



Resolution No. 2014-192  
August 7, 2014

Resolution to Amend the City Charter to provide that City Council may sell or lease city-owned land by resolution after a public hearing is held.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, 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 amendment to be submitted to the city voters for approval at a regular or special election, and;

WHEREAS, The resolution must set forth the ballot language for the proposed charter amendment—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

WHEREAS, 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 amendment shall be limited to 100 words, exclusive of caption, shall be a true and impartial statement of the purpose of the amendment, and shall not create prejudice for or against the proposed amendment,

NOW THEREFORE BE IT RESOLVED that Article II, Section 2.09 of the Ypsilanti City Charter shall be amended as follows:

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:

- (a) Adopt or amend an administrative code or establish, alter, or abolish any City department, office or agency;
- (b) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (c) Levy taxes;
- (d) Grant, renew, or extend a franchise;
- (e) Regulate the rate charged for its services by a public utility;
- (f) Authorize the borrowing of money;
- (g) Regulate land use and development; or
- (h) Amend or repeal any ordinance previously adopted.

Council may provide for the conveyance or lease of any City land by resolution after a public hearing is held, where notice of such public hearing is published at least seven days prior.

Acts other than those referred to in this Section may be done either by ordinance or by resolution as long as they conform to the specific provision of this Charter.

The current charter section(s) being altered by this amendment provides as follows:

2.09. Action requiring an ordinance.

In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:

- (a) Adopt or amend an administrative code or establish, alter, or abolish any City department, office or agency;
- (b) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (c) Levy taxes;
- (d) Grant, renew, or extend a franchise;
- (e) Regulate the rate charged for its services by a public utility;
- (f) Authorize the borrowing of money;
- (g) Convey or lease or authorize the conveyance or lease of any land of the City;
- (h) Regulate land use and development; or
- (i) Amend or repeal any ordinance previously adopted.

Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution as long as they conform to the specific provision of this Charter.

BE IT FURTHER RESOLVED that the ballot language for the proposed amendment shall be as follows:

Shall Article II, Section 2.09 of the Ypsilanti City Charter be amended to provide that an action of City Council to convey or lease City-owned land may be by resolution following a public hearing rather than by ordinance, which is currently required?

Yes \_\_\_\_ No \_\_\_\_

BE IT FURTHER RESOLVED that the City Clerk shall transmit a certified copy of this resolution to the Governor of the State of Michigan for approval of the proposed amendment (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 amendment (MCL 117.21).

BE IT FURTHER RESOLVED that the proposed amendment shall be submitted to the qualified electors of the City of Ypsilanti at the general election to be held in the City on November 4, 2014, 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 amendment to a vote of the electors as required by law.

BE IT FURTHER RESOLVED that the proposed charter amendment shall be published in full, together with the existing charter provision amended as required by law.

BE IT FURTHER RESOLVED that this proposed charter amendment must be posted, in full, in a conspicuous place in each polling location.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

YES: 6      NO: 0      ABSENT: 1      VOTE: CARRIED  
Schreiber

I do hereby certify that the above resolution is a true and correct copy of Resolution 2014-192 as passed by the Ypsilanti City Council, at their meeting held on August 7, 2014.

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Frances McMullan, City Clerk