

Amendments to the Millage Renewals Ballot Language

July 14, 2021

The Honorable Mayor Fournier and
Members of the City Commission:

On Monday, July 12, 2021, the city commission passed to resolutions approving ballot language for the police, fire and emergency services (public safety millage):and the refuse collection, disposal and curbside recycling (solid waste millage) millage renewals. Errors in the ballot language have come to staff's attention and will need to be addressed prior to the ballot language being forwarded for final approval.

Public Safety Millage Renewal

Below is the resolution adopted on Monday, July 12, 2021, for the ballot language for the police, fire and emergency services (public safety millage) with the incorrect information presented in red font:

***Be it resolved**, the city commission adopts with an affirmative vote of at least 3/5 of its members (5 of 7) the suggested changes to the Charter as specified below; and*

Current Charter Language:

Chapter 8. General Finances, Section 11.

(a) *The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.*

(b) *In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, 2012, pursuant to the provisions of chapter eleven of this Charter.*

(c) *In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2017, pursuant to the provisions of chapter eleven of this Charter.*

If Adopted by the Electorate:

Chapter 8. General Finances, Section 11.

(a) *The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.*

(b) *In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and*

personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, 2012, pursuant to the provisions of chapter eleven of this Charter.

(c) In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2022, pursuant to the provisions of chapter eleven of this Charter.

Be it further resolved, the city clerk shall transmit a copy of the proposal and this resolution to the Governor and to the Attorney General of the State of Michigan for review and approval; and

Be it further resolved, the city clerk shall publish the current text of the sections of the charter proposed for amendment or deletion and the proposed text of the charter amendments and changes in accordance to Michigan law; and

Be it further resolved, once approved by the governor, the proposed charter amendment proposal be placed before the electors at a general election scheduled for **Tuesday, November 2, 2022**:

CHARTER PROPOSAL
Proposal A

PROPOSED AMENDMENT TO CHAPTER 8, SECTION 11 OF THE ROYAL OAK CITY CHARTER TO ALLOW FOR A POLICE, FIRE AND EMERGENCY MEDICAL SERVICE MILLAGE RENEWAL.

The proposed amendment to Chapter 8, Section 11 of the Royal Oak City Charter, if approved, would allow the City to renew the millage levy for a period not to exceed five (5) years of up to 3.975 mills, to defray the costs for police, fire and emergency medical services starting December 1, 2022.

The levy renewal, if approved, would defray the general expenses and liabilities of the city for police, fire, and emergency medical services only and will allow Royal Oak to maintain core services and staffing levels.

Shall the proposal be adopted?

Yes
No

The correct language (corrections in red bold font) for the resolution should read as stated herewith below and it is requested the city commission to adopt:

Be it resolved, the city commission adopts with an affirmative vote of at least 3/5 of its members (5 of 7) the suggested changes to the Charter as specified below; and

Current Charter Language:

Chapter 8. General Finances, Section 11.

(a) The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.

(b) In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, **2017**, pursuant to the provisions of chapter eleven of this Charter.

(c) In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2017, pursuant to the provisions of chapter eleven of this Charter.

If Adopted by the Electorate:

Chapter 8. General Finances, Section 11.

(a) The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.

(b) In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, **2017**, pursuant to the provisions of chapter eleven of this Charter.

(c) In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2022, pursuant to the provisions of chapter eleven of this Charter.

Be it resolved, the city attorney is authorized to make minor modifications to the proposed amendment, if necessary, after the adoption of the resolution.

Be it further resolved, the city clerk shall transmit a copy of the proposal and this resolution to the Governor and to the Attorney General of the State of Michigan for review and approval; and

Be it further resolved, the city clerk shall publish the current text of the sections of the charter proposed for amendment or deletion and the proposed text of the charter amendments and changes in accordance to Michigan law; and

Be it finally resolved, once approved by the governor, the proposed charter amendment proposal be placed before the electors at a general election scheduled for **Tuesday, November 2, 2021; and**

CHARTER PROPOSAL **2021-04**

PROPOSED AMENDMENT TO CHAPTER 8, SECTION 11 OF THE ROYAL OAK CITY CHARTER TO ALLOW FOR A POLICE, FIRE AND EMERGENCY MEDICAL SERVICE MILLAGE RENEWAL.

The proposed amendment to Chapter 8, Section 11 of the Royal Oak City Charter, if approved, would allow the City to renew the millage levy for a period not to exceed five (5) years of up to 3.975 mills, to defray the costs for police, fire and emergency medical services starting December 1, 2022.

