

CITY OF PERRY

RESOLUTION REVISING PRIOR APPROVED CHARTER AMENDMENTS AND APPROVING BALLOT LANGUAGE FOR CHARTER AMENDMENTS NO. 1 and NO. 2

Section 21(1) of the Home Rule City Act (HRCA), MCL 117.21(1), authorizes a city council to adopt a resolution proposing to amend the city charter by a three-fifths vote of its members-elect, and the resolution proposing to amend the city charter must set forth the exact wording of the proposed amendments to be submitted to the city voters for approval at a regular or special election, and;

The resolution must set forth the ballot language for the proposed charter amendments—with each proposal being limited to a single subject, and if the subject of a proposal includes more than one related proposition, each proposition shall be separately stated as a ballot proposal to afford an opportunity for a separate vote of the city voters for or against each proposition, and

Section 21(2) of the HRCA, MCL 117.21(2), requires that the ballot language for the submission to the city voters of each proposed amendments, including any separate statement of purpose, shall be limited to 100 words, exclusive of caption, shall be a fair and impartial statement of the purpose of the amendments, and shall not create prejudice for or against the proposed amendment,

The Perry City Council resolves that resolution passed on March 17, 2022 containing proposed charter amendments is hereby revoked in its entirety and replaced with the following proposed charter amendments for the November 8, 2022 general election:

CHARTER AMENDMENT PROPOSAL NO. 1:

1. The Perry City Charter shall be amended as follows:

Section 6.3 Adoption of Budget; Tax Limit.

Not later than the last meeting in May, the Council shall, by resolution ~~by ordinance~~, adopt the budget for the next fiscal year and shall provide, ~~by resolution~~, for a levy of the amount necessary to be raised by taxation for Municipal purposes, which amount shall not exceed two percent (twenty mills) of the assessed valuation of all real and personal property subject to taxation by the City.

2. The current charter section being altered by this amendment provide as follows:

Section 6.3 Adoption of Budget; Tax Limit.

Not later than the last meeting in May, the Council shall, by ordinance, adopt the budget for the next fiscal year and shall provide, by resolution, for a levy of the amount necessary to be raised by taxation for Municipal purposes, which amount shall not exceed two percent (twenty mills) of the assessed valuation of all real and personal property subject to taxation by the City.

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

CHARTER AMENDMENT PROPOSAL NO. 1

City of Perry – Section 6.3 – Adoption of city budget by resolution rather than ordinance

Section 6.3 requires an annual ordinance enacted by the city council for the approval of the city budget. It is proposed that this section be amended to provide for the city council to adopt a resolution for the approval of the city budget instead of enacting an ordinance.

Shall the amendment as proposed be adopted

Yes ____ No ____

CHARTER AMENDMENT PROPOSAL NO. 2

4. The Perry City Charter shall be amended as follows:

Section 6.6 Purchasing Agent.

The Council may designate, and define in the City's Purchasing Policy, one of the administrative officers of the City as Purchasing Agent, and ~~he~~ the Agent shall be responsible for the purchase of City personal property within budget limitations and the sale of all City property except real estate. In all sales or purchases in excess of ~~five hundred dollars (\$500.00)~~, the amount defined by the Council and documented in the City's Purchasing Policy, the sale or purchase shall be approved by the Council and formal sealed bids shall be obtained unless the Council, by formal unanimous resolution of those present at the meeting, determines that no advantage to the City would result from competitive bidding. The Council may authorize the making of public improvements or the performance of any other City work by a City agency without competitive bidding. The Council may establish detailed purchasing, sale and contract procedure by ordinance or resolution.

5. The current charter section being altered by this amendment provide as follows:

Section 6.6 Purchasing Agent.

The Council may designate one of the administrative officers of the City as Purchasing Agent, and he shall be responsible for the purchase of City personal property within budget limitations and the sale of all City property except real estate. In all sales or purchases in excess of five hundred dollars (\$500.00), the sale or purchase shall be approved by the Council and formal sealed bids shall be obtained unless the Council, by formal unanimous resolution of those present at the meeting, determines that no advantage to the City would result from competitive bidding. The Council may authorize the making of public improvements or the performance of any other

City work by a City agency without competitive bidding. The Council may establish detailed purchasing, sale and contract procedure by ordinance or resolution.

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

CHARTER AMENDMENT PROPOSAL NO. 2

City of Perry – Section 6.6 – city purchasing policy

Section 6.6 requires that city purchases and sales in excess of \$500 shall be approved by the city council with formal sealed bids unless waived by the council. In place of this \$500 threshold amount, the amendment authorizes the council to adopt a city purchasing policy that sets the threshold dollar amount over which city purchases and sales must be approved by the city council with formal sealed bids unless waived by the council.

Shall the amendment as proposed be adopted?

Yes ____ No ____

7. The City Clerk shall transmit a certified copy of this resolution to the Governor of the State of Michigan for approval of the proposed amendments (MCL 117.22) and transmit a certified copy of this resolution to the Attorney General of the State of Michigan for approval of the proposed ballot language for the proposed amendments (MCL 117.21).

8. The proposed amendments shall be submitted to the qualified electors of the City of Perry at the general election to be held in the City on November 8, 2022, and the City 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 the Charter amendments to a vote of the electors as required by law.

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

Moved by: Steve Wallace


Seconded by: Bob Porter

Ayes: 4

Nays: 0

Motion carried.

I, Devin Miller, Clerk of the City of Perry, certify that the foregoing is a true and compared copy of a resolution duly adopted by the Perry City Council at a meeting held on July 7, 2022.


Devin Miller, City Clerk