

RESOLUTION #2016-25

A RESOLUTION FOR PROPOSED BALLOT LANGUAGE TO AMEND CHAPTER 10, SECTION 22 OF THE CITY OF ALBION CHARTER

Purpose and Finding: The Albion City Charter currently contains a provision regarding the disposition of City property which has been acquired as a result of unpaid taxes. Currently the charter provision requires that when the City elects to sell the real property, it must be sold at market value as certified to the council by the assessor. Given the economic status of the City, it is believed to be in the City's best interests to remove the requirement that the property be sold at market value. It is believed that once the property is sold at a fair price, as determined by the City Council, the property would return to the tax rolls, with payments being made by the buyer. The increased revenue generated via property taxes would greatly benefit the city's financial position as opposed to continuing to allow vacant lots or property to continue to remain non-income generating properties.

Council Member Brown moved, supported by Council Member French, to approve the following resolution

RESOLVED, as follows:

1. that by a 3/5 vote of its members-elect, pursuant to the authority granted by Public Act 279 of 1909, as amended, proposes that Section 10-22 of the charter of the City of Albion be amended to read as follows:

**Sec. 10.22. - Disposition of real property held by city.**

When the city has acquired any interest in property to protect the city's tax lien thereon, the owner of any interest therein by fee title, as mortgagee, or as vendor or vendee under a land contract, shall have the right to purchase the city's interest therein, upon payment to the city of the amount of money which the city has invested therein in the form of taxes, special assessments, charges, fees, penalties, interest, and costs, paid by the city to protect its title in such property. After the lapse of ninety (90) days after the date that the city acquires title to any such property, the council may remove the same from the market by determining that such property is needed for and should be devoted to public purposes, naming such purposes, or may sell the same at a price determined by the City Council, after a public hearing called for the purpose of selling the real property.

Provisions of the existing section 10.22 of the charter of the City of Albion to be altered or abrogated by such proposal, if adopted, now read as follows:

**Sec. 10.22. - Disposition of real property held by city.**

When the city has acquired any interest in property to protect the city's tax lien thereon, the owner of any interest therein by fee title, as mortgagee, or as vendor or vendee under a land contract, shall have the right to purchase the city's interest therein, upon payment to the city of the amount of money which the city has invested therein in the form of taxes, special assessments, charges, fees, penalties, interest, and costs, paid by the city to protect its title in such property. After the lapse of ninety (90) days after the date that the city acquires title to any such property, the council may remove the same from the market by determining that such property is needed for and should be devoted to public purposes, naming such purposes, or may sell the same at a price which shall be not less than the market value, as determined, and certified to the council by the assessor.

2. The purpose of the proposed amendment shall be designated on the ballot as follows:

A proposal to amend the City Charter to provide that real property, acquired by the City as the result of delinquent taxes, may be sold at a price determined by the City Council, following a public hearing.

3. The City Clerk shall transmit a copy of the proposed amendment to the Governor of the State of Michigan for approval and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for approval by law.
4. The proposed charter amendment shall be submitted to the qualified electors of this city at the general election to be held in the City of Albion on November 8, 2016, and the City Clerk is directed to give notice of the election and notice of registration in the manner prescribed by law.
5. The proposed amendment shall be submitted to the electors in the following format:

**PROPOSED AMENDMENT TO SECTION 10.22 OF THE CHARTER OF THE CITY OF ALBION**

Currently, the City Charter prohibits the sale of tax-foreclosed property owned by the City at a price less than its market value as certified to the City Council by the Assessor.

The proposed amendment would eliminate this prohibition and allow the City to sell the property at a price determined by the City Council, after a public hearing.

Should this proposal be adopted?

[YES]            [NO]

6. The proposed amendment shall be published in full together with the existing charter provision altered or abrogated by the amendment shall be published in full as part of the election notice not less than 7 days prior to the election.
7. The canvass and determination of the votes on the proposed Charter amendment shall be made in accordance with the laws of the State of Michigan and the City of Albion Charter.

I hereby certify that the above resolution was adopted on April 18, 2016 in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes            \_\_\_\_\_

Nays            \_\_\_\_\_

Absent            \_\_\_\_\_

\_\_\_\_\_  
Jill Domingo, Clerk

April 18, 2016

## RESOLUTION #2016-26

### A RESOLUTION FOR PROPOSED BALLOT LANGUAGE TO AMEND CHAPTER 7, SECTION 1 OF THE CITY OF ALBION CHARTER

Purpose and Finding: The Albion City Charter currently provides for the administrative departments of the city pursuant to the Michigan Home Rule City Act, MCL 117.4(j)(3). Over the passage of time, many of these departments have been rendered obsolete by the consolidation of various departments, budgetary cutbacks, and legislative changes which have eliminated certain positions. As such, it is in the best interests of the City of Albion for the departments to be updated to reflect the current departments of the city and to provide for their duties.

