

March 20, 2024, Approved Minutes

**Official Proceedings
2022 Pontiac Charter Revision Commission
34th Session**

Call to order

A Special 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 Tuesday, March 20, 2024, at 6:30 p.m.

Roll Call

Members Present – Gill Garrett, Bryan Killian, Tameka Ramsey, Kermit Williams, and Jose Ybarra III.

A quorum was announced.

Excuse Commissioners

24-264 **Motion to excuse Commissioner Norbert Burrows, Lucy Payne, Scott Stewart, and Bruce Turpin for personal reasons.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

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

No: None

Motion Carried

Amendments and or Approval of the Agenda

24-265 **Motion to approve agenda.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

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

No: None

Motion Carried

Approval of Minutes

24-266 **Motion to approve the minutes for February 22, 2024.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

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

No: None

Motion Carried

Public Comment – None

Commissioner Norbert Burrows arrived at 6:36 p.m.

Correspondence from Governor's Office and Attorney General's Office

24-267 **Motion to receive and add table of content to the 2024 Proposed Charter.** Moved by Commissioner Williams and seconded by Commissioner Garrett.

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

No: None

Motion Carried

****See table of content as Exhibit A after the minutes****

24-268 Motion to amend section 2.112 – Oath of Office to be consistent with Michigan Constitution of 1963 provision. Moved by Commissioner Williams and second by Commissioner Garrett.

~~“I do solemnly swear (or affirm) that I will support the Constitution of the United States and of this State and the Charter of the City of Pontiac and that I will faithfully discharge the duties of office to the best of my ability,~~ I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State, and that I will faithfully discharge the duties of the office of according to the best of my ability.”

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

No: None

Motion Carried

24-269 **Motion to amend section 3.112 (b) – Ordinance Procedures.** Moved by Commissioner Williams and second by Commissioner Burrows.

(b) Upon introduction, the Clerk shall distribute a copy to each Council member and to the Mayor, and shall file a reasonable number of copies in the office of the Clerk and such other public places as the Council may designate, and shall publish **a copy of the ordinance or a summary of the ordinance, determined by the Clerk,** by means established by ordinance to achieve widespread dissemination to the public in the City together with a notice of the time and place for consideration by the Council. Thereafter, the Council may amend and adopt the proposed ordinance without further pre-adoption publication.

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

No: None

Motion Carried

24-270 **Motion to amend section 3.112 (f) – Ordinance Procedures.** Moved by Commissioner Williams and second by Commissioner Burrows.

(f) An emergency ordinance, which shall contain a statement of its urgency, must be necessary for the immediate preservation of the public peace, property, health, safety or for the usual daily operation of a department. An emergency ordinance may be adopted on the day it is introduced, publication of a summary thereof before adoption is not required, and an emergency ordinance may be given immediate effect after posting of a notice of adoption at City Hall **and three other public places in the City, as determined by the Clerk, who shall maintain a record of the locations of postings.** Adoption of an emergency ordinance requires an affirmative vote of two-thirds of Council members serving.

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

No: None

Motion Carried

24-271 **Motion to amend section 3.112 (j & k) – Ordinance Procedures.** Moved by Commissioner Williams and second by Commissioner Ybarra III.

(j) A repealed ordinance may not be revised, except by re-enactment of the whole or so much as is intended to be revived. When any section or part of **a** section of an ordinance is amended, the whole section as amended shall be re-enacted.

(k) Prosecution for violation of an ordinance of the City shall be commenced within two (2) years after the commission of the offense. This limitation only applies to violations penal in nature and is not a limitation of the City's right to forfeit any franchise, grant, or license for violation of the terms and conditions thereof.

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

No: None

Motion Carried

24-272 **Motion to amend section 3.113 – Transfer of City Property: Contracts.** Moved by Commissioner Williams, and second by Commissioner Garrett.

3.113 Transfer of City Property; Contracts

The City may not sell, lease, exchange, or in any way dispose of any real property of the City without approval, after public notice and hearing by resolution of the Council. The City may not sell any other **personal** property that may have been defined by ordinances **as a minor**, without approval by resolution of the Council. Nor may the City enter into a contract if there is not a sufficient unencumbered appropriation available to discharge fully the City's obligation thereunder, without approval by the Council.

