

City of Battle Creek  
Blue Ribbon Advisory Committee  
Department of Public Works  
Multi-Purpose Room  
150 South Kendall Street Battle Creek, MI 49037\  
Wednesday, March 7, 2018 5:30 pm

#### **AGENDA**

Call to Order – Attendance

Public Comment

Approval of Minutes: February 21, 2018

Prior Meeting Business

- A. Survey Draft - Comments and Recommendations
- B. Pros & Cons worksheets

New Business

- A. Consideration of Charter Amendments
  - a. Selection of Mayor and Vice Mayor
  - b. Length of Commission Terms
  - c. Gendered Charter Language
  - d. Other Relevant Charter Amendments

Committee Discussion

Next Meeting: March 21, 2018 at 5:30 pm, DPW Multi-purpose Room

Adjournment

#### **PARKING LOT/FUTURE CONSIDERATIONS**

- Staggered Commission Terms
- Number of and Characteristics of Wards

1. 2.21.2018 Blue Ribbon Advisory Committee Documents

Documents:

[CHARTER AMND LIST 2007-2017.PDF](#)  
[BLUE RIBBON SURVEY 2018.PDF](#)

<b>2007 Charter Amendments</b>	
<b>MUNICIPALITY</b>	<b>SECTION TO BE AMENDED</b>
Charlevoix  <b>YES</b>	<p><b>Section 2.10</b> – permits the deputy mayor to vote, as a member of the council, while the deputy mayor is acting as the City's mayor during the temporary absence or disability of the mayor (Proposal No. 3)</p> <p><b>Section 2.9</b> – provides that the council shall elect the deputy mayor at its annual organizational meeting (rather than at its first meeting in January) and that a vacancy in the office of deputy mayor shall be filled at the next council meeting after the vacancy occurs (Proposal 11)</p>
Davison  <b>YES</b>	<p><b>Section 5.3</b> – changes the terms of Council members from two years to four years, with elections of Council members to occur in odd years, with a transition provision specifying that the three Council members elected in November, 2006 shall serve for a term of three years (The adoption of the amendment to Section 5.3 is conditioned on the adoption of the amendments to Sections 4.4 and 4.8.)</p> <p><b>Section 4.4 and 4.8</b> – nomination and election of City officers in the odd-numbered years (The adoption of the amendment to Sections 4.4 and 4.8 is conditioned on the adoption of the amendments to Section 5.3.)</p>
Ecorse <b>?</b>	<b>Ch. III, Sec. 10a and Ch. IV, Sec 3</b> – changes the term of office from 2 years to 4 years for the mayor, clerk, treasurer, assessor, and council members, commencing in 2007
Grand Blanc <b>?</b>	<b>Chapter 4, Section 13</b> – changes the Mayor's term of office from two years to four years, beginning with the next regular election for the office of Mayor
Grosse Pointe Woods (Initiative Petition) <b>?</b>	<b>Unnumbered Amendment</b> – provides that no person shall be elected to the office of mayor more than two times, and that no person shall be elected to the office of council person more than two times
Lapeer  <b>YES</b>	<p><b>Section 3.4</b> – restates this section to recognize that, pursuant to changes in Michigan election law as implemented by City Commission resolution, the regular City election is now held in November of each odd-numbered year rather than annually in April (Proposal No. 1)</p> <p><b>Section 3.5</b> – restates this section to reflect changes in Michigan election law resulting in the term of office for the Mayor and City Commissioners now being four years rather than three years (Proposal No. 2)</p>
Marshall (Initiative Petition) <b>NO</b>	<b>Section 2.01</b> – changes the method of electing the council members representing each of the City's five wards so that each ward's council member would be elected by the voters of his or her ward only and not by all voters in the City.
Perry  <b>YES</b>	<b>Section 4.5(d)</b> – provides for an override of the Mayor's veto by the affirmative vote of four of six Council Members in place of the current

