

VILLAGE OF WOLVERINE LAKE

Proposed Charter Amendment Resolution to be Considered During the January 10, 2018  
Regular Council Meeting:

Section 17 of the Home Rule Village Act (HRVA), MCL 78.17, authorizes a village council to adopt a resolution proposing to amend the village charter by a two-thirds vote, and the resolution proposing to amend the village charter must set forth the exact wording of the proposed amendments to be submitted to the village voters for approval at a regular or special election, and also set forth the ballot language for the proposed charter amendments; and

As required by Section 17 of the HRVA, MCL 78.17, the proposed amendments were initially proposed to the Village Council by proposed resolution offered by Stack and seconded by Nedrow and thereafter tabled by the Council for a minimum of 30 days during which time the proposed amendments have been published in the Spinal Column newspaper that is circulated in the Village, a certified copy of which publication is attached as Attachment No. 1,

The Village Council of the Village of Wolverine Lake resolves that:

CHARTER AMENDMENT PROPOSAL NO. 1

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 3.4 Election Dates.** [Amended April 3, 1995]

A regular Village election shall be held on the second Monday in March in each odd numbered year.

2. The proposed amended Charter language shall be as follows:

**Section 3.4 Election Dates.**

A regular Village election shall be held on the even year general November election dates.

3. The ballot language for the proposed amendment shall be as follows:

CHARTER AMENDMENT PROPOSAL NO. 1

The Village Charter now states that a regular Village election shall be held on the second Monday in March in each odd numbered year. The proposed amendment would reflect current state election law requirements applicable to the Village and provide that a regular Village election shall be held on the even year general November election dates.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

## CHARTER AMENDMENT PROPOSAL NO. 2

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 3.5 Elective Officers and Terms of Office.** [Amended April 7, 1964]

The elective officers of the Village shall be seven Councilmen all of whom shall be nominated and elected from the Village at large. At each regular Village election there shall be elected four Councilmen and such additional number as may be required to fill vacancies pursuant to the provisions of Section 5.2[10.112]. The three receiving the highest number of votes shall each be elected for a term of office of four years; the one receiving the fourth highest number of votes shall be elected for a term of office of two years, and a number equal to the number of vacancies being filled (if any) who shall receive the next highest number of votes in order shall be elected for a term of office of two years. The terms of office of Councilmen shall commence at 7:30 p.m. on the Monday next following the regular Village election at which they are elected. The top three Councilmen elected at the April 6, 1964, regular Village election shall be elected for a term of office of three years. The remaining Councilmen elected to the remaining vacancies on the Council at this election shall be elected for a period of one year.

2. The proposed amended Charter language shall be as follows:

**Section 3.5 Elective Officers and Terms of Office.**

The elective officers of the Village shall be seven Councilpersons all of whom shall be nominated and elected from the Village at large. At each regular Village election there shall be elected four Councilpersons and such additional number as may be required to fill vacancies pursuant to the provisions of Section 5.2. The three receiving the highest number of votes shall each be elected for a term of office of four years; the one receiving the fourth highest number of votes shall be elected for a term of office of two years, and a number equal to the number of vacancies being filled (if any) who shall receive the next highest number of votes in order shall be elected for a term of office of two years. The terms of office of Councilpersons shall commence at the time set for the beginning of the next scheduled Regular Council meeting in December following the election at which they are elected.

3. The ballot language for the proposed amendment shall be as follows:

CHARTER AMENDMENT PROPOSAL NO. 2

The Village Charter now states that the terms of office of Councilmen shall commence at 7:30 p.m. on the Monday next following the regular Village election at which they are elected, and contains obsolete provisions related to the April 6, 1964 regular Village election. The proposed amendment would remove obsolete provisions and provide that the terms of office of Councilpersons shall commence at the time set for the beginning of the next scheduled Regular Council meeting in December following the election at which they are elected.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

CHARTER AMENDMENT PROPOSAL NO. 3

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 3.6 Nominations.**

The nomination of the elective officers shall be by petition signed by not less than twenty qualified electors of the Village. No elector may sign his name to a greater number of petitions for an office than there will be persons elected to said office at said election. Nomination petitions shall be filed with the Clerk between the fortieth day preceding such election and six o'clock in the afternoon of the thirtieth day preceding such election. The Clerk shall supply nominating petition forms at the request of any qualified Village elector, and shall publish notice of the last day permitted for filing of petitions at least two (2) weeks before such last day.

