



# Royal Oak

## Agenda

### Charter Review Committee Meeting

Tuesday, May 28, 2024, 5:45 p.m.

City Hall, Room 122

203 S. Troy Street

Royal Oak, Michigan 48067

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the city clerk's office at 248-246-3050 at least two (2) business days prior to the meeting.

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| 1. | Call to Order                                |   |
| 2. | Public Comment                               |   |
| 3. | Approval of Agenda                           |   |
| 4. | Approval of Minutes                          | 2 |
| 5. | Old Business                                 |   |
| 6. | New Business                                 |   |
|    | a. Charter Review Committee Meeting Schedule |   |
| 7. | Adjournment                                  |   |



## Minutes

### Charter Review Committee Meeting

April 23, 2024, 5:45 p.m.  
City Hall, Room 122  
203 S. Troy Street  
Royal Oak, Michigan 48067

Present: Monica Hunt  
Ryan Everett - Chairperson  
Ronald George  
Salvatore Vitale  
Deborah Zukin

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#### 1. Call to Order

The meeting was called to order at 5:48 p.m.

#### 2. Public Comment

Janice Wagman stated that documents that are passed out at the meeting should be attached to the agenda so that the public could read them before the meeting. She felt the committee should move forward on the vacancy proposal.

#### 3. Approval of Agenda

Moved by: Deborah Zukin  
Seconded by: Salvatore Vitale

Be it resolved the Charter Review Committee hereby approves the agenda for the April 23, 2024 meeting as presented.

Motion Adopted

#### 4. Approval of Minutes

Moved by: Salvatore Vitale  
Seconded by: Ronald George

Be it resolved the Charter Review Committee minutes of March 26, 2024 are hereby approved as submitted.

Motion Adopted

## 5. Old Business

### 5.a City Attorney Update

The committee members are continuing to edit and draft possible amendments to be placed on the November 2025 ballot. City Attorney Grochowski stated that once the drafts are approved by the Charter Review Committee, he would like to send them all to the Attorney General's office for guidance. Once approved there, he will present them to the City Commission for approval to be placed on that ballot.

### 5.b Review Conflict of Interest Draft Language

Vitale presented draft language for Chapter Three, Section 43 and draft ballot language for that amendment (see language below).

#### **Charter Review for the City of Royal Oak Proposed Amendment to Chapter 3, Section 43 (Addressing Conflicts of Interest)**

#### **Section 43: Restrictions on Holding Other Offices or Employment and Conflicts of Interest**

[Amended and adopted {date of amendment}]

No elective officer shall hold any office or employment, except that to which he or she was elected, compensation for which is to be paid out of City funds, nor be elected or appointed to any office created or the of which was increased or fixed by the Commission while he or she was a member thereof, until the expiration of one year from the date when he or she ceased to be a member of the Commission.

(b) The Contracts of Public Servants with Public Entities Act, MCL § 321, et seq., shall govern the conduct of public servants of the City in respect to contracts with the City.

(c) Except for public contracts governed by MCL 15.321 et seq., no member of the City Commission, nor the mayor, shall have an interest, directly or indirectly, in any contract, job or work with the City. No member of the City Commission, nor the mayor, shall be financially interested, directly or indirectly, in the sale of any land, materials, supplies or services to the City. This does not apply to the official services of his or her office.

(d) The foregoing prohibitions of this section, as they apply to members of the commission, shall not apply if the City Commission shall declare on its records by an affirmative vote of five (5) of the remaining members of

the City Commission that the best interests of the City are served despite a personal interest, direct or indirect, and if in compliance with the Contracts of Public Servants with Public Entities Act, MCL § 15.321, et seq.

## **A PROPOSAL TO AMEND THE ROYAL OAK CITY CHARTER TO RESTRICT CONFLICTS OF INTEREST**

The proposed amendment, if adopted, would prohibit the mayor and any member of the City Commission from holding an interest, directly or indirectly, in any contract, job, or work with the City, or holding a financial interest, directly or indirectly, in the sale of any land, materials, supplies, or services to the City, without a vote of five (5) members of the City Commission affirming that the best interests of the City are served despite the direct or indirect interest held in the contract or sale by the member or mayor.

Should this proposal be adopted?

Yes     ☐

No     ☐

Moved by: Ronald George

Seconded by: Salvatore Vitale

Be it resolved the Charter Review Committee approves the draft language for Chapter Three, Section 43 and the draft ballot language as presented.

Motion Adopted

### **5.c Review Vacancy Draft Language**

Vitale presented draft language for Chapter Three, Section 10 and draft ballot language for that amendment (see language below). The members discussed and felt that they needed more time to think about this language and proposal. They will review it more and revisit it at the next meeting.

### **Charter Review for the City of Royal Oak Proposed Amendment to Chapter 3, Section 10(Addressing Definition of Vacancy)**

## **Section 10 - Vacation of Seat through Absence Vacancy of Seat**

[Amended and adopted 11-4-1947; 7-24-2017]; (Amended and adopted {date of amendment})

A member of the City Commission shall be deemed to have vacated their seat if, at any time during their term of office, he or she:

(a) Is absent Absence from five consecutive regular meetings shall operate to vacate the seat of a member, unless the absence is excused by the Commission, by resolution setting forth such excuse and entered upon the journal.

(b) Dies, resigns, is removed from office, moves from the City, or otherwise no longer possesses all of the qualifications for the office to which they were elected or appointed;

(c) Is convicted by a court of competent jurisdiction of a felony, or of misconduct in office under this Charter, or is judicially declared to be mentally incompetent.

A vacancy shall also be deemed to exist on City Commission when no candidate is elected to a City Commission seat, including the office of Mayor.

### **A PROPOSAL TO AMEND THE ROYAL OAK CITY CHARTER TO EXPAND AND CLARIFY THE DEFINITION OF VACANCY OF A CITY COMMISSION SEAT**

The proposed amendment, if adopted, would provide that a member of the City Commission will be deemed to have vacated their seat if, at any time during their term of office, he or she dies, resigns, is removed from office, moves from the City, is convicted of a felony or of misconduct under the charter, or is judicially declared mentally incompetent.

Should this proposal be adopted?

Yes ☐

No ☐

#### **6. New Business**

There was no new business.

#### **7. Adjournment**

Upon motion of George and seconded by Vitale the meeting was adjourned at 6:32 p.m.

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Melanie Halas, City Clerk/db