

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

Statement of Purpose: Charter – Structure of Government

-  
Prior Meeting Business

-

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

## New Business

- A. Consideration of Charter Amendments
  - 1. Selection of Mayor and Vice Mayor
  - 2. Length of Commission Terms
  - 3. Gendered Charter Language
  - 4. Other Relevant Charter Amendments

## Committee Discussion

-

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

Text Box: PARKING LOT/FUTURE CONSIDERATIONS • Staggered Commission Terms – Yes or No • Number of and Characteristics of Wards

- o One Ward – All At-Large
- o All Wards – All Ward Council
- o Combination – Ward and At-Large

## Adjournment

- 1. 5:30 P.M. 3.7.18 Blue Ribbon Advisory Committee Documents

Documents:

DIDOMENICO EMAIL.PDF  
PURPOSE OF CHARTER  
3.7.18.PDF

Message sent  
Outlook

Fwd: Harry J DiDomenico commented on City of Battle  
Creek, Michigan - Municipal Government's link.

Multiple suggestions found. Click up/down arrow to navigate items



Victoria L. Houser

Jessica L. Vanderkolk

Wed 2/28/2018 6:05 AM

To:Victoria L. Houser <vlhouser@battlecreekmi.gov>;

Hi Vicki,

I understand you should receive any comments I get for the Blue Ribbon Advisory Committee. This is the only one so far. I'll send you anything I get from social media, or from the PublicInput email address.

Sent from my phone.

----- Forwarded message -----

From: Facebook <update+kjdp3-5d3p3d@facebookmail.com>

Date: Feb 16, 2018 4:58 PM

Subject: Harry J DiDomenico commented on City of Battle Creek, Michigan - Municipal Government's link.

To: "Jessica L. Vanderkolk" <JLVanderkolk@battlecreekmi.gov>

Cc:

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.



Harry J DiDomenico commented on City of Battle Creek, Michigan - Municipal Government's link.



Harry J DiDomenico

February 16 at 4:58pm

Need to go back to the original charter with a elected mayor format! "As is" is not working as is evidenced by our lack of voter turn out during city elections and decline for a half century plus!



Like



Comment

[View on Facebook](#)

Reply to this email to comment on this post.

This message was sent to [socialmedia@battlecreekmi.gov](mailto:socialmedia@battlecreekmi.gov). If you don't want to receive these emails from Facebook in the future, please [unsubscribe](#).

Facebook, Inc., Attention: Community Support, 1 Hacker Way, Menlo Park, CA 94025

**Mission for Battle Creek City Government**  
To ensure a safe, prosperous and culturally enriched community.

**Vision for Battle Creek City Government**  
We envision Battle Creek as an extraordinary community where  
people choose to live, work and play.

# PURPOSE OF CHARTER

To set out and define  
the structure of  
government and its  
powers.

► A Home Rule City is a  
Municipal Corporation

# Municipal Corporation

- ▶ Statutory Authorization:
- ▶ Home Rule City Act
- ▶ Act 279 of 1909
- ▶ “An Act to provide for the incorporation of cities ...”
- ▶ **Charter** is filed with the State of MI

# Business Corporation

- ▶ Statutory Authorization:
- ▶ Business Corporation Act
- ▶ Act 284 of 1972
- ▶ “An Act to provide for the organization and regulation of corporations.”
- ▶ **Articles of Incorporation** are filed with the State of MI.

## COMPARISON FOR CONTEXT

# CHARTER

- ▶ Sets out the structure of Municipal Corporations.
- ▶ Sets out governance: An elected council that is led by either Mayor or City Manager.
- ▶ Sets out required provisions, permissive provisions and prohibited provisions to ensure it is consistent with the State Constitution and State Statutes.

# ARTICLES OF INCORPORATION

- ▶ Sets out the structure of Business Corporations.
- ▶ Sets out governance: Board of Directors
- ▶ Sets out required provisions.

# STANDARD PROVISIONS MUNICIPAL CORPORATIONS

- Election of governing body
- Terms of Office
- Mayor
- Wards
- Financing: Annual appropriations, borrowing money, bonds.
- Utilities: Sewers, waterworks, lighting.
- City Departments – municipal powers
- Rapid Transit System
- Conduct of Racing Events
- Franchises

# ADDITIONAL STANDARD CHARTER PROVISIONS

- Condemnation
- Transportation Facilities
- Public Ways
- Civic, artistic and cultural activities and authorizing use of public funds for the same
- Blight Ordinances
- Administrative Hearing Bureaus
- City Departments and Municipal Powers
- Annexation and Detachment
- Adjusting Municipal Boundaries
- Revising or Amending Charter

# SOME PROHIBITED CHARTER POWERS

- Certain rates of taxation.
- Submitting a charter more than every two years.
- More than two special elections per year.
- To make a contract with, or give an official position to, someone who is in default to the city.
- Repudiating a debt by a change in the charter or by consolidation with any other municipality.

# PERMISSIBLE CHARTER PROVISIONS:

- Laying and collecting rent and tolls.
- Regulating/restricting locations of oil and gas stations.
- Zoning
- Regulating public nudity
- Licensing and regulating billboards.
- Setting up a system of civil service.
- Compensation system for City employees.
- Enforcement of police, sanitary and other ordinances and possible/maximum penalties.

## **Municipal Corporation**

- ▶ Ordinances
- ▶ Resolutions
- ▶ Policies

## **Business Corporation**

- ▶ By Laws
- ▶ Resolutions
- ▶ Policies

**GOVERNANCE NOT FILED WITH STATE  
PROVIDING MORE FLEXIBILITY**