Perry (cont) <b>YES</b>	<p>requirement for the affirmative vote of five of six Council Members to override the Mayor's veto</p> <p><b>Section 4.5(d)</b> – provides, in express terms, that resolutions that are vetoed by the Mayor shall be null and void if a Council motion to override the mayor's veto does not prevail.</p>
<b>2008 Charter Amendments</b>	
River Rouge  <b>?</b>	<b>Section 73</b> – provides for four year terms for the city elective offices of mayor, clerk, treasurer, assessor, six commissioners, and two constables commencing with November 2009 city election, and deletes the current provision for these officers to be elected every two years (Proposal No. 2)
Rochester Hills  <b>YES</b>	<p><b>Section 7.5</b> – provides a procedure requiring the affirmative vote of five council members, following investigation and public hearing, to determine that a council member is not eligible to hold office (Resolution 277)</p> <p><b>Section 7.10</b> – adds a new section providing that upon a council member's conviction of a felony, the council member's office shall be deemed forfeited and vacated (Resolution 242)</p> <p><b>Section 8.2</b> – provides that the mayor or a candidate for mayor shall not be in default of payment of any tax, assessment, or other obligation owed to the city (Resolution 278)</p> <p><b>Section 8.6A</b>– adds a new section providing that upon the Mayor's conviction of a felony, the Mayor's office shall be deemed forfeited and vacated (Resolution 241)</p>
<b>2009 Charter Amendments</b>	
Caspian          <b>?</b>	<p><b>Section 2.15</b> – adds a provision that no elective officer may be in default to the City, thereby stating explicitly in the Charter a requirement is already provided for in the Home Rule City Act (Proposal No. 1)</p> <p><b>Section 3.8</b> – provides the following compensation for the Mayor and other members of the city commission: \$40 for regular Commission meetings, \$20 for special Commission meetings, and \$20 for other meetings attended at the direction of the Commission (with such payment schedule being automatically adjusted every third year to reflect increases, if any in the national Consumer Price Index, up to 10%) and reimbursement for actual expenses incurred in attending meetings outside of the City at the direction of the City Commission (Proposal No. 2)</p> <p><b>Section 6.2</b> – modifies the second paragraph of this section 6.2 which currently states that no member of the City Commission shall be eligible for appointment as City Manager until 2 years subsequent to his or her service on the Commission by reducing the period of ineligibility to 6 months (Proposal No. 9)</p>
Clio	<b>Section 3.2</b> – adds a new subsection B that provides that the City Commission shall declare a vacancy in the office of City Commissioner

Clio (cont) <b>YES</b>	when a Commissioner misses five consecutive Commission meetings without being excused by the Commission, when a Commissioner is convicted of a felony or being drunk, or when an arbiter, mediator, or court judge finds a Commissioner guilty of official misconduct, willful neglect of duty, extortion or habitual drunkenness (Proposal No. 2 is conditioned on the adoption of Proposals No. 1 and No. 3)
Detroit <b>YES</b>	<b>Section 3-106, Section 3-107, and Section 4-103</b> – provides, in place of nine at-large council seats, for seven district council seats and two at-large council seats, for the establishment of seven council districts by the City Election Commission, and for rankings based on the number of votes received in one's district election of the seven district council members for automatic selection to fill a vacancy in the offices of Council President and President Pro Tem.
Ecorse <b>?</b>	<b>Ch. III, Sec. 10a and Ch. IV, Sec. 3</b> – changes the term of office from 2 years to 4 years for the mayor, clerk, treasurer, assessor, and council members, commencing in 2009.
Grand Haven <b>NO</b>	<b>Sections 1.3, 4.2, 4.10 and 13.7</b> – provides that (1) the City shall have four wards, apportioned according to a plan the City Council adopts, so that all wards are as compact and contiguous as possible, and have a population as nearly equal as possible, and (2) excluding the Mayor, one member of the City Council, who must be a resident of the ward he or she serves, shall be nominated and chosen by voters in each ward.
Rockwood <b>NO</b>	<b>Section 4.6</b> – deletes this section which imposes term limits on the offices of mayor and member of the city council
Troy <b>YES</b>	<b>Section 3.7</b> – provides that the Mayor Pro Tem shall be elected by the City Council from among its members annually in November rather than in November in every odd-numbered year (Proposal No. 1)  <b>Section 6.2(g)</b> – deletes the requirement for a City Council member seeking to be a candidate for any other City elective office to resign from the Council prior to the filing deadline for the municipal election and substitutes in its place a requirement that a City Council member shall file with the City Clerk, prior to July 1 an irrevocable letter of resignation to allow for the future vacancy created to be placed on the next November election (Proposal No. 3)  <b>Section 6.2.1</b> – adds a new provisions which allows elected officials to resign by irrevocable letter of resignation effective no later than the date the successor takes office, which will commence the first Monday after the election or as stated in the irrevocable letter of resignation (Proposal No. 4 - which is conditioned on the passage of Proposals 5 and 6)
<b>2010 Charter Amendments</b>	
Bad Axe <b>YES</b>	<b>Section 5.1(c)</b> – deletes this section which currently provides that no person who holds or has held the office of Mayor or Councilman shall be

