



Resolution No. 2014-194  
August 7, 2014

Resolution to Amend the City Charter to provide that legislation to confirm a special assessment roll within the City by resolution, when permitted by law

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 VIII, Section 8.03(b)(4) of the Ypsilanti City Charter shall be amended as follows:

(4) A final special assessment roll shall be confirmed by the Council only after a public hearing has been held by the Council for the purpose of reviewing such roll and hearing any objections. The meeting shall be held not less than ten (10) days after notice has been published and sent by first class mail to all property owners in the proposed special district as shown by the current assessment roll of the City. After such hearing the Council may, by resolution, confirm such special assessment roll or may make any corrections necessary and confirm it as corrected; or the Council may refer it for revision or may annul it and direct a new assessment roll to be made. In either case the special assessment procedure set forth in this Section shall be followed as in respect to the previous original assessment. Such action confirming the special assessment roll must be by ordinance only if so required by applicable law. Upon

confirmation of a special assessment roll, the special assessments shall be final.

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

(4) A final special assessment roll shall be confirmed by the Council only after a public hearing has been held by the Council for the purpose of reviewing such roll and hearing any objections. The meeting shall be held not less than ten (10) days after notice has been published and sent by first class mail to all property owners in the proposed special district as shown by the current assessment roll of the City. After such hearing the Council may, by ordinance, confirm such special assessment roll or may make any corrections necessary and confirm it as corrected; or the Council may refer it for revision or may annul it and direct a new assessment roll to be made. In either case the special assessment procedure set forth in this Section shall be followed as in respect to the previous original assessment. Upon confirmation of a special assessment roll, the special assessments shall be final.

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

Shall Article VIII, Section 8.03(b)(4) of the Ypsilanti City Charter be amended to provide that City Council may confirm a special assessment roll within the City by resolution, when permitted by law, rather than by ordinance as 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 Vogt

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 2014-194 as passed by the Ypsilanti City Council, at their meeting held on August 7, 2014.

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Frances McMullan, City Clerk