The City shall not sell, transfer, or divert to any other use park land unless approved by a majority of electors. Park land shall include any public park, public recreation area or public playground area owned by the City, within the City.

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

No: None

Motion Carried

24-273 **Motion to amend section 3.116 – Investigative Powers.** Moved by Commissioner Williams and seconded by Commissioner Ybarra III.

3.116 Investigative Powers

The Council 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** empowered with investigative powers. **to the appropriate board or commission**

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

No: None

Motion Carried

Commissioner Scott Stewart arrived at 6:40 p.m.

24-274 **Motion to amend section 4.101 (a) – The Mayor.** Moved by Commissioner Williams and seconded by Commissioner Garrett.

(a) Shall have established a primary residence in the City for **two one** years immediately preceding the filing deadline for the office and shall maintain a primary City residence.

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

No: Killian, and Burrows

Motion Carried

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24-275 **Motion to amend section 4.202 (h) – Duties of City Attorney.** Moved by Commissioner Stewart and seconded by Commissioner Williams.

h) Representing any elective officer or appointee of the City in any action or proceeding involving ~~any action or proceeding involving~~ official duties.

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

No: None

Motion Carried

24-276 **Motion to amend section 4.403 – Powers and Duties of Police Chief.** Moved by Commissioner Stewart and seconded by Commissioner Williams.

4.403 Powers and Duties of Police Chief

The Chief of Police or contracted law enforcement agency head is responsible for the public safety, peace and order and the enforcement of the criminal laws of Michigan and ordinances of the City. ~~by ordinance.~~ Other departments of the City may be given concurrent enforcement jurisdiction for ordinances which cover technical fields of municipal operations. The Chief of Police or contracted law enforcement agency head shall define the duties of police officers and prescribe rules relative to the performance thereof.

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

No: None

Motion Carried

24-277 **Motion to amend section 5.102 – Mayoral Budget and Appropriation Ordinance.** Moved by Councilperson Stewart and seconded by Commissioner Ybarra III.

5.102 Mayoral Budget and Appropriation Ordinance

At least seventy- five (75) ~~days~~ before the end of each fiscal year, the Mayor shall prepare and submit to the Council a proposed annual budget and proposed annual appropriation ordinance for the next fiscal year. To assist the Mayor in preparing such budget and ordinance, the departments of City government shall furnish the Mayor with detailed estimates of expenses, according to a classification which is nearly uniform as possible. Proceedings on the proposed budget and the appropriation ordinance and the adoption thereof shall be as provided by law.

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

No: None

Motion Carried

24-278 **Motion to strike section 5.106 – Interim Authority.** Moved by Commissioner Williams and seconded by Commissioner Stewart.

~~5.106 Interim Authority~~

~~If City officers fail to satisfy this requirement, the Council, on request in writing from the Mayor, may make an appropriation for a department's current expenses to an amount sufficient to cover the minimum necessary expenses of the affected department until the appropriation ordinance is in force, or may borrow such money as may be necessary therefor.~~

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

No: None

Motion Carried

24-279 **Motion to amend new section 5.106 – Transfer and Supplemental Appropriations.**
Moved by Commissioner Stewart and second by Commissioner Williams.

5.1076 Transfers and Supplemental Appropriations

After adoption of the annual budget and appropriations ordinance, and upon at least one week's notice by means established by ordinance to achieve widespread dissemination to the public, the Council, ~~is~~ in an ordinance supported by at least five (5) Council members, may amend such ordinance to authorize the transfer of an unused balance appropriated for one purpose to another purpose, or to appropriate available revenues not previously appropriated.

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

No: None

Motion Carried

24-280 **Motion to amend section 5.301- Accounting and 5.302 – Payments.** Moved by
Commissioner Williams and second by Commissioner Stewart.

5.301 Accounting

Accounts shall be kept by the Finance Department or contracted agency showing all assets and liabilities of the City and the financial transactions for all departments of the City. The accounts and the forms therefore shall conform to any uniform system required by law or ordinance. Financial reports shall be prepared for each month, each quarter, and each fiscal year. Those financial reports shall be provided to the Mayor and the Council.

