

**CITY OF ST. CLAIR
ST. CLAIR COUNTY, MICHIGAN**

RESOLUTION NO. 21-23

**A RESOLUTION APPROVING CHARTER AMENDMENTS NO. 2 AND NO. 3 AND
THE BALLOT LANGUAGE FOR CHARTER AMENDMENTS NO. 2 AND NO. 3.**

WHEREAS, Section 21(1) of the Home Rule City Act, MCL Section 117.21(1), (“the statute”) 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 for the city voters for or against each proposition; and

WHEREAS, the statute requires that the ballot language for the submission to the city voters of each proposed amendment, 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 amendment; and shall not create prejudice for or against the proposed amendment;

The St. Clair City Council resolves that:

CHARTER AMENDMENT PROPOSAL NO. 2

(NOTE: ADOPTION OF PROPOSAL NO. 2 IS CONDITIONED UPON ADOPTION AT THIS ELECTION OF PROPOSAL NO. 3)

4. The St. Clair City Charter shall be amended as follows:

Section 6.02. – The budget procedure.

On or before the first day of June, all city officers and department heads shall submit to the city superintendent an estimate of the expenditure requirements for the next fiscal year of the department or activities under their control. Such estimates shall be submitted on forms and in a manner prescribed by the city superintendent to govern the preparation, submission and the administration of the annual budget. The superintendent shall prepare a complete, itemized, balanced budget document containing the proposal for the next fiscal year, together with a five-year capital program, and shall submit it with a proposed appropriation resolution to the city council on or before the first Monday in August.

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

Section 6.02. – The budget procedure.

On or before the first day of March, all city officers and department heads shall submit to the city superintendent an estimate of the expenditure requirements for the next fiscal year of the department or activities under their control. Such estimates shall be submitted on forms and in a manner prescribed by the city superintendent to govern the preparation, submission and the administration of

the annual budget. The superintendent shall prepare a complete, itemized, balanced budget document containing the proposal for the next fiscal year, together with a five-year capital program, and shall submit it with a proposed appropriation resolution to the city council on or before the first Monday in May.

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

Shall Section 6.02 of the St. Clair City Charter be amended to require that effective on January 1, 2022, the date for all city officers and department heads to submit a proposed budget to the city superintendent be changed from March 1 to June 1, and the date for the city superintendent's completion of a budget for city council approval be changed from the first Monday in May to the first Monday in August?

Yes_____ No_____

CHARTER AMENDMENT PROPOSAL NO. 3

(NOTE: ADOPTION OF PROPOSAL NO. 3 IS CONDITIONED UPON ADOPTION AT THIS ELECTION OF PROPOSAL NO. 2)

7. The St. Clair City Charter shall be amended as follows:

Section 6.05. – Adoption of the budget.

Not later than the thirtieth day of September the council shall, by resolution, adopt a balanced budget for the next fiscal year, shall appropriate from the funds of the city the sums necessary to finance the budget, and shall provide for the levy of an amount necessary to be raised by taxes upon real and personal property for municipal purposes. An appropriation shall be deemed an authorization by the council to make expenditures and to incur obligations for specific purposes set forth therein. An appropriation shall limit the amount which may be spent for such specific purposes, and may specify the period of time during which such amount may be expended.

8. The current charter section being altered by this amendment provides as follows:

Section 6.05. – Adoption of the budget.

Not later than the fifteenth day of June the council shall, by resolution, adopt a balanced budget for the next fiscal year, shall appropriate from the funds of the city the sums necessary to finance the budget, and shall provide for the levy of an amount necessary to be raised by taxes upon real and personal property for municipal purposes. An appropriation shall be deemed an authorization by the council to make expenditures and to incur obligations for specific purposes set forth therein. An appropriation shall limit the amount which may be spent for such specific purposes, and may specify the period of time during which such amount may be expended.

9. The ballot language of the proposed amendment shall be as follows:

Shall Section 6.05 of the St. Clair City Charter be amended to require that effective on January 1, 2022, the date for adoption of a balanced budget for the next fiscal year by city council be changed from June 15 to September 30?

Yes_____ No_____

10. 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 Section 117.21) 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 Section 117.21).

11. The proposed amendment shall be submitted to the qualified electors of the City of St. Clair at the general election to be held in the City on November 2, 2021, 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.

12. The proposed charter amendment shall be published in full, together with the existing charter provision to be amended as required by law.

RESOLUTION DECLARED ADOPTED.

Bill Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 6th day of July, 2021. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Members Present: Cedar, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz
Members Absent: None

It was moved by Member LaPorte and supported by Member Volz to adopt the Resolution.

Members Voting Yes: LaPorte, Paul, Volz, Kindsvater, Klieman, Kuffa, Cedar
Members Voting No: None

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

Annette Sturdy, City Clerk
City of St. Clair, Michigan