

February 3, 2024, Approved Minutes

**Official Proceedings
2022 Pontiac Charter Revision Commission
30th 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, February 3, 2024, at 10:27 a.m.

Roll Call

Members Present – Lucy Payne, Tameka Ramsey, Scott Stewart, Bruce Turpin, and Jose Ybarra III.

A quorum was announced.

Excuse Commissioners

24-180 **Motion to excuse Commissioner Norbert Burrows, Gill Garrett, Bryan Killian, and Kermit Williams for personal reasons.** Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

Amendments and or Approval of the Agenda

24-180 **Motion to add comments from Councilwoman Kathalee James as the new item #7.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

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

No: None

Motion Carried

24-181 **Motion to approved agenda as amended.** Moved by Commissioner Stewart and second by Commissioner Payne.

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

No: None

Motion Carried

Public Comment – None

Amendments to the 2013 Charter

24-182 **Motion to strike Article VI, General Provisions, Chapter 1, Section 6.206 (4) – Definitions.** Moved by Commissioner Stewart and second by Commissioner Payne.

~~(4) — Definition of Emergency, as determined by State Law.~~

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

No: Killian

Motion Carried

24-183 **Motion to strike Article VI, General Provisions, Chapter 4, Initiative and Referendum, Section 6.403 – Petitions.** Moved by Commissioner Stewart and second by Commissioner Payne.

~~If the petitions are signed by registered electors equal to at least 5% but less than 15% of the electors voting at the preceding City general election and the proposed ordinance is not adopted without alteration by the City within 20 days, then the proposed ordinance, without alteration, shall be submitted by the Council to electoral vote at the next scheduled election in the City occurring at any time after 30 days from the date of the Clerk's certificate.~~

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

No: None

Motion Carried

24-184 **Motion to strike Article VI, General Provisions, Chapter 5, Franchises, Licenses and Permits: Municipal Utilities, Section 6.508 – Restrictions on Transfer.** Moved by Commissioner Stewart and second by Commissioner Payne.

No franchise, granted by the City, shall ever be leased, assigned, or otherwise transferred except in accordance with the express provisions of the franchise. All franchises granted by the City shall provide how, and in what manner, and under what conditions the franchise may be leased, assigned, or transferred. No dealing by the City, nor **part** performance by the **franchisee**, assignee or transferee shall be deemed to operate as consent by the City.

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

No: None

Motion Carried

24-185 **Motion to strike Article VI, General Provisions, Chapter 5, Franchises, Licenses and Permits: Municipal Utilities, Section 6.511 – Co-Occupancy.** Moved by Commissioner Stewart and second by Commissioner Payne.

The City may, by resolution, require any person or firm holding a franchise from the City to allow the use of its tracks, poles, **Internet**, and wires by any other person or firm to which the City shall grant a franchise, subject to reasonable regulations and upon the payment of a reasonable rental therefor.

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

No: None

Motion Carried

24-186 **Motion to strike Article VI, General Provisions, Chapter 5, Franchises, Licenses and Permits: Municipal Utilities, Section 6.513 – Restrictions on Transfer of Municipality Owned Utilities.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

The City may make a contract to purchase, operate and maintain any public utility property for supplying heat, light, power, **or** water, ~~or transportation~~ to the City and its inhabitants. No such contract shall bind the City unless a proposition therefor receives the affirmative vote of 3/5 of the electors voting thereon at a regular or special election.

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

24-187 **Motion to strike Article VII, Ethics and Public Integrity, Chapter 1, General Ethics Standards, Section 7.101 – Ethical Standards of Conduct.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

A public servant in the course of their duties ~~who, in the course of their duties, exercises significant authority~~ shall not:

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

24-188 **Motion to strike Article VII, Ethics and Public Integrity, Chapter 1, General Ethics Standards, Section 7.102 – Disclosures.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

Except as otherwise provided by applicable law, a public servant ~~who exercises significant authority~~ shall disclose:

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

24-189 **Motion to strike Article VII, Ethics and Public Integrity, Chapter 1, General Ethics Standards, Section 7.106 – Contracts Voidable and Rescindable.** Moved by Commissioner Stewart and second by Commissioner Payne.

The City shall include language in its standard contract forms which provides that City contracts shall be voidable or rescindable at the discretion of the Mayor and City Council at any time if a public servant who is a party to the contract has an interest in such contract and fails to disclose such interest. Such contract shall also be voidable or rescindable if a lobbyist or employee of the contracting party offers a prohibited gift, gratuity, honoraria, or payment to a public servant in relations to the contract. ~~A fine shall be assessed to the contractor in the event of a violation of this section of the Charter.~~ If applicable, the actions of the contractor, and its representative lobbyist or employee, shall be referred to the appropriate prosecuting authorities.

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

Commissioner Norbert Burrows arrived at 10:55 a.m.

24-190 **Motion to strike Article VII, Ethics and Public Integrity, Chapter 2, Office of Public Integrity, Section 7.202b – Appointment, Removal, Term of Office, and Vacancy.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

b. The Public Integrity Officer may be removed for cause as defined by section 6.109 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.~~

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

No: None

Motion Carried

24-191 **Motion to strike Article VII, Ethics and Public Integrity, Chapter 2, Office of Public Integrity, Section 7.208b – Reporting and Transparency: Consultation Required.** Moved by Commissioner Payne and second by Commissioner Stewart.

(b) Where there exists a conflict of interest between the Office of the Public Integrity Officer, 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 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 other legal proceedings.

Ayes: Stewart, Burrows, Payne, and Ramsey

No: Turpin

Motion Carried

Commissioner Ybarra III was absent during the vote.

Commissioner Stewart left the meeting at 12:00 noon.

Closing Comments – Commissioner Lucy Payne, Commissioner Jose Ybarra III, and Commissioner Tameka Ramsey

Adjournment

Chair Tameka Ramsey adjourned the meeting at 12:05 p.m.

Sheila R. Grandison
Deputy City Clerk