	eligible to hold any appointive office in the City until one year has elapsed following the expiration of the term of office for which he was elected.
Beaverton  ?	<p><b>Section 2.4</b> – eliminates the three ward system and establishes one ward in the city</p> <p><b>Section 2.5</b> – eliminates the requirement that a council member be a resident of the ward from which they were elected</p> <p><b>Section 2.9</b> – eliminates the requirement that a vacancy be filled by a resident of the ward in which the vacancy occurred</p> <p><b>Section 12.4</b> – provides for the transition of six council members elected from three wards to an at-large system with the transition to at-large beginning with the November 2010 election and being completed in the November 2011 election</p>
Jackson <b>YES</b>	<b>Section 8.8</b> – reduces the quorum requirement for meetings of the city council from 4 members of the city's seven-member council to a majority of council members then serving on the council.
Walled Lake <b>YES</b>	<b>Section 4.4</b> – amends the charter by adding additional provisions designating which councilperson shall serve as mayor pro-tem following general city elections when no incumbent with two prior years service on council is re-elected at the most recent election, thus, avoiding a vacancy.
Warren  <b>YES</b>	<p><b>Sections 4.1, 5.1(a) and 5.1(d)</b> – Proposition 1 - a reduction in the size of the city council from 9 to 7 members, a reduction in the number of council members needed for a quorum from 5 to 4, a reduction in existing charter provisions requiring at least 5 affirmative votes of council members to 4 affirmative votes, and a reduction in existing charter provisions requiring at least 6 affirmative votes of council members to 5 affirmative votes (Adoption of this Proposition 1 is conditioned on the adoption at this election of Proposition 2.)</p> <p><b>Sections 4.14(a), 4.14(b), 5.1(a), 5.1(b) 5.1(c), and 7.4</b> – Proposition 2 5 council members to be elected from council districts and 2 council members elected at large, a redistricting commission consisting of the city clerk, city attorney, city assessor and 2 other members appointed by the mayor and confirmed by the city council to draw the boundary lines of the 5 council districts, vacancies in the at large council positions to be filled by the next highest voter-getter and vacancies in the 5 district council positions to be filled by council appointment, and the highest vote-getter among the at large council position candidates in each election to be the Mayor Pro-Tem (Adoption of this Proposition 2 is conditioned on the adoption at this election of Proposition 1.)</p>
<b>2011 Charter Amendments</b>	
Alpena <b>YES</b>	<b>Chapter 3, Section 3.3</b> - provides that the Mayor and two Councilpersons will be elected at the 2011 general election, and these elected officers will serve four year terms beginning on January 1, 2012. At the biennial city

