

PROPOSALS TO BE PLACED ON THE NOVEMBER 3, 2009 GENERAL ELECTION

FIRST CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

Qualifications

Section 14. No person shall be eligible for the office of councilman unless he is a duly registered elector in the city and has been a resident of the city or any area annexed thereto for at least three (3) years immediately prior to the election at which he is a candidate.

Section 14 amended (Amendment No. 11)
Effective April 17, 1959

Three-year residency ruled unconstitutional. Hargrove v. City of Saginaw. U.S. Federal District Court, 1979.

PROPOSED LANGUAGE

Qualifications

Section 14. No person shall be eligible for the office of councilperson unless he or she is a duly registered elector in the city and has been a resident of the city or any area annexed thereto for at least 1 year immediately prior to the election at which he or she is a candidate.

BALLOT LANGUAGE

PROPOSAL 1

PROPOSED CITY CHARTER AMENDMENT TO SECTION 14

This amendment would reduce the residency requirement from three years to one year to become a candidate for City Council. The office shall be designated as councilperson, rather than councilman.

Shall this proposal be adopted?

YES _____
NO _____

SECOND CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

Regular Meetings

Section 18. The council shall meet at the official council chamber at seven-thirty (7:30) p.m., on the Monday next following each regular city election at which session newly elected councilmen shall assume the duties of this office. Regular meetings shall be held at least once every two (2) weeks.

Regular meetings shall be posted within ten days after the first meeting in each calendar or fiscal year. (1976 P.A. 267, MCLA 15.265)

PROPOSED LANGUAGE

Regular Meetings

Section 18. The council shall meet at least twice monthly. At the first regular meeting following each regular city election, newly elected councilpersons shall assume their duties of office.

BALLOT LANGUAGE

PROPOSAL 2

PROPOSED CITY CHARTER AMENDMENT TO SECTION 18

This amendment would allow the council to meet twice monthly rather than every two weeks. The elected officials shall be designated as councilpersons, rather than councilmen.

Shall this proposal be adopted?

YES _____
NO _____

THIRD & FOURTH CHARTER BALLOT QUESTIONS.

CURRENT LANGUAGE

Rules

Section 21. The council shall determine its own rules, and shall keep a journal of its proceedings in the English language which shall be signed by the city clerk. All regular and special meetings of the council shall be open to the public. A summary of the council proceedings at each meeting shall be prepared by the city clerk and published in the official newspaper.

PROPOSED LANGUAGE

Rules

Section 21. The council shall determine its own rules and shall keep a journal of its proceedings in the English language, which shall be signed by the city clerk. All regular and special meetings of the council shall be open to the public. The minutes of each council meeting shall be prepared by the city clerk and made available to the public. Copies of the minutes will be made available at cost.

BALLOT LANGUAGE

PROPOSAL 3

PROPOSED CITY CHARTER AMENDMENT TO SECTION 21

This amendment would discontinue the requirement to publish summaries of the council meetings in the official newspaper, which no longer publishes daily, but rather require the city clerk to have the minutes otherwise available to the public.

Shall this proposal be adopted?

YES _____
NO _____

PROPOSAL 4

PROPOSED CITY CHARTER AMENDMENT TO SECTION 21

This amendment would add a sentence to the original Section 21 and provide that the public must pay for copies of the minutes of council meetings.

Shall this proposal be adopted?

YES _____
NO _____

FIFTH CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

City Manager

Section 25. The council shall appoint a city manager for an indefinite term who shall be the chief administrative officer and the head of the administrative branch of the city government. The manager need not be a resident of the city or the state at the time of his appointment. The council may designate a qualified administrative officer of the city to perform the duties of manager during his absence or disability.

PROPOSED LANGUAGE

City Manager

Section 25. The council shall appoint a city manager for an indefinite term by a 2/3 majority vote of the elected, appointed and seated members of the council. The manager shall be the chief administrative officer and head of the administrative branch of the city government. The manager need not be a resident of the city or the state at the time of his or her appointment. The council may designate a qualified administrative officer of the city to perform the duties of manager during his or her absence or disability.

BALLOT LANGUAGE

PROPOSAL 5

PROPOSED CITY CHARTER AMENDMENT TO SECTION 25

This amendment would increase the number of councilpersons needed to select a city manager from a simple majority to 2/3 of those elected or appointed and serving as councilpersons. The reference to the city manager has been changed from "him" to "him or her".

Shall this proposal be adopted?

YES _____
NO _____

SIXTH CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

Removal

Section 27. The manager may be removed by a majority vote of the members of the council as herein provided, except that no manager who has been in the service of the city for one (1) year or more prior to a regular city election shall be removed within the ninety (90) days subsequent to such election unless by a two-thirds vote of the members of the council. At least thirty (30) days before removal of the manager, the council shall adopt a resolution stating its intention to remove him and the reasons therefore, a copy of which shall be served forthwith on the manager, who may within ten (10) days demand a public hearing, in which event the final resolution removing the manager shall not be adopted until such public hearing has been held. Upon passage of a resolution stating the council's intention to remove the manager, the council may suspend him from duty, but his pay shall continue until his removal. The action of the council in removing the manager shall be final.

