

~~(WITHOUT ECONOMIC DEVELOPMENT)~~

Field Code Changed

CITY OF CHARLOTTE

CITY COUNCIL RESOLUTION 2017-

A RESOLUTION TO PROPOSE AN AMENDMENT TO
SECTION 7.6 OF CHAPTER 7 OF THE CHARTER OF THE
CITY OF CHARLOTTE.

WHEREAS, the City of Charlotte is organized and operates as a Home Rule City pursuant to its Charter of the City of Charlotte adopted April 2, 1962, under the provisions of the Home Rule Cities Act, 1909 PA 279, as amended, MCL 117.1, *et seq*; and

WHEREAS, Section 7.6 of Chapter 7 presently reads as follows:

SECTION 7.6. SPECIAL ACCOUNTS.

(A) The Council may, by ordinance, establish and maintain accounts for accumulating moneys to be used for acquiring, extending, altering, constructing, or repairing designated public improvements and for the purchase of equipment of any type needed for the operation or services of the city.

(B) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the city. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(C) At the end of each fiscal year, the Council may transfer any unencumbered balance or any part thereof into one or more of the accounts authorized to be created by this section.

(D) Moneys which are accumulated for the purpose of public improvements, as set forth in subsection (A) hereof, shall be used only at the direction of the Council, and only for the purpose provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the city who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other special account or to the general fund of the city.

(E) Moneys which are accumulated for the purpose of purchasing equipment, as set forth in subsection (A) hereof, shall be expended only for the purpose provided in the ordinance establishing any such account, or as such ordinance may be amended from time to time. When no longer required for such purpose, such moneys or any remaining part thereof, may be transferred to the general fund by resolution of the Council.

and

WHEREAS, the Charlotte City Council believes that it would promote fair, equitable, efficient, and good government to place an amendment of the Charter before the qualified electors of the City of Charlotte to amend Section 7.6 of Chapter 7 to provide that the City establish a Special Revolving Fund of Eight Hundred Thousand Dollars (\$800,000) that shall be used to finance public improvements, or other uses if approved by the voters;

NOW, THEREFORE, BE IT RESOLVED that in accordance with 1909 PA 279, as amended, MCL 117.21, the Charlotte City Council hereby proposes that said Section 7.6 of Chapter 7 of the Charlotte City Charter be amended to read as follows:

SECTION 7.6. SPECIAL ACCOUNTS.

(A) Except as provided in subparagraph (F), the Council may, by ordinance, establish and maintain accounts for accumulating moneys to be used for acquiring, extending, altering, constructing, or repairing designated public improvements and for the purchase of equipment of any type needed for the operation or services of the city.

(B) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the city. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(C) At the end of each fiscal year, the Council may transfer any unencumbered balance or any part thereof into one or more of the accounts authorized to be created by this section.

(D) Moneys which are accumulated for the purpose of public improvements, as set forth in subsection (A) hereof, shall be used only at the direction of the Council, and only for the purpose provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the city who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other special account or to the general fund of the city.

(E) Moneys which are accumulated for the purpose of purchasing equipment, as set forth in subsection (A) hereof, shall be expended only for the purpose provided in the ordinance establishing any such account, or as such ordinance may be amended from time to time. When no longer required for such purpose, such moneys or any remaining part thereof, may be transferred to the general fund by resolution of the Council.

(F) (1) A special account is hereby established, entitled the "Revolving Fund Special Account" in the amount of Eight Hundred Thousand Dollars (\$800,000).

(2) The Revolving Fund Special Account may be used for said purposes as set forth in subparagraph (A) of this section and in addition, for any approved use by the voters.

(3) The Revolving Fund Special Account may be augmented by the allocation of miscellaneous revenues, if the revenues are not otherwise pledged or encumbered, by allocation of such funds raised by general taxation, by special assessments to fund the public expenditure, by funds provided by the State, or by gift.

(4) The monies which are accumulated in the Revolving Fund Special Account may be allocated by Council, ~~with or~~ without interest, for such public improvements or equipment as set forth above; provided, however, the funds must be repaid by allocations made pursuant to subsection (F)(3) within ten years from the date of said initial allocation for the public improvement or equipment. ~~If the allocation is for the purpose of extending credit pursuant to subsection (F)(2), the principal and interest must be repaid within ten years.~~

(5) The interest from investment earnings or interest from the extension of credit may be transferred by Council to the General Fund, and used as the Council deems fit, and said earnings or interest need not be repaid.

(6) ~~Notwithstanding the foregoing, if~~ the Council proposes some other municipal purpose for some or all of said Revolving Fund Special Account, said use shall be prohibited unless the use be authorized by a majority vote of the electors of the City who vote on the proposition for use of said funds for such other municipal purpose. If approved by a majority of the electors, such monies shall be allocated to another special account as provided for in this section and after the purpose has been fulfilled, any balance remaining therein shall be returned to the Revolving Fund Special Account. The monies expended for the other municipal purpose shall also be repaid within ten years, as provided in subsection (F). ~~(2)~~(4).

