witnesses, administer oaths, take testimony, and require the production of evidence in any matter pending before it. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the Council shall apply to the appropriate court and/or appropriate board or commission and **empowering** investigative powers to the appropriate board or commission.

Commented [DLH13]: What is "powering?"

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

No: None

Motion Carried

Commissioner Burrows was absent for the vote.

24-159 **Motion to update Article III, Legislative Branch, Chapter 1 – City Council, Section**

3.120 – Control of City payroll. Moved by Commissioner Turpin and second by Commissioner Stewart.

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No compensation or salary shall be paid to appointees, members of boards or commissions, volunteers, or employees of the City except as approved by the Council. ~~if it is determined that a violation has occurred of this provision, the monetary amount paid would be refunded from the mayor's salary no less than two pay periods after the violation has been certified.~~

Commented [DLH14]: Not likely this provision is valid. Can't disgorge salary earned from Mayor.

Ayes: Killian, Payne, Stewart, Turpin, and Williams
No: None
Abstain: Burrows
Motion Carried

24-160 **Motion to update Article III, Legislative Branch, Chapter 1 – City Council, Section 3.121 – Bonds.** Moved by Commissioner Stewart and second by Commissioner Turpin.

All required bonds shall be surety company bonds **license in the State of Michigan.**

Commented [DLH15]: Should surety companies be licensed in Michigan?

Ayes: Killian, Payne, Stewart, Turpin, Williams, and Burrows
No: None
Motion Carried

24-161 **Motion to strike Article III, Legislative Branch, Chapter 2 – City Clerk, Section 3.201g – Functions and Duties of the Clerk.** Moved by Commissioner Killian and second by Commissioner Stewart.

~~g. The Clerk shall provide and maintain in their office a supply of forms for all petitions to be filed for any purpose by the provisions of this Charter.~~

Ayes: Payne, Stewart, Turpin, Williams, Burrows, and Killian
No: None
Motion Carried

24-162 **Motion to table Article IV- Executive Branch, Chapter 1 – Mayor, Section 4.101 – The Mayor for legal counsel review.** Moved by Commissioner Stewart and second by Commissioner Burrows.

Ayes: Stewart, Turpin, Williams, Burrows, Killian, and Payne
No: None
Motion Carried

24-163 **Motion to update Article IV- Executive Branch, Chapter 1 – Mayor, Section 4.107 – Duties of Department Heads throughout the whole charter.** Moved by Commissioner Stewart and second by Commissioner Payne.

Department Heads

Ayes: Stewart, Turpin, Williams, Burrows, Killian, and Payne
No: None
Motion Carried

24-164 **Motion to table Article IV- Executive Branch, Chapter 3 – Finance Department, Section 4.307 – Assessment Division, City Assessor, or Assessment Services for legal counsel review.** Moved by Commissioner Stewart and second by Commissioner Payne.

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Ayes: Turpin, Williams, Burrows, Killian, Payne, and Stewart
No: None
Motion Carried

24-165 **Motion to deny changes to Article IV- Executive Branch, Chapter 5 – Fire Protection Services from legal counsel.** Moved by Commissioner Stewart and second by Commissioner Turpin.

Ayes: Williams, Burrows, Killian, Payne, Stewart, and Turpin
No: None
Motion Carried

24-166 **Motion to keep Article V- Finance Procedures, Chapter 1 – Budget, Section 5.102 – Mayoral Budget and Appropriation Ordinance as is.** Moved by Commissioner Stewart, and second by Commissioner Payne.

Ayes: Burrows, Killian, Payne, Stewart, Turpin, and Williams
No: None
Motion Carried

24-167 **Motion to update Article V- Finance Procedures, Chapter 2 – Budget, Section 5.202 – Other Revenue.** Moved by Commissioner Stewart, and second by Commissioner Payne.

The City shall have such authority to raise revenue by **additional** taxation as provided by law.

Ayes: Burrows, Killian, Payne, Stewart, Turpin, and Williams
No: None
Motion Carried

24-168 **Motion to update Article V- Finance Procedures, Chapter 2 – Budget, Section 5.204 – Lien.** Moved by Commissioner Stewart and second by Commissioner Burrows.