PROPOSED LANGUAGE

Removal

Section 27. The manager may be removed by a 2/3 majority vote of the elected, appointed and seated members of the council. At least 30 days before removal of the manager, the council shall adopt a resolution stating its intention to remove him or her and the reasons therefore, a copy of which shall be served forthwith on the city manager who may, within 10 days, demand a public hearing in which event the final resolution removing the manager shall not be adopted until such public hearing has been held. Upon passage of a resolution stating the council's intention to remove the manager, the council may suspend him or her from duty but his or her pay shall continue until his or her removal. The action of the council in removing the manager shall be final.

BALLOT LANGUAGE

PROPOSAL 6

PROPOSED CITY CHARTER AMENDMENT TO SECTION 27

This amendment would increase the number of councilpersons needed to remove a city manager from a simple majority to 2/3 of those elected or appointed and serving as councilpersons in all circumstances. The reference to the city manager has been changed from "him" to "him or her".

Shall this proposal be adopted?

YES _____

NO _____

SEVENTH CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

Purchasing Procedure

Section 33. Competitive bids for all purchases and public improvements shall be obtained where practicable and contracts awarded to the lowest and best bidders. Sealed bids shall be asked for in all transactions involving the expenditure of two thousand dollars (\$2,000) or more and the transaction evidenced by written contract submitted to and approved by the council; provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager may so authorize. Detailed purchasing and contracting procedure shall be established by ordinance. The council may authorize the making of public improvements by day labor.

PROPOSED LANGUAGE

Purchasing Procedure

Section 33. Competitive bids for all purchases and public improvements shall be obtained where practicable and contracts awarded to the lowest and best bidders. Sealed bids shall be asked for in all transactions involving the expenditure of \$10,000 or more and the transaction evidenced by written contract submitted to and approved by the council; provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager, may so authorize. Detailed purchasing and contracting procedure shall be established by ordinance. The council may authorize the making of public improvements by day labor.

BALLOT LANGUAGE

PROPOSAL 7

PROPOSED CITY CHARTER AMENDMENT TO SECTION 33

This amendment would increase the threshold for requiring sealed bids for purchases from \$2,000 or more, to \$10,000 or more, provided that, in cases where it is clearly to the city's advantage to contract without competitive bidding, the council upon recommendation of the manager, may approve the contract without competitive bidding.

Shall this proposal be adopted?

YES _____
NO _____

EIGHTH CHARTER BALLOT QUESTION.

CURRENT LANGUAGE

Adoption of Budget, Tax Limit

Section 45. The council shall, by resolution, determine and adopt the budget and make the appropriations for the next fiscal year and shall provide, by resolution, for a tax levy of the amount necessary to be raised by taxation at least thirty (30) days prior to the first day of the upcoming fiscal year. The amount of property taxes which may be levied by the city in any year shall not exceed three-quarters of one percent (.75 of 1%) of the assessed valuation as equalized of all taxable real and personal property in the city. If the assessed value of all property in the city as determined on the first Monday in May, 1979, is increased in subsequent years for any reason, the maximum millage rate provided herein shall be permanently reduced to yield the same gross dollar revenue as the fiscal 1978-79 property tax revenue yield.

This limit may be exceeded up to three-tenths of one percent (.3 of 1%) of the assessed value over the maximum limit provided herein as reduced only if the mayor declares a specific emergency, the dollar amount of the emergency and the portion of such dollar amount that is needed from property taxes, and the council thereafter, by a three-quarters recorded vote of the full council, declares an emergency in accordance with the specifics of the mayor's request. The millage limit may be exceeded only during the fiscal year for which the emergency is declared. Millage levied pursuant to Article 9, Section 6, 1963 Michigan Constitution, is exempt from these limitations.

Section 45 amended (Amendment No. 10)
Effective November 22, 1957
Section 45 amended (Amendment No. 16)
Effective December 5, 1979

PROPOSED LANGUAGE

Adoption of Budget, Tax Limit

Section 45. The Council shall, by resolution, determine and adopt the budget and make the appropriations for the next fiscal year and shall provide by resolution for a tax levy of the amount necessary to be raised by taxation at least 30 days prior to the first day of the upcoming fiscal year. The amount of property taxes which may be levied by the city in any year shall not exceed 2% of the taxable value of the real and personal property in the city.

BALLOT LANGUAGE

PROPOSAL 8

PROPOSED CITY CHARTER AMENDMENT TO SECTION 45

The present section limits the property tax rate to the lesser of 7.5 mills or that needed to yield the same revenue as was received in the 1978-1979 fiscal year, (\$3,828,778). It also provides for a temporary 3 mill additional tax for a declared emergency. The proposed amendment would eliminate these provisions and allow a millage rate up to 20 mills.

Shall this proposal be adopted?

YES _____
NO _____