5.302 Payments

Payments by the City shall be made only in accordance with procedures prescribed by ordinance. Each draft, check, order or warrant shall specify the fund from which it is payable. The Finance Director or contracted agency head shall examine all payrolls, bills and other claims and demands against the City, except claims for unliquidated damages, and shall make no payment unless the Finance Director finds that: (a) the claim is in proper form, correctly computed and duly certified, and justly and legally due and payable; (b) an appropriation has been made therefor which has not been exhausted or that the payment has been otherwise legally authorized; and (c) there is money in the City treasury to make payment. The Finance Director may investigate any claim, and for such purposes, may examine witnesses under oath. If the Finance Director finds such bill, claim or demand is fraudulent, erroneous or otherwise invalid, the Finance Director shall not pay without authorization by resolution of the Council.

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

No: None

Motion Carried

24-281 **Motion to amend section 5.409 – Publication.** Moved by Commissioner Stewart and
seconded by Commissioner Williams.

5.409 Publication

The City Treasurer shall give notice ~~in a~~ by means established by ordinance to achieve widespread dissemination to the public for six (6) business days immediately preceding July 1 that: (a) City property taxes may be paid at any time through August 31 without any collection fee therefor, and (b) an additional charge (and the amount thereof) will be made on September 1 and on the first day of each succeeding month during which taxes remain unpaid until return to the County Treasurer. Failure to give this notice shall not invalidate the tax, nor release the persons or property assessed from the penalty.

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

No: None

Motion Carried

24-282 **Motion to amend section 5.411 – School and County Taxes.** Moved by Councilperson Williams and seconded by Commissioner Stewart.

5.411 School and County Taxes

On November 1, as provided by ordinance and in accordance with law, the City's Assessor shall spread upon the assessment roll **as all** school and county taxes, certified by the Board of Commissioners or otherwise, and such other taxes as are legally required to be spread on the roll.

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

No: None

Motion Carried

24-283 **Motion to amend section 5.416 – Applicable Law.** Moved by Commissioner Stewart and second by Commissioner Garrett.

5.416 Applicable Law

~~General Law shall govern the assessing, levying, collection and return of taxes except as otherwise provided by this Charter.~~ The assessment, levy, collection and return of taxes shall be governed consistent with this Charter and law.

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

No: None

Motion Carried

24-284 **Motion to amend section 6.101- Affirmative Action Non-Discrimination.** Moved by Commissioner Stewart and second by Commissioner Ybarra III.

6.101 ~~Affirmative Action~~ Non-Discrimination

City government shall provide equal opportunity in employment for all persons; prohibit discrimination in employment because of race, color, religion, sex, age, national origin, handicap, marital status, sexual orientation, height, or weight.

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

No: None

Motion Carried

24-285 **Motion to amend section 6.106 – Conflict of Interest.** Moved by Commissioner Stewart and second by Commissioner Garrett. Discussion. Commissioner Stewart rescinded his motion and Commissioner Garrett rescinded his second. **New motion to amend section 6.106 – Conflict of Interest.** Moved by Commissioner Williams and second by Commissioner Killian.

6.106 Conflict of Interest

Except as otherwise required by law:

(1) An elective officer, appointee, or employee who has a conflict between personal interest and the public interest as defined by law, this Charter, or ordinance shall disclose fully to the City Attorney the nature of the conflict, who shall provide the Mayor, City Council, and the Office of Public Integrity with a summary of the stated conflict. Except as provided by law or ordinance, no elective officer, appointee,

or employee of the City may participate in or act upon or vote upon any matter if a conflict of interest exists. ~~The City Council shall adopt an ordinance providing for penalties for violation of this section.~~

(2) Any elective officer, appointee, or employee who has a 1% financial interest, direct or indirect ~~or by reason of ownership of a 1% amount of stock in any corporation,~~ in any contract with the City or in the sale of any land, materials, supplies or services to the City or to a contractor supplying the City, shall make known that interest and shall refrain from voting upon or otherwise participating as an elective officer, appointee, or employee in the making or performance of the contract or sale.