BE IT FURTHER RESOLVED that the aforesaid proposition to amend Section 7.6 of Chapter 7 of the Charter shall be submitted to the electors of the City of Charlotte at the general election to be held in the City on November 7, 2017.

**BALLOT QUESTION PROPOSED AMENDMENT TO
SECTION 7.6 OF THE CHARLOTTE CITY CHARTER**

Shall Section 7.6 of the City Charter be amended to ~~create~~provide
~~for the establishment of~~ a Revolving Fund Special Account of
Eight Hundred Thousand Dollars (\$800,000) to finance ~~public~~
~~improvements, or other uses if approved by the voters?;~~

- 1) Public improvements and equipment purchases as
determined by the City Council; and
- 2) Other uses as approved by the voters?

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YES

NO —

STATEMENT OF PURPOSE

~~This amendment creates a Revolving Fund Special Account to be
used for public improvements, or other uses, if approved by the
voters.~~

BE IT FURTHER RESOLVED that the City Clerk shall do and perform all acts required of said Clerk by the City Charter and the statutes of the State of Michigan in such case made and provided in regard to the registration of electors for said election, the giving of notice thereof, the giving of notice of such election, the preparation and furnishing of necessary ballots, the obtaining of necessary approval of this amendment by the Michigan Attorney General and Governor of the State of Michigan, and for the conduct of such election.

The foregoing Resolution was moved for adoption by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

— AYES:

— NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:ss.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, _____, 2017, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of the Council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this _____ day of _____ 2017.

Ginger Terpstra, City Clerk
City of Charlotte
Eaton County, Michigan

Drafted by and approved as to Form

Thomas M. Hitch (P25558)
Charlotte City Attorney
601 Abbot Road
East Lansing, MI 48823
517/351-0280

CITY OF CHARLOTTE

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(B) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the city. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(C) At the end of each fiscal year, the Council may transfer any unencumbered balance or any part thereof into one or more of the accounts authorized to be created by this section.

(D) Moneys which are accumulated for the purpose of public improvements, as set forth in subsection (A) hereof, shall be used only at the direction of the Council, and only for the purpose provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the city who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other special account or to the general fund of the city.

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(F) (1) A special account is hereby established, entitled the "Revolving Fund Special Account" in the amount of Eight Hundred Thousand Dollars (\$800,000).

(2) The Revolving Fund Special Account may be used for said purposes as set forth in subparagraph (A) of this section and in addition, for any approved use by the voters.

(3) The Revolving Fund Special Account may be augmented by the allocation of miscellaneous revenues, if the revenues are not otherwise pledged or encumbered, by allocation of such funds raised by general taxation, by special assessments to fund the public expenditure, by funds provided by the State, or by gift.

(4) The monies which are accumulated in the Revolving Fund Special Account may be allocated by Council, with or without interest, for such public improvements or equipment as set forth above; provided, however, the funds must be repaid by allocations made pursuant to subsection (F)(3) within ten years from the date of said initial allocation for the public improvement or equipment.

(5) The interest from investment earnings or interest from the extension of credit may be transferred by Council to the General Fund, and used as the Council deems fit, and said earnings or interest need not be repaid.

(6) If the Council proposes some other municipal purpose for some or all of said Revolving Fund Special Account, said use shall be prohibited unless the use be authorized by a majority vote of the electors of the City who vote on the proposition for use of said funds for such other municipal purpose. If approved by a majority of the electors, such monies shall be allocated to another special account as provided for in this section and after the purpose has been fulfilled, any balance remaining therein shall be returned to the Revolving Fund Special Account. The monies expended for the other municipal purpose shall also be repaid within ten years, as provided in subsection (F)(4).

BE IT FURTHER RESOLVED that the aforesaid proposition to amend Section 7.6 of Chapter 7 of the Charter shall be submitted to the electors of the City of Charlotte at the general election to be held in the City on November 7, 2017.

PROPOSED AMENDMENT TO SECTION 7.6
OF THE CHARLOTTE CITY CHARTER

Shall Section 7.6 of the City Charter be amended to create a Revolving Fund Special Account of Eight Hundred Thousand Dollars (\$800,000) to finance:

- 1) Public improvements and equipment purchases as determined by the City Council; and
- 2) Other uses as approved by the voters?

YES

NO

BE IT FURTHER RESOLVED that the City Clerk shall do and perform all acts required of said Clerk by the City Charter and the statutes of the State of Michigan in such case made and provided in regard to the registration of electors for said election, the giving of notice thereof, the giving of notice of such election, the preparation and furnishing of necessary ballots, the obtaining of necessary approval of this amendment by the Michigan Attorney General and Governor of the State of Michigan, and for the conduct of such election.

The foregoing Resolution was moved for adoption by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:ss.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, _____, 2017, relevant to the Michigan Open Meetings Act, the

original of which is on is on file in my office as part of the Council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this _____ day of _____ 2017.

Ginger Terpstra, City Clerk
City of Charlotte
Eaton County, Michigan

Drafted by and approved as to Form

Thomas M. Hitch (P25558)
Charlotte City Attorney
601 Abbot Road
East Lansing, MI 48823
517/351-0280