2. The proposed amended Charter language shall be as follows:

**Section 3.6 Nominations.**

The nomination of the elective officers shall be by petition signed by not less than twenty qualified electors of the Village. No elector may sign his name to a greater number of petitions for an office than there will be persons elected to said office at said election. Petitions for each prospective candidate shall be filed with the appropriate township clerk by

4 p.m. on the fifteenth Tuesday before the general November election, or the date and time required by the Michigan Election Law, MCL 168.381, as amended. After a nominating petition is filed for a candidate for a village office, the candidate is not permitted to withdraw unless a written withdrawal notice, signed by the candidate, is filed with the appropriate township clerk not later than 4 p.m. of the third day after the last day for filing the nominating petition.

3. The ballot language for the proposed amendment shall be as follows:

### CHARTER AMENDMENT PROPOSAL NO. 3

The Village Charter now states that nomination petitions for elective officers shall be filed with the Village Clerk between the fortieth day preceding an election and six o'clock in the afternoon of the thirtieth day preceding an election. The proposed amendment would reflect current state election law requirements applicable to the Village and provide that petitions for each prospective candidate shall be filed with the appropriate township clerk by 4 p.m. on the fifteenth Tuesday before the general November election, or the date and time required by the Michigan Election Law, MCL 168.381, as amended, and that after a nominating petition is filed for a candidate for a village office, the candidate is not permitted to withdraw unless a written withdrawal notice, signed by the candidate, is filed with the appropriate township clerk not later than 4 p.m. of the third day after the last day for filing the nominating petition.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

### CHARTER AMENDMENT PROPOSAL NO. 4

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 3.7 Approval of Nomination Petitions.** [Amended April 4, 1983]

The Clerk shall accept only such nomination petitions which conform with the requirements set forth in this Charter. When a nominating petition is filed by someone other than the person whose name appears thereon as the candidate, it must be accompanied by the written consent of said candidate. Nomination petitions which do not conform with the requirements as set forth in this Charter shall be returned to the candidate and said candidate shall be allowed to file a supplementary or replacement petition before six o'clock in the

afternoon of the fifth day after the last date for filing original petitions. Thereafter no further petitions may be filed.

The names of the candidates who file valid nomination petitions shall be certified by the Clerk of the Election Commission to be placed upon the ballot for the next regular Village election or the next special election for the filing of vacancies as the case may be.

There shall be a minimum of one (1) candidate for each elective office in the Village. In the event that no petitions are filed for an elective office, the Village Council shall nominate by resolution at least one (1) qualified person to run for such office. Such resolution shall be passed within one week after the last day for filing supplementary petitions. Written consent must be obtained from all persons so nominated.

2. The proposed amended Charter language shall be as follows:

**Section 3.7 Approval of Nomination Petitions.**

Only nomination petitions which conform with the requirements set forth in this Charter and state law shall be accepted.

The names of the candidates who file valid nomination petitions shall be certified to the county clerk by the appropriate township clerk within 5 days after the last day for filing petitions.

There shall be a minimum of one (1) candidate for each elective office in the Village.

3. The ballot language for the proposed amendment shall be as follows:

**CHARTER AMENDMENT PROPOSAL NO. 4**

The Village Charter contains obsolete and superseded requirements related to the filing, approval and certification of nomination petitions for village elective offices. The proposed amendment would reflect current state election law requirements applicable to the Village by providing that only nomination petitions which conform with the requirements set forth in this Charter and state law shall be accepted, and requiring that the names of the candidates who file valid nomination petitions shall be certified to the county clerk by the appropriate township clerk within 5 days after the last day for filing petitions.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

**CHARTER AMENDMENT PROPOSAL NO. 5**

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 3.14 Canvass of Votes.**

The Council shall be the Board of Canvassers to canvass the votes at Village elections. It shall meet on the day following each election and publicly canvass the returns of such election and determine the candidates that are duly elected to the several offices and determine the results of the election for each question and proposal voted upon. It shall notify in writing the successful candidates of their election. The Clerk shall make under the corporate seal of the Village duplicate certificates of the determinations of the Board and shall file one certificate with the County Clerk and the other in his own office.