All taxes, charges, and penalties, other than special assessments, ordered to be spread on any tax roll, shall become a lien upon the property assessed, on and after the first day provided for the collection of such roll as provided by ordinance and in **accordance** with law.

Commented [DLH16]: Should this be "accordance"?

Ayes: Killian, Payne, Stewart, Turpin, Williams, and Burrows
No: None
Motion Carried

24-169 **Motion to table Article V- Finance Procedures, Chapter 2 – Budget, Section 5.205 – Tax Limits for legal counsel review.** Moved by Commissioner Stewart and second by Commissioner Burrows.

Ayes: Killian, Payne, Stewart, Turpin, Williams, and Burrows
No: None
Motion Carried

24-170 **Motion to table Article V- Finance Procedures, Chapter 3 – Accounting Controls and Audits, Section 5.302 – Payments for legal counsel review.** Moved by Commissioner Stewart and second by Commissioner Killian.

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Ayes: Payne, Stewart, Turpin, Williams, Burrows, and Killian
No: None
Motion Carried

24-171 **Motion to table Article V- Finance Procedures, Chapter 4 – Assessment of Taxes, Section 5.402 – Board of Review for legal counsel review.** Moved by Commissioner Stewart and second by Commissioner Payne.

Ayes: Stewart, Turpin, Williams, Burrows, Killian, and Payne
No: None
Motion Carried

24-172 **Motion to update Article V- Finance Procedures, Chapter 4 – Assessment of Taxes, Section 5.406 – Equalization.** Moved by Commissioner Stewart and second by Commissioner Payne.

The eCity's aAssessor shall present the original assessment roll to the Board of Commissioners of Oakland County as provided by ordinance and in ~~conurrence~~ ~~accordance~~ with law. After equalization by the Board of Commissioners, such roll shall be the assessment roll of the City for all assessment purposes whatsoever except for the taxes levied in July as provided in ~~Section 5.407~~ **5.408.**

Commented [DLH17]: Should this be 5.408?

Ayes: Stewart, Turpin, Williams, Burrows, Killian, and Payne
No: None
Motion Carried

24-173 **Motion to keep Article V- Finance Procedures, Chapter 4 – Assessment of Taxes, Section 5.416 – Applicable Law as is.** Moved by Commissioner Turpin and second by Commissioner Killian.

Ayes: Turpin, Williams, Burrows, Killian, Payne, and Stewart
No: None
Motion Carried

24-174 **Motion to table Article V- Finance Procedures, Chapter 6– Special Assessments, Section 5.601 – Power Granted for legal counsel review.** Moved by Commissioner Killian and second by Commissioner Payne.

Ayes: Williams, Burrows, Killian, Payne, Stewart, and Turpin
No: None
Motion Carried

24-175 **Motion to table Article VI- General Provisions, Chapter 1 – Personnel Matters, Section 6.104 – Local Officers Compensation Commission for legal counsel.** Moved by Commissioner Stewart and second by Commissioner Payne.

Ayes: Burrows, Killian, Payne, Stewart, Turpin, and Williams
No: None
Motion Carried

24-176 **Motion to table Article VI- General Provisions, Chapter 1 – Personnel Matters, Section 6.105 – Vacancy for legal counsel.** Moved by Commissioner Killian and second by Commissioner Stewart.

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

No: None

Motion Carried

24-177 **Motion to table Article VI- General Provisions, Chapter 1 – Personnel Matters, Section 6.107 – Conflict of Interest for legal counsel.** Moved by Commissioner Stewart and second by Commissioner Killian.

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

No: None

Motion Carried

24-178 **Motion to table Article VI- General Provisions, Chapter 1 – Personnel Matters, Section 6.108 – Retirement Plans Continued for legal counsel.** Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

24-179 **Motion to table Article VI- General Provisions, Chapter 1 – Personnel Matters, Section 6.109 – Removal for Cause for legal counsel.** Moved by Commissioner Stewart and second by Commissioner Killian.

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

No: None

Motion Carried

Closing Comments – Commissioner Lucy Payne, and Commissioner Bruce Turpin

Adjournment

Vice-Chair Kermit Williams adjourned the meeting at 8:46 p.m.

Sheila R. Grandison
Deputy City Clerk