~~(3) Violation of this subsection with the knowledge, express or implied, of the person or corporation contracting with or making a sale to the City shall render the contract or sale voidable by the Mayor or the Council.~~

(b) An elective City officer or an appointee who is a relative of an applicant for employment by the City being the individual's parent, grandparent, child, grandchild, sibling, or spouse thereof, shall immediately be disqualified from, and shall not participate in any way in, the hiring process for that applicant. After complaint made by any City resident, referred to the Office of Public Integrity, and, if litigated, it is determined by a court of competent jurisdiction, that, in the hiring of any person, this provision was violated, the employment of such person shall be a nullity, and such violation shall be cause for a recall or dismissal of the City officer or appointee involved. ~~Further, a City officer or appointee violating this provision is guilty of a misdemeanor subject to a fine of \$500.00, or imprisonment of 90 days or both.~~ The City Council shall adopt an ordinance providing for penalties for violation of this section.

~~(c) No elective officer shall hold any appointive position, which was created or the compensation for which was fixed or increased during his or her incumbency, until one year after such person's leaving office.~~

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

No: None

Motion Carried

24-286 **Motion to amend section 6.403 – Referendum.** Moved by Commissioner Williams and seconded by Commissioner Burrows.

6.403 Referendum

No ordinance, except an emergency ordinance, shall take effect before 10 days after adoption. If, within these 10 days, 500 registered electors of the City file with the Clerk a notice in writing of their intention to circulate a petition for referring the ordinance to the electors for their adoption or rejection, then the ordinance does not become effective until 20 days after its adoption. If, within these 20 days, petitions containing the number of signatures required by this Charter are not filed in accordance with such written notice, the ordinance shall become effective upon the expiration of the 20-day period. If, within the 20 days, however, petitions protesting the ordinance signed by registered electors of the City equal in number to at least 10% of the electors voting at the preceding City presidential election are presented to the Council, the ordinance is suspended from taking effect. The Council shall immediately reconsider the ordinance. If the ordinance is not entirely repealed, the Council shall submit it to an electoral vote at the next scheduled election in the **City**, and the ordinance shall not take effect unless approved by a majority of the registered electors voting thereon. These referendum provisions do not apply to:

(a) an ordinance required, or exempted from referendum, by law or this Charter;

(b) an emergency ordinance: however, grant of a franchise may not be deemed an emergency ordinance.

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

No: None

Motion Carried

24-287 **Motion to amend section 6.406 – Publication, renumber section 6.408 – State Law to apply, and section 6.409 – Effect of Vote.** Moved by Commissioner Williams and seconded by Commissioner Sewart.

6.406 Publication

Whenever an ordinance is required to be submitted to an electoral vote, the Council shall have the ordinance published by the City Clerk by means established by ordinance to achieve widespread dissemination to the public ~~in~~ each week for two (2) successive weeks immediately preceding the election.

6.40~~8~~7 State Law to Apply

The form of petition and the conduct of the electoral vote for initiative and referendum measures shall, as near as may be, be the same as that provided by law for exercise of initiative and referendum by State electors.

6.40~~9~~8 Effect of Vote

An ordinance approved by electoral vote shall not thereafter be repealed or amended by the Council for 18 months, except by electoral vote.

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

No: None

Motion Carried

Commissioner Ybarra III was absent for the vote.

24-287 **Motion to amend section 6.513 – Restrictions on Transfer of Municipality Owned Utilities.** Moved by Commissioner Williams and seconded by Commissioner Stewart.

6.513 Restrictions on Transfer of Municipality Owned Utilities

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

Ayes: Killian, Ramsey, Stewart, Williams, Burows, and Garrett

No: None

Motion Carried

Commissioner Ybarra III was absent for the vote.

24-288 **Motion to amend 6.701 – Severability.** Moved by Commissioner Williams and seconded by Commissioner Stewart.

6.701 Severability

If any provision of this Charter ~~ef or~~ the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Charter.

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

No: None

Motion Carried

Commissioner Ybarra III was absent for the vote.

24-289 **Motion to amend section 6.802 (d) – Establishment and Purpose.** Moved by Commissioner Williams and second by Commissioner Stewart.

6.802 Establishment and Purpose

(d) ~~All boards and commissions existing at the time of the adoption of this Charter shall be continued and the members serving thereon shall remain in office for the duration of the term for which they were appointed. All boards and commissions not provided for in this Charter are dissolved.~~

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

No: None

Abstain: Ybarra III

Motion Carried

24-290 **Motion to amend section 6.805 (c) – Powers and Responsibilities.** Moved by Commissioner Stewart and seconded by Commissioner Williams.

