

**CITY OF TRENTON
SPECIAL MEETING
AUGUST 4, 2014**

After the Pledge of Allegiance to the Flag, the Special Meeting of the City Council of Trenton, Michigan, was called to order by Mayor Kyle Stack, at 7:30 p.m. on the above date in the City Hall Council Chambers.

Present on roll call by City Clerk Patricia Gearhart: Councilpersons Timber Baun-Crooks, Dan Gillespie, Robert Howey, William LeFevre, MaryEllen McLeod, Steven Rzeppa, and Mayor Kyle Stack.

There being a quorum present, the Council was declared in session.

Absent: None.

Other Officers Present: Karen Sall, Deputy City Treasurer; James Wagner, City Administrator; Wallace Long, City Attorney; Christine Arnoczki, Controller; Scott Church, Human Resources Manager; Joann Gonyea, Parks and Recreation Director; Tim Beaker, Recreation Business Operations Manager; James Nardone, Police and Fire Services Director; Steven Voss, Police Chief; and Francene Sanak, Librarian.

COMMUNICATIONS AGENDA

1. CITY ATTORNEY: Consideration of the Attorney General's Revision to the Language of Resolution 2014-20, Proposed Charter Amendment, Elimination of Local Primary Elections
2. CITY ATTORNEY: Consideration of the Attorney General's Revision to the Language of 2014-23, Proposed Charter Amendment, Appointment of a Certified City Assessor

COMMUNICATIONS

**CITY OF TRENTON
RESOLUTION NO. 2014-20
ELIMINATION OF LOCAL PRIMARY ELECTIONS
PROPOSED CHARTER QUESTION No. 2**

WHEREAS, Chapter III of the Trenton City Charter entitled "Elections" sets forth in Section 3.7, entitled "Primary elections", the process and procedures for holding non-partisan primary elections preceding the City's regular elections; and

WHEREAS, the City Council has determined that such primary elections fail to attract a significant number of interested candidates for local office and therefore represent a wasteful expenditure of time and money; and

WHEREAS, in order to eliminate the Charter requirement to hold such primary elections, a Charter Amendment must be placed before the public and adopted at a regular election.

NOW THEREFORE BE IT RESOLVED, that an Amendment to the Trenton City Charter be placed on the November 4, 2014 ballot as Proposal 2 for consideration by the Electorate, deleting Section 3.7 in its entirety from the Charter, and eliminating other references to Primary Elections for local offices.

IN THE EVENT THIS PROPOSAL 2 is adopted by the voters together with PROPOSAL 4, providing for the Appointment of a City Assessor, there will be no primary election held for any remaining local offices.

IN THE EVENT THIS PROPOSAL 2 is rejected by the voters but PROPOSAL 4 is adopted, Primary elections will continue for all City Offices excepting the City Assessor, who shall be appointed and not subject to election.

IN THE EVENT THIS PROPOSAL 2 is adopted by the voters but PROPOSAL 4 is rejected the City Assessor will remain an elective officer subject to election at the next general election.

IN THE EVENT PROPOSAL 2 AND PROPOSAL 4 are both rejected, the Office of the Assessor shall remain a local elective office and shall be subject to a primary election together with other local officials.

BE IT FURTHER RESOLVED, that the following language for the proposed Charter question be adopted and submitted to the Governor and Attorney General of the State for approval for placement on the November 4, 2014 ballot pursuant to MCLA 117.22:

**PROPOSED CHARTER QUESTION No. 2
ELIMINATION OF LOCAL PRIMARY ELECTIONS**

Shall Section 3.7 of the Trenton City Charter entitled "Primary Elections" and requiring the City to conduct a Primary Election for local elective offices preceding a regular city election, be eliminated from the Charter, together with the reference to "primary" in Section 4.7(d)?

YES

NO

ADOPTED, APPROVED AND PASSED by no less than 3/5 of the city Council of the City of Trenton, this 4th day of August 2014.

Moved by Councilperson Gillespie, seconded by Councilperson Rzeppa, to concur with the recommendation of the City Attorney, and approve the revised language to Resolution 2014-20, Primary Elections; Proposed City Charter Amendment to be placed on the November 4, 2014, ballot for consideration by the Electorate.

Carried unanimously.