2. The proposed amended Charter language shall be as follows:

**Section 3.14 Canvass of Votes.**

The Oakland County Board of Canvassers shall canvass the votes at Village elections and perform all duties required by state law.

3. The ballot language for the proposed amendment shall be as follows:

**CHARTER AMENDMENT PROPOSAL NO. 5**

The Village Charter contains obsolete and superseded requirements related to the canvass of votes at Village elections. The proposed amendment would reflect current state election law requirements applicable to the Village by providing that the Oakland County Board of Canvassers shall canvass the votes at Village elections and perform all duties required by state law.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

**CHARTER AMENDMENT PROPOSAL NO. 6**

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 4.2. Compensation of Council and President.** [Amended April 1, 1985]

Each Councilperson and President shall be paid on an annual basis five dollars (\$5.00) per officially called Council meeting, Commission meeting or Committee meeting at which such Councilperson or President's presence is required, to a maximum of four (4) meetings per calendar month, with said change to become effective only after the expiration of existing terms. Councilpersons and the President, upon order of Council, may be paid such necessary bona fide expenses as are authorized and itemized and incurred in service on behalf of the Village.

2. The proposed amended Charter language shall be as follows:

**Section 4.2. Compensation of Council and President.**

A five (5) person committee shall recommend the compensation of each Councilmember and President. The committee members shall be qualified electors of the Village, and no more than two (2) may be Councilmembers. Upon consideration of the committee recommendation, Council shall establish such compensation by ordinance, but no ordinance changing such compensation shall become effective until the expiration of the terms of the existing members. Councilpersons and the President, upon order of Council, may be paid such necessary bona fide expenses as are authorized and itemized and incurred in service on behalf of the Village.

3. The ballot language for the proposed amendment shall be as follows:

**CHARTER AMENDMENT PROPOSAL NO. 6**

The Village Charter now states that each Councilperson and President shall be paid on an annual basis five dollars (\$5.00) per officially called Council meeting, Commission meeting or Committee meeting at which such Councilperson or President's presence is required, to a maximum of four (4) meetings per calendar month. The proposed amendment would require Council to establish such compensation by ordinance after consideration of the recommendation of a five (5) person committee.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

**CHARTER AMENDMENT PROPOSAL NO. 7**

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 5.1 Eligibility for Office in Village.**

No person shall hold any elective office of the Village unless he has been a resident of the Village for at least two years immediately prior to the last day for filing supplemental petitions for such office and is also a qualified and registered elector of the Village on such day and throughout his tenure of office.

All administrative officers shall be citizens of the United States.

No elective officer may be appointed as an administrative officer or in any way be employed by the Village during the term of office for which he was elected, except that the Council may elect one of its own members as Clerk and as Treasurer.

2. The proposed amended Charter language shall be as follows:

**Section 5.1 Eligibility for Office in Village.**

No person shall hold any elective office of the Village unless he has been a resident of the Village for at least one year immediately prior to the last day for filing petitions for such office and is also a qualified and registered elector of the Village on such day and throughout his tenure of office.

All administrative officers shall be citizens of the United States.

No elective officer may be appointed as an administrative officer or in any way be employed by the Village during the term of office for which he was elected, except that the Council may elect one of its own members as Clerk and as Treasurer.