Alpena (cont) <b>YES</b>	<p>election held in November of 2013, there will be elected two Councilpersons who will serve four year terms beginning on January 1, 2014. Thereafter, the Mayor and Councilpersons shall be elected at the non-partisan city elections in November for four year terms beginning on January 1 of the year following the elections.</p> <p><b>Entire Charter</b> – The proposed amendment to the Alpena City Charter provides that all specific gender references in the Charter will be changed to make them gender neutral.</p>
<b>2012 Charter Amendments</b>	
Alpena <b>YES</b>	<b>Entire Charter</b> – The proposed amendment to the Alpena City Charter provides that all specific gender references in the Charter will be changed to make them gender neutral.\
Ecorse <b>YES</b>	<b>Ch. III, Sec. 10a and Ch. IV, Sec. 3</b> – changes the term of office from 2 years to 4 years for the mayor, clerk, treasurer, assessor, and council members, commencing in 2009.
Ludington <b>NO</b>	<b>Part 1, Chapter 3, Section 3.2</b> – Amends the City of Ludington Charter to increase the number of 4-year terms that a mayor may serve from three terms to five terms.
Petoskey <b>NO</b>	<b>Chapter 4, Section 4.2</b> – The proposed amendment changes the term of office of the mayor from a one (1) year term to a three (3) year term.
<b>2013 Charter Amendments</b>	
Bloomfield Hills <b>YES</b>	<b>Chapter III, Section 4 and Chapter IV, Section 7</b> – The amendment acknowledges that city commissioners are elected for two-year terms at the odd-year November election, commencing with three commissioners being elected at this election, and all five commissioners being elected in November 2015. The shift from annual May elections to the November odd-year election was made last fall by a statutorily-authorized resolution of the City Commission. The amendment also provides that a commissioner’s term of office begins at 7:30 p.m. on the first Tuesday after the commissioner’s election.
South Haven <b>YES</b>	<b>Chapter 4, Section 4.15</b> – eliminates term limits for members of boards and commissions
Whitehall <b>NO</b>	<b>Section 3.7</b> – deletes paragraph three of this section which imposes term limits for members of the city council.
<b>2014 Charter Amendments</b>	
Grand Rapids Charter Amendment Term Limits <b>YES</b>	<b>Section 9.2</b> – imposes term limits, of two terms each, on the offices of Mayor and City Commissioner.

<p>Kalamazoo</p> <p><b>YES</b></p>	<p><b>Sections 5, 6, 8, 9, 32, 33, and 166</b> – provide for the election of the mayor as a separate elective office with the commission consisting of the mayor and six city commissioners, and the vice mayor being the city commissioner candidate receiving the highest number of votes (Proposal 1)</p> <p><b>Sections 5, 32, and 33</b>– provide for the election of city commissioners for staggered four-year terms of office (Proposal 2 – which is conditioned on the adoption at this election of Proposals 1, 3, 4, and 5)</p> <p><b>Section 8</b> – provides, in the event staggered four-year terms are approved for city commissioners, for a two-year term as vice mayor for the city commissioner candidate who receives the most votes in the regular municipal election (Proposal 3 – which is conditioned on the adoption at this election of Proposals 1 and 2)</p> <p><b>Sections 9 and 32</b> – provide for the filling of the second half of a vacant four-year term in the office of city commissioner by election (Proposal 4 – which is conditioned on the adoption at this election of Proposals 1 and 2)</p> <p><b>Sections 6 and 9</b> – provide that a city commissioner in the midst of his or her term must resign his or her office in order to run for Mayor and that the vacated position is to be filled by the voters (Proposal 5 – which is conditioned on the adoption at this election of Proposals 1, 2, and 4)</p>
<p>Standish</p> <p><b>YES</b></p>	<p><b>Article 5, Section 5.2A</b> – deletes the term limits of 8 years for elected City officials, by deleting language that provides “No elected official of the city shall hold the same elected position for more than (8) successive years after December 1, 1994, counting only time in office after the passage of this amendment”</p>
<p><b>2016 Charter Amendments</b></p>	
<p>Ann Arbor City Charter Amendments</p> <p><b>YES</b></p>	<p><b>Sections 12.4, 13.1, 13.2, and 13.4</b> – amend Sections 12.4, 13.2, and 13.4 and provide for a four-year term for the mayor and four-year staggered terms for the council members, with the mayor and council members elected in November 2016 serving a two-year term, council members elected in November 2017 serving a three-year term, and four-year terms commencing with the November 2018 elections.</p>
<p>Garden City</p> <p><b>YES</b></p>	<p><b>Article II, Section 2.03</b> – beginning with the November 2017 election, provides that the term of office for the mayor is four years instead of two years, unless a vacancy in the office of mayor occurs, in which case the mayor pro-tem becomes mayor and holds office until the next regular general city election.</p> <p><b>Article II, Section 2.05</b> – beginning with the November 2019 election, provides that the term of office for all council members shall be four</p>

