

CITY of NOVI CITY COUNCIL

**Agenda Item 1
February 17, 2009**

SUBJECT: Resolution Approving Submission of Ballot Proposition to Electors to Authorize a Levy of one-half mill, by Charter, for a 25-year period, for the purposes of acquiring, developing, constructing, equipping, maintaining and operating parks and recreational programs and facilities in the City.

SUBMITTING DEPARTMENT: City Manager/Finance

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

A presentation of a conceptual signature park facility and programs was made at the Special Meeting of City Council held on February 9, 2009. The consensus of City Council was to move forward in pursuit of improving the City's parks and recreation programs through a special Charter millage not to exceed one-half mill for a period of 25 years (expiring in 2034). The attached resolution provides for this proposition to be placed on a general election ballot to be held on May 5, 2009. The millage proposition requires an amendment to the City Charter, which currently limits millage increases to three years.

If the voters approve this millage, the architectural design would begin and be paid for from the new millage.

The City administration will be proposing a 10.5416 total City millage in the 2009-2010 Proposed Budget to be presented in April. If the voters approve the new millage, the City administration will be proposing a total City millage of approximately 10.87 mills.

RECOMMENDED ACTION: Resolution Approving Submission of Ballot Proposition to Electors to Authorize a Levy of one-half mill, by Charter, for a 25-year period, for the purposes of acquiring, developing, constructing, equipping, maintaining and operating parks and recreational programs and facilities in the City.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Burke				
Council Member Crawford				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				



February 11, 2009

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Maryanne Cornelius, Clerk
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375

Re: ***Ballot Language for Proposed Millage/Charter Amendment***
Our File No. 55142 NOV

Dear Ms. Cornelius:

As I indicated yesterday by telephone, I spoke with Assistant Attorney General George Elworth yesterday regarding the language for the Parks and Recreation millage ballot proposal, which the City would like to have on the May 5, 2009 election date. He indicated that he had no changes to the language, and that, once approved by the City Council, he would recommend its approval by the governor. As we discussed, this initial review by the Attorney General's office is informal, and his formal recommendation does not come until after the Council resolution is forwarded to his office (though I have never had a situation where the formal recommendation is different from the informal review).

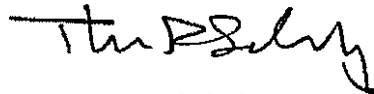
You and I confirmed by telephone the process following the City Council's review on February 17, 2009. A copy of the resolution will be sent by your office to the County Clerk and the Director of Elections for the County. You indicated that you have already given them notice that the City intends to have a ballot proposal for the May 5, 2009 election. The letter and the resolution will be a formal indication by the City that the matter is to be placed on the ballot. Copies of the resolution will also need to be sent to the Attorney General's office and to the Governor's office. The "turn around time" in the Attorney General's office should be fairly quick, since it has already been informally passed on. The Governor's office often takes slightly longer.

The date by which the County must be notified of the City's ballot question is February 24, 2009. We hope to have the Governor's response by that date as well. Our recommendation is that all of the letters to the various individuals be sent by express mail by February 18, 2009.

Maryanne Cornelius, City Clerk
February 11, 2009
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I look forward to working with you on the language of the various letters. If you have any questions, please call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Schultz", written in a cursive style.

Thomas R. Schultz

TRS/jes

cc: Clay Pearson, City Manager
Pam Antil, Assistant City Manager
Kathy Smith-Roy, Finance Director
Randy Auler, Parks & Recreation Director

1195709

CITY OF NOVI

OAKLAND COUNTY, MICHIGAN

**RESOLUTION APPROVING SUBMISSION OF BALLOT
PROPOSITION TO ELECTORS**

At a meeting of the City Council of the City of Novi, Oakland County, Michigan, held on the 17th day of February, 2009, at the City Hall, 45175 West Ten Mile, Novi, Michigan 48375.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____
and seconded by _____:

WHEREAS, pursuant to Act No. 279, of the Public Acts of Michigan, of 1909, as amended, The Home Rule Cities Act, an amendment to the City Charter may be proposed by the legislative body of the City on a three fifths (3/5) vote of the seated members; and

WHEREAS, the City Council has determined that it is appropriate to submit Charter Amendments to the electors of the City at the general election to be held on May 5, 2009.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Novi City Council as follows:

1. That the following proposition shall be submitted to the electors of the City at the general election to be held in the City of Novi on May 5, 2009:

Charter Amendment Proposal 1

Shall the Novi City Charter be amended to add a new Section 9.1.a, authorizing the City to levy an amount not to exceed fifty cents (\$0.50) per one thousand dollars (\$1,000) (one-half of one mill) of taxable value on all taxable property in the City, for a period of twenty-five (25) years, for the purposes of acquiring, developing, constructing, equipping, maintaining, and operating parks and recreational programs and facilities in the City, such levy to be in addition to the existing parks and recreation levy, resulting in the authorization to collect an estimated \$1,731,547 if first levied in 2009?

2. That upon adoption of the proposed amendments, the affected provisions of the City Charter would read as follows:

Section 9.1.a Special Tax Rate for Parks and Recreation Facilities and Programs.

In addition to the Charter tax rate limitation stated in Section 9.1, the City may levy an annual ad valorem tax not exceeding fifty cents (\$0.50) per one thousand dollars (\$1,000) (one-half of one mill) of taxable value on all taxable property in the City, for a period of twenty-five (25) years commencing on July 1, 2009 and expiring on June 30, 2034, for the purposes of acquiring, developing, constructing, equipping, maintaining, and operating parks and recreational programs and facilities in the City.

3. The Clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the City at a regular election on May 5, 2009.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

The resolution was adopted.

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, Maryanne Cornelius, the duly-qualified Clerk of the City of Novi, Oakland County, 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 Novi with at least five (5) affirmative votes, at a duly-called meeting held on _____, 2009, a copy of which is on file in my office.

MARYANNE CORNELIUS
Clerk, City of Novi

This Resolution was signed and acknowledged before me on _____, 2009, by Maryanne Cornelius, the duly-authorized Clerk for the City of Novi, a Michigan municipal corporation.

Notary Public, Oakland County, Michigan
My Commission Expires: _____