6.805 Powers and Responsibilities

(c) The Council reserves the right to dissolve or modify the powers and responsibilities of any board or commission ~~as provided by establishing ordinances subject to this Charter.~~

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

No: None

Motion Carried

Commissioner Killian was absent for the vote.

24-291 **Motion to amend section 6.808 – Youth Commission.** Moved by Commissioner Garrett and seconded by Commissioner Stewart.

6.808 Youth Commission

The Council may establish a Youth Commission by ordinance for individuals between 13-18 years old at time of appointment. ~~with appointees with two (2) year 2024 Proposed Charter 38 terms eligible for reappointment. The purpose of the Youth Commission may be to discuss policy issues that affect youth in the City, inclusive of identifying a youth policy platform, and identifying leadership pathways for youth in City government. Formal roles on the Youth Commission will be rotated every two (2) years.~~

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

No: Williams

Motion Carried

Commissioner Killian was absent for the vote.

24-292 **Motion to keep section 6.809 as is.** Moved by Commissioner Stewart and seconded by Commissioner Williams.

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

No: None

Motion Carried

Commissioner Killian was absent for the vote.

24-293 **Motion to amend sections 7.101, 7.102, 7.102(d), and 7.105.** Moved by Commissioner Williams and seconded by Commissioner Stewart.

7.101 Ethical Standards of Conduct

These standards of conduct apply to public servants including the Mayor, Council members, appointive officers, appointees, employees and contracted entities and their employees working on behalf of the City,

as defined in this Charter. The purpose of applying and enforcing these standards is to ensure that governmental decisions are made in the public's best interest by prohibiting City officials and employees from participating in matters that impact their personal or financial interests.

All City ordinances not inconsistent with these sections and that effectuate its operation may be retained. Ordinances may be enacted which are necessary to effectuate the operation of these sections. No ordinance shall be enacted which limits, contradicts, or otherwise conflicts with the intent and purpose of these sections. Except as otherwise provided by applicable law, [including MCL §15.328](#), a public servant shall not knowingly:

7.102 Disclosures

Except as otherwise provided by applicable law, [including MCL §15.328](#), a public servant shall disclose:

- a. Any financial interest, direct or indirect, that they or an immediate family member has in any contract or matter pending before Council;
- b. Any financial interest, direct or indirect, that they or an immediate family member has in any contract or matter pending before or within any office, department, or agency of the City;
- c. Any interest that they, or an immediate family member has in real and personal property that is subject to a decision by the City regarding purchase, sale, lease, zoning, improvement, special designation tax assessment or abatement or a development agreement;
- d. Campaign contributions and expenditures, [regarding City proposals or City elections](#), in accordance with applicable laws; or
- e. The identity of any immediate family member employed by the City or who is making application to the City.

In addition to compliance with the above section, contractors and vendors shall disclose:

- a. The identity of all entities and persons with any financial interest, direct or indirect, in any contract or matter the vendor or contractor has pending before Council; and
 - b. The identity of all entities and persons with any financial interest, direct or indirect, in any contract or matter the vendor or contractor has pending before or within any office, department or agency of the City.
- The above disclosures shall be made in writing and be made by sworn, notarized affidavit, in accordance with City ordinance and applicable laws.

7.105 One Year Post-Employment Prohibition

Subject to law, [including MCL §15.328](#), for one (1) year after employment with the City, a public servant shall not lobby or appear before the Council or any City 2024 Proposed Charter 42 department, agency, board, commission, or body or receive compensation for any services in connection with any matter in which he or she was directly concerned, personally participated, actively considered or acquired knowledge while working for the City. Subject to law, for a period of one (1) year after employment with the City, a public servant shall not accept employment with any person or company that did business with the City during the former public servant's tenure if that public servant was in any way involved in the award or management of that contract or the employment would require the sharing of confidential information.

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

No: None

Motion Carried

24-294 Motion to amend section 7.106 – Contracts Voidable and Rescindable. Moved by Commissioner Williams and seconded by Commissioner Garrett.

7.106 Contracts Voidable and Rescindable

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 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. If applicable, the actions of the contractor, and its representative lobbyist or employee, shall be referred to the appropriate prosecuting authorities.~~

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

No: None

Motion Carried

24-295 **Motion to strike section 7.202(d) – Appointment Removal, Term of Office, and Vacancy.** Moved by Commissioner Garrett and seconded by Commissioner Ybarra III.