The levy renewal, if approved, would defray the general expenses and liabilities of the city for police, fire, and emergency medical services only and will allow Royal Oak to maintain core services and staffing levels.

Shall the proposal be adopted?

- Yes
- No

Solid Waste Millage Renewal

Below is the resolution adopted on Monday, July 12, 2021, for the ballot language for the refuse collection, disposal, and curbside recycling (solid waste millage) with the incorrect information presented in red font:

Be it resolved, by the Royal Oak City Commission as follows:

1. *The city commission, by a vote of at least three-fifths (five of seven) of its members, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that chapter 8, section 11(b) of the Royal Oak City Charter shall be amended to read as follows:*

In addition to the amount set forth in subsection (a) above, the city may, for the sole purpose of defraying the general expenses and liabilities of the city for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the city a millage for a period not to exceed five (5) years of up to 1.00 mills, said tax to be assessed and spread beginning the first day of July, 2022, pursuant to the provisions of chapter eleven of this charter.

2. *The city clerk shall immediately send a copy of the proposed amendment to the attorney general for review and the governor of the State of Michigan for approval, as required by law.*

3. *The proposed charter amendment is ordered to be submitted to the qualified electors of this city at a general election to be held in the city of Royal Oak, the second Tuesday of November 2021 (November 2, 2021). The city clerk is directed to give notice of the election, notice of registration, to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors in the manner prescribed by and as required by law.*

4. *The proposed amendment shall be submitted to the electors in the following form:*

Charter ~~Amendment~~ Proposal 21- _____

PROPOSED AMENDMENT TO CHAPTER 8, SECTION 11(B) OF THE ROYAL OAK CITY CHARTER TO ALLOW FOR A RENEWAL REFUSE COLLECTION, DISPOSAL AND CURBSIDE RECYCLING PROGRAM MILLAGE.

*The proposed amendment to the Royal Oak charter, if approved, would allow the city to levy a millage for a period not to exceed five years (5) years up to 1.00 mil, starting **June 1, 2022**, to defray the costs of refuse collection, disposal, and curbside recycling.*

Shall the proposal be adopted?

YES []

NO []

5. *The proposed amendment shall be published in full together with the existing charter provision altered or abrogated as part of the notice of election in the official newspaper of the city.*

6. *The canvas and determination of the votes concerning this question shall be made in accordance with the laws of the State of Michigan and the charter of Royal Oak.*

The correct language (corrections in red bold font) for the resolution should read as stated herewith below and it is requested the city commission to adopt:

:

Be it resolved, by the Royal Oak City Commission as follows:

1. The city commission, by a vote of at least three-fifths (five of seven) of its members, pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended, proposes that chapter 8, section 11(b) of the Royal Oak City Charter shall be amended to read as follows:

In addition to the amount set forth in subsection (a) above, the city may, for the sole purpose of defraying the general expenses and liabilities of the city for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the city a millage for a period not to exceed five (5) years of up to 1.00 mills, said tax to be assessed and spread beginning the first day of July, 2022, pursuant to the provisions of chapter eleven of this charter.

2. **The city attorney shall be authorized to make minor modifications, if necessary, to this proposed amendment after it is adopted by the city commission.**

3. The city clerk shall immediately send a copy of the proposed amendment to the attorney general for review and the governor of the State of Michigan for approval, as required by law.

4. The proposed charter amendment is ordered to be submitted to the qualified electors of this city at a general election to be held in the city of Royal Oak, the second Tuesday of November 2021 (November 2, 2021). The city clerk is directed to give notice of the election, notice of registration, to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors in the manner prescribed by and as required by law.

5. The proposed amendment shall be submitted to the electors in the following form

CHARTER PROPOSAL 2021-05

PROPOSED AMENDMENT TO CHAPTER 8, SECTION 11(B) OF THE ROYAL OAK CITY CHARTER TO ALLOW FOR A RENEWAL REFUSE COLLECTION, DISPOSAL AND CURBSIDE RECYCLING PROGRAM MILLAGE.

The proposed amendment to the Royal Oak charter, if approved, would allow the city to levy a millage for a period not to exceed five years (5) years up to 1.00 mil, **starting July 1, 2022**, to defray the costs of refuse collection, disposal, and curbside recycling.

Shall the proposal be adopted?

YES []
NO []

6. The proposed amendment shall be published in full together with the existing charter provision altered or abrogated as part of the notice of election in the official newspaper of the city.

7. The canvas and determination of the votes concerning this question shall be made in accordance with the laws of the State of Michigan and the charter of Royal Oak.

Respectfully submitted,



Paul J. Brake, ICMA-CM, CEcD
City Manager