Garden City (cont) <b>YES</b>	years with staggered terms, instead of two- or four-year terms depending on the number of votes received.
Hazel Park  <b>YES</b>	<b>Sections 4.2, 4.4, and 4.19</b> – provide for staggered four-year terms for the mayor and council members beginning with the November 2019 election, and a transitional election in November 2017, in which the mayor and the two council member candidates with the highest number of votes are elected to a four-year term, and the two council member candidates with the next highest number of votes are elected to a two-year term
Royal Oak <b>YES</b>	<b>Ch. 3, Sec. 3, and Ch. 4, Sec. 4</b> – requires a candidate for city elective office to be a registered voter who will have resided in the city for at least one year preceding the election.
Southfield  <b>YES</b>	<b>Chapter 5, Section 5.3</b> – requires that all incumbent elective city officers must resign from office upon becoming a candidate for any other elective city office, except to succeed himself or herself.  <b>Chapter 5, Section 5.3</b> – establishes that a person is a candidate upon the city clerk’s certification of that person’s nominating petitions.
Southgate  <b>YES</b>	<b>Sections 37, 56, and 79</b> – changes the terms for the offices of mayor, city clerk, city treasurer, and city council from two-year terms, with a maximum of four terms, to four-year terms with a maximum of three terms
Walker <b>YES</b>	<b>Chapter VII, Section 7.1A</b> – imposes term limits of two terms each on the offices of Mayor and City Commissioner.
Warren <b>YES</b>	<b>Sections 4.3 and 4.4(d)</b> – extends the term limits for the office of mayor from the greater of three terms or twelve years to the greater of five terms or twenty years.
West Branch <b>YES</b>	<b>Sections 3.3, 3.4, 3.6, 3.7(a), 3.14(a), and 5.1(a)</b> – amends these sections to reduce the current three voting wards to one voting ward, beginning with the November 2018 general election.





## City Charter Feedback

The Blue Ribbon Advisory Committee is an 18-person group tasked with considering potential changes to the city charter.

The committee, established and appointed by the City Commission, will consider potential changes to the selection of mayor and vice mayor; the size of the commission; staggering of commissioner terms; length of commissioner terms; gendered charter language; and any other relevant issues.

The committee wants your feedback on these issues! We appreciate your thoughts and comments. Have more to say? Contact the committee at [PublicInput@battlecreekmi.gov](mailto:PublicInput@battlecreekmi.gov). Thank you!

### 1. Do you live in the city limits of the City of Battle Creek?

- Yes
- No -- I live in a township in the Battle Creek metro area
- No -- I live elsewhere

### 2. Currently, the mayor and vice mayor are chosen by the City Commission, from among its members, at the November organizational meeting.

What are your thoughts on this issue?

- Continue a commission vote on mayor and vice mayor
- Allow voters to choose a mayor and vice mayor as a separate ballot question
- Allow the top vote-getting commissioners on the ballot to become mayor and vice mayor

Comments and other ideas...

3. Currently, the City Commission has 9 members - 5 ward commissioners and 4 at-large.

A majority of cities in Michigan have 7 commissioners, who are all at-large.

What are your thoughts on this issue?

- Continue with 9 commissioners, as they are
- Increase the number of commissioners (please comment below with the number)
- Reduce the number of commissioners to 7
- Reduce the number of commissioners to 5 (this is the minimum allowed by the state Home-Rule City law)

Other thoughts regarding size of the commission, ward representation, and at-large service:

4. Currently, all 9 city commissioners are up for re-election at the same time.

What are your thoughts on this issue?

- Continue with all commissioners' terms expiring at the same time
- Stagger the commissioners' terms (for example, half could serve four-year terms, and half two-year terms)

Comments and other ideas...

5. Currently, city commissioners serve two-year terms. (The current commission will serve three-year terms because of the change in city elections from odd to even years.)

A majority of Michigan city commissioners serve four-year terms.

What are your thoughts on this issue?

- Continue with two-year city commission terms
- Change to four-year terms (the maximum allowed by state law)

Suggested length of terms and other comments...

6. Parts of the city charter presume the City Manager and City Attorney are men. Definitions indicate that these mentions also are extended to women.

Other Michigan cities have amended their charters to use gender neutral language throughout.

What are your thoughts on this issue?

- Leave the charter's language as it is
- Amend the charter to use gender neutral language

Other ideas...

7. The Blue Ribbon Committee may consider other related and relevant issues.

Do you have any additional suggestions or comments to add to this process?