7.202 Appointment, Removal, Term of Office, and Vacancy

a. The Public Integrity Officer shall be appointed by a majority of Council members with concurrence of the Mayor in writing within 5 days of Council approval 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 Council members serving. The Public Integrity Officer may only be removed from the office for cause, as outlined in Section 6.108.

c. If a vacancy occurs in the Office of Public Integrity, the 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: Garrett, Killian, Ramsey, Stewart, Williams, Ybarra III, and Burrows

No: None

Motion Carried

Chair Ramsey left the meeting at 8:40 p.m. Vice Chair Williams assumed over the meeting.

24-296 **Motion to amend section 2.102 – Elections.** Moved by Commissioner Stewart and second by Commissioner Garrett.

2.102 Elections

~~Regular City primary and general elections shall be held on the same date as regular state gubernatorial primary and general elections. After the effective date of this Charter, the City Council shall consider a resolution changing the date of regular City primary and general elections to the same date as regular state gubernatorial primary and general elections in accordance with Michigan Election Law, MCL §168.642a (4) and MCL §168.642(7)(a)(ii). The City Council shall, prior to consideration of the resolution, hold at least one public hearing on the proposed resolution in accordance with MCL §168.642(7)(b) and the City Council shall give a public notice provided in a manner designed to reach the largest number of City qualified electors in a timely fashion in accordance with MCL §168.642(7)(c). After adoption by the City Council of the resolution, the City Council shall file a certified copy of the resolution with the Michigan Secretary of State in accordance with MCL §168.642(7)(e). City elections shall occur in accordance with state and federal law. City elections are non-partisan. If the regular election date for holding a jurisdictions regular election has changed in accordance with the Michigan Election Law, the term of an official who was elected before the effective date of the change continues until its successor is elected and qualified at the next regular election.~~

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

No: None

Abstain: Burrows

Motion Carried

Commissioner Garrett left the meeting at 8:51 p.m.

24-297 **Motion to amend section 9.101(b) – Electoral Vote and Effective Date.** Moved by Commissioner Stewart and seconded by Commissioner Ybarra III.

9.101 Electoral Vote and Effective Date

(a) This Charter shall be submitted to the people of Pontiac for adoption at a special election to be held on August 6, 2024.

(b) If this Charter is adopted, this Charter shall take effect on ~~July 1, 2025.~~ April 1, 2025.

(c) Council and the Mayor serving in office under the previous Charter shall continue to serve under this Charter for their entire previously elected four 2024 Proposed Charter 50 (4) year term, with the provisions for these elective offices taking effect for the next regular City election after adoption.

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

No: None

Motion Carried

24-298 **Resolution to adopt the 2024 Proposed Charter.** Moved by Commissioner Stewart and seconded by Commissioner Ybarra III.

At a special meeting of the City of Pontiac Charter Commission held on March 20, 2024, the following resolution was offered by charter Commissioner Stewart and seconded by Commissioner Ybarra III.

RESOLVED that the City of Pontiac Charter Commission hereby adopts the proposed new 2024 Charter for the City of Pontiac presented at its meeting (subject to editorial changes, including grammar, punctuation, numbering, etc.) and the Commission's attorney is directed to transmit a copy of this charter to the Governor of the State of Michigan for her approval and the office of the Attorney General in accordance with State law.

IT IS FURTHER RESOLVED THAT:

- (1) A copy of the proposed Charter shall be filed with the City Clerk;
- (2) Copies of the proposed Charter shall be distributed to the Oakland County Clerk, the Mayor, and the City Council; and
- (3) The City Clerk and the County Clerk shall be and hereby are requested to submit the proposed Charter to a vote of the qualified electors of the City at the general election to be held on Tuesday, August 6, 2024, with the following question:

Shall the 2024 City Charter proposed by the Pontiac Charter Revision Commission be adopted?

Yes _____

No _____

- (4) This proposed Charter shall be published online and in accordance with State law and copies made available at the City Clerk's office.

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

No: None

Resolution Passed

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Closing Comments – Commissioner Ybarra III, Commissioner Killian, and Commissioner Burrows made closing comments.

Adjournment

Vice Chair Kermit Williams adjourned the meeting at 9:04 p.m.



Sheila R. Grandison
Deputy City Clerk

2024 Proposed Charter

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