**CITY OF TRENTON
RESOLUTION NO. 2014-23
APPOINTMENT OF A CERTIFIED CITY ASSESSOR
PROPOSED CHARTER QUESTION No. 4**

WHEREAS, Section 3.6 of the City Charter, entitled "Elective Officers and Terms of Office" provides for the election of all City Officers; and

WHEREAS, Section 4.3 of the City Charter, entitled "Clerk, Treasurer and Assessor" provides for the nomination and election of these officers by the electors of the City at-large; and

WHEREAS, Section 4.7(d) of the City Charter, entitled "Compensation of Elective Officers provides for the compensation of the Clerk, Treasurer and Assessor; and

WHEREAS, Section 4.9 of the City Charter entitled "Administrative Services" identifies the Assessor as an elective officer of the City; and

WHEREAS, Section 5.6(b) of the City Charter, entitled "Filling Vacancies in Elective Offices" provides for filling vacancies in the elective office of Assessor; and

WHEREAS, Section 5.6(c) of the City Charter, provides for special elections in the event of a vacancy in the office of the Assessor; and

WHEREAS, the City Council believes it to be in the best interests of the City to provide the electorate with the opportunity to determine if the City's Charter shall be amended to provide for the appointment by the Mayor, of a qualified individual or entity employing a qualified individual, who has attained formal certification, to serve as City Assessor, with approval by no fewer than four (4) members of the Council.

NOW THEREFORE, BE IT RESOLVED, that an amendment to Sections 3.6, 4.3, 4.7(d), 4.9, 5.6(b) and 5.6(c) of the Trenton City Charter be placed on the November 4, 2014 Ballot for consideration by the Electorate, which amendment will provide for the appointment of a certified City Assessor by the Mayor with the concurrence of four other members of the City Council, eliminating the office of Assessor from the list of elective officers.

BE IT FURTHER RESOLVED, that the amended Trenton City Charter shall then read as follows:

Section 3.6. – Elective Officers and Terms of Office

The elective officers of the City shall be a Mayor, six members of Council, a Clerk and a Treasurer, all of whom shall be nominated and elected from the City-at-large.

Beginning November 3, 2015, there shall be elected a Mayor for a term of office of four years. Beginning November 3, 2015, there shall be elected a Clerk for a term of office of four years. Beginning November 3, 2015, there shall be elected a Treasurer for a term of office of four years.

At each regular city election, there shall be elected three Council members for a term of four years and such additional number of Council members as may be required to fill vacancies, pursuant to the provisions of Section 5.6 of this Charter.

All such terms of office shall commence at 8:00 p.m. on the Monday next following the regular City election at which they are elected.

Vacancies in the office of Mayor, Clerk and Treasurer shall be filled in accordance with Section 5.6 of this Charter.

BE IT FURTHER RESOLVED, that the amended Trenton City Charter shall read as follows:

Section 4.3 Clerk and Treasurer.

There shall be a Clerk and a Treasurer, each of whom shall be nominated and elected by the electors of the City-at-large.

BE IT FURTHER RESOLVED, that the amended Trenton City Charter shall read as follows:

Section 4.7 Compensation of Elective Officers

(d) Clerk and Treasurer. The compensation for each of the Clerk and Treasurer under this Charter, shall be fixed by ordinance. No ordinance changing the annual salaries of the Clerk, and/or Treasurer may be enacted or amended less than sixty days before the next election at which the Clerk and Treasurer are to be nominated or elected, whichever comes first.

BE IT FURTHER RESOLVED, that the amended Trenton City Charter read as follows:

Section 4.9 Administrative Services.

The administrative elective officers of the City shall be the Mayor, City Clerk and City Treasurer, each of whom shall be selected by election from the City-at-large and the following administrative appointive officers shall be: A full time administrative assistant officer, a Controller, a certified Assessor, a City Attorney, a City Engineer, a Chief of Police, a Fire Chief, a Director of Public Works and a Health Officer, and such additional administrative officers or departments as may be created by ordinance. The Council may by ordinance create additional administrative officers and departments, and may by ordinance combine any administrative offices and departments in any manner it deems necessary or advisable for the proper and efficient operation of the City, and shall prescribe the functions of each office and department and the duties, authorities and responsibilities of the officers of each department.