Council Member \_\_\_\_\_ moved, supported by Council Member \_\_\_\_\_, to approve the following resolution

RESOLVED, as follows:

1. that by a 3/5 vote of its members-elect, pursuant to the authority granted by Public Act 279 of 1909, as amended, proposes that Section 7.1 of the charter of the City of Albion be amended to read as follows:

#### **Sec. 7.1. - Administrative departments of the city.**

- a. The executive and administrative powers, authority, and duties, not otherwise herein provided for, shall be divided into the following departments and such other departments as the council may by ordinance establish:
  - i. Department of Finance;
  - ii. Department of Public Safety;
  - iii. Department of Public Services;
  - iv. Department of Planning and Development;
  - v. Department of Recreation;
- b. The department of finance shall have responsibility for the treasurer's office and work, the director of finance's work and office, the assessor's office and work; the collection of license fees, special assessments, water rates, taxes and any other rates or charges for public utilities, services, and facilities of the city, and shall be responsible for financial settlements with the clerk, courts, and any other person receiving or holding city money. The department of finance shall also have responsibility for the general accounting of the city and maintaining an inventory of city-owned property.
- c. The department of public services shall have responsibility for the supervision, care, and use of all public buildings, parks, cemeteries, and other public

grounds owned or leased by the city, city controlled waters, watercourses, and flood control facilities. The department of public services shall further have the responsibility for all construction work relative to and the care of streets and alleys, sidewalks and crosswalks, curbs and gutters, trees, bridges, street lighting, paving, grading, opening of streets, street closings, construction work and maintenance of sewers, drains, water works, and sewage disposal facilities.

- d. The department of public safety shall have the responsibility for the police and fire functions of the city.
- e. The department of planning and development shall have responsibility for the enforcement of the city building, electrical, mechanical, plumbing, property maintenance, sign and zoning codes, the inspection of electrical wiring, plumbing, elevators, fire escapes, signs, and buildings.
- f. The department of recreation shall have the responsibility for planning, organizing and publicizing recreational programs for community use and coordinating the planning and organization of special community events.
- g. The council may prescribe additional powers and change or consolidate departments whenever it deems it necessary for the efficient and economical conduct of the business of the city.

Provisions of the existing section 7-1 of the charter of the City of Albion to be altered or abrogated by such proposal, if adopted, now read as follows:

**Sec. 7.1. - Administrative departments of the city.**

- (a) The executive and administrative powers, authority, and duties, not otherwise herein provided for, shall be divided into the following departments and such other departments as the council may by ordinance establish:
  - (1) department of public affairs,
  - (2) department of accounts and finance,
  - (3) department of public properties,
  - (4) department of public safety,
  - (5) department of public works and sanitation,
  - (6) department of public highways,
  - (7) department of public health.
- (b) The department of public affairs, shall be under the superintendence and responsibility of the mayor, and shall include all matters pertaining to the mayor's

executive office, and such other duties as the council may, by ordinance or resolution, determine.

- (c) The department of accounts and finance shall have responsibility for the clerk's office and work, the treasurer's office and work, the director of finance's work and office, the assessor's office and work; the collection of license fees, special assessments, water rates, and any other rates or charges for public utilities, services, and facilities of the city, and shall be responsible for financial settlements with the clerk, municipal court, constables, and any other person receiving or holding city money.
- (d) The department of public properties shall have responsibility for the supervision, care, and use of all public buildings, parks, cemeteries, and other public grounds owned or leased by the city, city controlled waters, watercourses, and flood control facilities, other than highways and appurtenances thereof.
- (e) The department of public safety shall have the responsibility for the police and fire functions of the city and the inspection of electrical wiring, plumbing, elevators, fire escapes, signs, and buildings.
- (f) The department of public works and sanitation, shall have responsibility for all construction work and maintenance of sewers, drains, water works, and sewage disposal facilities.
- (g) The department of public highways shall have responsibility for all construction work relative to and the care of streets and alleys, sidewalks and crosswalks, curbs and gutters, trees, bridges, street lighting, paving, grading, opening of streets, and street closings.
- (h) The department of public health shall have responsibility for the supervision of the general health conditions of the city and for the inspection services of the city relating to matters of public health.
- (i) The council may prescribe additional powers and change or consolidate departments whenever it deems it necessary for the efficient and economical conduct of the business of the city.

2. The purpose of the proposed amendment shall be designated on the ballot as follows:

A proposal to amend the City Charter to eliminate obsolete departments of the city, to designate current departments, and to provide for duties and responsibilities for the current departments.

3. The City Clerk shall transmit a copy of the proposed amendment to the Governor of the State of Michigan for approval and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for approval by law.
4. The proposed charter amendment shall be submitted to the qualified electors of this city at the general election to be held in the City of Albion on November 8, 2016, and the City Clerk is directed to give notice of the election and notice of registration in the manner prescribed by law.
5. The proposed amendment shall be submitted to the electors in the following format:

#### PROPOSED AMENDMENT TO SECTION 7.1 OF THE CHARTER OF THE CITY OF ALBION

Currently, section 7.1 lists seven departments to implement executive and administrative functions not otherwise provided for in the charter, except as changed or consolidated by the city council.

The amendment would: (1) delete the public health and public affairs departments, (2) provide for a public safety department, a finance department, a public service department, a planning and development department, and a recreation department, and (3) retain the council's authority to change and consolidate departments.

Should this proposal be adopted?

[YES]            [NO]

6. The proposed amendment shall be published in full together with the existing charter provision altered or abrogated by the amendment shall be published in full as part of the election notice not less than 7 days prior to the election.
7. The canvass and determination of the votes on the proposed Charter amendment shall be made in accordance with the laws of the State of Michigan and the City of Albion Charter.

I hereby certify that the above resolution was adopted on April 18, 2015 in a regular session of the Albion City Council, and this is a true copy of that resolution.

Ayes          7  

Nays          0  

Absent        0  

Jill Domingo  
Jill Domingo, Clerk

April 18, 2015