

**Official Proceedings  
Pontiac City Council  
86<sup>th</sup> Session of the Tenth Council**

A Special Meeting of the City Council of Pontiac, Michigan was called to order in City Hall, Tuesday, May 17, 2019 at 12:00 p.m. by Council President Kermit Williams.

Call to Order

Roll Call

Members Present: Carter, Miller, Taylor-Burks, Waterman and Williams.

Members Absent: Pietila and Woodward.

Mayor Waterman was present.

Clerk announced a quorum.

19-190           **Excuse Councilperson Mary Pietila and Councilperson Don Woodward for personal reasons.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Miller, Taylor-Burks, Waterman, Williams and Carter

No: None

**Motion Carried.**

19-191           **Approval of the Agenda.** Moved by Councilperson Waterman and second by Councilperson Taylor-Burks. There was discussion on the motion. Mayor Waterman mentioned that you have an opinion from the City Attorney that states the first reading was invalid because of the fact it does not meet the Charter. The City Attorney has to approve any ordinance amendment according to form before it can be presented for consideration by the Council that was not done before the first reading. Therefore the first reading is invalid so we cannot proceed with this meeting because the second reading cannot follow because the first reading was invalid so this meeting must be adjourned. City Attorney Chubb issued an attorney client memorandum to the Council about the amendments to Ordinance #2288 on May 16, 2019. Legislative Counsel Attorney Sharpe discussed the memorandum that Attorney Chubb gave the Council on Ordinance #2288 and stated that the changes proposed by the Council are not in conflict with the City Attorney's memorandum. Also, Attorney Sharpe stated nowhere in the Charter does it state that the City Attorney has to approve an ordinance as to from before the first reading. Attorney Chubb stated my memo speaks for itself because the first reading was invalid. Therefore this meeting is invalid. In addition, Attorney Sharpe mentioned that if in fact the City Attorney is challenging the provisions of the current ordinance then Council is acting illegally following the current ordinance. Council President stated that if Ordinance #2288 is invalid then budgets by functions is illegal. Attorney Chubb mentioned they are acting beyond the scope of the meeting notice. The Interim City Clerk stated why they were not acting beyond the scope of the meeting. The Council President proceeded to have the agenda approved and had the Clerk called the roll.

May 17, 2019 Special Meeting Approved Minutes

Ayes: Taylor-Burks, Waterman, Williams, Carter and Miller

No: None

**Motion Carried.**

The Mayor asked for a point of order. Council President Williams recessed the meeting for five minutes at 12:23 p.m. The meeting was called back to order by Council President Williams at 12:30 p.m.

**Council President Williams stated that we are now going to discuss an Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020.**

City Attorney Chubb stated that to adopt an ordinance which I placed in my memo is not proper for a second reading since the first reading was ineffective and any business that could be conducted is outside the scope of the notice that Council provided to the public and we should proceed to public comment.

Mayor Waterman asked for point of order. Councilwoman Waterman called for the vote. She stated that the notice as stated was that it was for an amendment. I am here for an amendment. I am not here for a first reading. I am not here for a second reading so I am calling for the vote. Councilwoman Taylor-Burks stated and I support. The Mayor mentioned before the call for the vote was taken that they are not observing Robert Rules of Order. City Attorney Chubb stated again this is an illegal ordinance.

19-192 **Call for the Vote on An Ordinance to Amend Ordinance #2288 to change how City Council adopts the budget from functional basis to line item basis for Fiscal Year 2019-2020.**

Moved by Councilperson Waterman and second by Councilperson Taylor-Burks.

Ayes: Taylor-Burks, Waterman, Williams, Carter and Miller

No: None

**Motion Carried.**

**\*\*See Ordinance attachment after minutes\*\***

Mayor Waterman asked for a point of order. Council President mentioned that the City Attorney told us we must proceed to public comment.

One (1) individual addressed the body during public comment.

President Kermit Williams adjourned the meeting at 12:47 p.m.

---

GARLAND S. DOYLE  
INTERIM CITY CLERK