BE IT FURTHER RESOLVED, that the amended City Charter be amended as follows:

Section 5.6 Filling Vacancies in Elective Offices.

(b) Offices of Clerk and Treasurer. Vacancies in the office of Clerk, Treasurer occurring sixty days or more before the next City election shall be filled on or before the second regular Council meeting following such vacancy by a majority vote of the members of the Council, said appointee or appointees to hold office until the Monday following such election at which election such vacancies shall be filled as provided in Section 3.6 for any balance of the original unexpired term.

Vacancies in the office of Clerk or Treasurer occurring sixty days or less before the next city election, shall not be filled.

(c). Office of Council. Vacancies occurring in the office of Council for more than one hundred twenty days before the next regular City election shall be filled on or before the third regular Council meeting following such vacancy by a majority vote of the remaining members of the Council, said appointee to hold office until the Monday following such election at which election such vacancies shall be filled as provided in Section 3.6 for any balance of the original unexpired term.

Any vacancies which occur for one hundred twenty days or less before the next regular City election shall not be filled.

If any such vacancy in the office of Clerk, Treasurer or Council which the Council is authorized to fill is not so filled within the hereinabove specified time after such vacancies occur, or if three or more vacancies exist simultaneously in the office of Council, such vacancies shall be filled for the respective unexpired terms at a special election. In connection with any special election to fill a vacancy or vacancies in any elective office no primary shall be held; candidates shall be nominated by petitions in a manner identical to that provided in Section 3.8 to 3.11 inclusive; the names of all qualified candidates who file sufficient valid nomination petitions thirty days before each special election shall be certified to the Election Commission and placed on the ballot; and all other provisions of this charter, not inconsistent with this Section 5.6 shall govern.

The provisions of this Section 5.6 shall not apply to the filling of vacancies resulting from recall.

IN THE EVENT THIS PROPOSAL 4 is adopted by the voters together with PROPOSAL 2, which provides for the elimination of primary elections for city offices, the City Assessor will become an appointed officer, not subject to election.

IN THE EVENT THIS PROPOSAL 4 is rejected by the voters but PROPOSAL 2 is adopted, the City Assessor shall remain an elective officer but like the other offices, not subject to Primary elections.

IN THE EVENT THIS PROPOSAL is adopted by the voters but PROPOSAL 2 is rejected, the City Assessor shall become an appointed officer while the remaining city officials will be subject to both primary and general elections.

IN THE EVENT THIS PROPOSAL 4 AND PROPOSAL 2 are both rejected by voters, the Assessor shall remain a local elective officer and shall be subject to a primary and general elections together with other local officials.

BE IT FURTHER RESOLVED, that the proposed Charter Language be submitted to the Attorney General and Governor of the State of Michigan for their approval pursuant to MCLA 117.22, and for placement on the November 4, 2014, ballot.

**PROPOSED CHARTER QUESTION No. 4
APPOINTMENT OF AN ASSESSOR**

Shall Sections 3.6, 4.3, 4.7(d), 4.9, 5.6(b) and 5.6(c) of the Trenton City Charter be amended to provide for the selection of a certified City Assessor by appointment of the Mayor, with confirmation by the City Council, rather than by election?

YES

NO

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 4th day of August, 2014.

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the City Attorney, and approve the revised language to Resolution 2014-23, Appointment of City Assessor; Proposed City Charter Amendment to be placed on the November 4, 2014, ballot for consideration by the Electorate.

Carried unanimously.

OTHER COUNCIL BUSINESS

Moved by Councilperson LeFevre, seconded by Councilperson Gillespie, to hold a Closed Session, immediately following the Budget Session following the Special Meeting, for the purpose of discussing negotiations.

Roll call: Gillespie, Yes; Howey, Yes; LeFevre, Yes; McLeod, Yes; Rzeppa, Yes; Stack, Yes; and Baun-Crooks, Yes.

Motion carried.

MOTION TO ADJOURN by Councilperson Howey, seconded by Councilperson McLeod, at 7:33 p.m.

APPROVED BY:

KYLE F. STACK, MAYOR

PATRICIA M. GEARHART, CITY CLERK

MINUTES PREPARED BY: Debra R. Devitt, Deputy City Clerk
APPROVED ON: _____