3. The ballot language for the proposed amendment shall be as follows:

**CHARTER AMENDMENT PROPOSAL NO. 7**

The Village Charter now states that no person shall hold any elective office of the Village unless he has been a resident of the Village for at least two years immediately prior to the last day for filing supplemental petitions for such office. The proposed amendment would remove obsolete language regarding the filing of supplemental petitions and change the residency requirement to one year in accordance with law.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

## CHARTER AMENDMENT PROPOSAL NO. 8

1. The current Charter Section to be altered by the proposed amendment now provides as follows:

**Section 11.1 Purchase and Sale of Property.** [Amended April 6, 1987]

The Council may designate an administrative officer of the Village as Purchasing Agent, and he shall be responsible for the purchase and sale of all Village property. Comparative prices shall be obtained for the purchase or sale of all materials, supplies and public improvements except:

- (a) In the employment of professional services, and
- (b) When the Purchasing Agent or the Council as hereinafter provided shall determine that no advantage to the Village would result therefrom.

The Council may authorize the Purchasing Agent to make purchases and sales within a prescribed dollar limit without prior approval of the Council. However, in all sales or purchases in excess of one thousand five hundred dollars,

- (a) The sale or purchase shall be approved by the Council,
- (b) Formal sealed bids shall be obtained unless the Council by formal unanimous resolution of those present at the meeting determine that no advantage to the Village will result from competitive bidding. No sale or purchase shall be divided for the purpose of circumventing the dollar value limitation contained in this section. The Council may authorize the making of public improvements or the performance of any other Village work by any Village department or agency without competitive bidding.

Purchases shall be made from the lowest competent bidder meeting specifications; sales shall be made to the bidder whose bid is most advantageous to the Village.

The Council may by ordinance establish detailed purchasing, sale, and contract procedure not inconsistent with this Charter. [See Ord. No. 84 - Purchasing Ordinance.]

2. The proposed amended Charter language shall be as follows:

**Section 11.1 Purchase and Sale of Property.**

The Council may designate an administrative officer of the Village as Purchasing Agent, and he or she shall be responsible for the purchase and sale of all Village property. Comparative prices shall be obtained for the purchase or sale of all materials, supplies and public improvements except:

- (a) In the employment of professional services, and
- (b) When the Purchasing Agent or the Council as hereinafter provided shall determine that no advantage to the Village would result therefrom.

The Council may authorize the Purchasing Agent to make purchases and sales within a prescribed dollar limit without prior approval of the Council. However, Council may, by

resolution, establish the amount over which the Village must enter into a written contract for the purchase of supplies, equipment or other contractual services, and such contract shall be awarded to the lowest competent bidder meeting specification and whose bid is most advantageous to the Village after such public notice and competition as may be prescribed by ordinance. Provided however;

(a) The Council shall have the power to reject all bids and advertise again,

(b) The Council may forego competitive bidding if, by resolution, it determines that no advantage to the Village will result. The Council may authorize the making of public improvements or the performance of any other Village work by any Village department or agency without competitive bidding.

3. The ballot language for the proposed amendment shall be as follows:

#### CHARTER AMENDMENT PROPOSAL NO. 8

The Village Charter now requires that the purchase and sale of all materials, supplies and public improvements costing more than one thousand five hundred dollars must be approved by the Council. The proposal, if adopted, would eliminate this provision and allow Council to establish the limitation by resolution.

Shall the proposal be adopted?

YES: \_\_\_\_\_

NO: \_\_\_\_\_

4. The Village Clerk shall transmit a certified copy of this resolution to the Governor of the State of Michigan for approval of the proposed amendments (MCL 78.17), and transmit a certified copy of this resolution to the Attorney General of the State of Michigan for review.

5. The proposed amendments shall be submitted to the qualified electors of the Village of Wolverine Lake at the general election to be held in the Village on November 6, 2018, and the Village Clerk is directed to give notice of the election and notice of registration in a manner prescribed by law and to do all things and to provide all supplies necessary to submit such Charter amendments to a vote of the electors as required by law.

6. The proposed Charter amendments shall be published in full, together with the existing Charter provisions amended as required by law.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstained: \_\_\_\_\_

Motion carried.

I, Nathan Burd, Clerk of the Village of Wolverine Lake, certify that the foregoing is a true and compared copy of a resolution duly adopted by the Wolverine Lake Village Council at a meeting held on **[date]**.

/s/ \_\_\_\_\_

Nathan Burd, Village Clerk