



Rochester Hills

Master Report

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File Number: 2004-0434

File Number: 2004-0434 **File Type:** Policy **Status:** To Council
Version: 1 **Reference:** **Controlling Body:** City Council
Requester: **Cost:** **Introduced:** 04/29/2004
File Name: Elimination of the Primary Election **Final Action:**

Title: Recommendation from the Administration and Information Services regarding Elimination of the Primary Election for City Elections

Notes:

Code Sections: **Agenda Date:** 07/28/2004
Indexes: Elections **Agenda Number:**
Sponsors: **Enactment Date:**
Attachments: Agenda Summary.pdf, Letter Staran 20040723.pdf, Report City Elections.pdf, Information from Farmington Hills.pdf, Information from Novi.pdf, Memo Jasinski to AIS 070804.pdf, AIS Resolution 071304.pdf, Minutes Excerpt Draft 050404.pdf, Minutes Excerpt Draft 060104.pdf, 0424 Minutes AIS 060104.pdf, 0434 Information from Novi.pdf **Enactment Number:**

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Administration and Information Services Committee	05/04/2004	Discussed				
1	Administration and Information Services Committee	06/01/2004	Discussed				
1	Administration and Information Services Committee	07/13/2004	Approved and Referred to City Council Liaison				Pass
			Aye:	Hill, Holder and Verschueren			
			Absent:	Dalton and Kirksey			

Text of Legislative File 2004-0434

..Title
 Recommendation from the Administration and Information Services regarding Elimination of the Primary Election for City Elections

..Body

TWO OPTIONS

(OPTION 1)

RESOLUTION

WHEREAS, the City Council of the City of Rochester Hills desires to initiate a proposed amendment to City Charter Section 9.9, Primary Election, to eliminate the requirement for a City Primary Election for Mayoral and City Council candidates.

THEREFORE, the City Council of the City of Rochester Hills resolves:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted under the Home Rule Cities Act, MCL 117.1, et seq, proposes to amend the City of Rochester Hills Charter to delete Charter Section 9.9, Primary Election, in its entirety.

2. Provisions of existing Section 9.9 of the City of Rochester Hills Charter to be deleted if the proposed amendment is adopted now read as follows:

The City primary election shall be held on the Tuesday after the second Monday in September of each odd-numbered year. If there are not more than twice the number of candidates for each office to be filled as there are persons to be elected, the primary election shall not be held, and those persons filing valid petitions shall be declared the nominees.

3. The purpose of the proposed Charter amendment shall be stated on the ballot as follows:

A proposal by the Rochester Hills City Council to amend the City Charter by deleting Section 9.9 in its entirety to eliminate the City Primary Election for the nomination of candidates for Mayor and Council. If the proposal is adopted, there will be no City Primary Election.

4. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for the Governor's approval, and transmit a copy of the foregoing statement of purpose of the proposed Charter amendment to the Michigan Attorney General for the Attorney General's approval, as required by law.

5. The proposed Charter amendment shall be submitted to the qualified electors of this City at the general election to be held in the City of Rochester Hills on Tuesday, November __, 2004, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the proposed Charter amendment to a vote of the electors as required by law.

6. The proposed amendment shall be submitted to the electors in the following form:

**PROPOSED CITY CHARTER AMENDMENT TO
ELIMINATE CITY PRIMARY ELECTION**

A proposal by the Rochester Hills City Council to amend the City Charter by deleting Section 9.9 in its entirety to eliminate the City Primary Election for the nomination of candidates for Mayor and Council. If the proposal is adopted, there will be no City Primary Election.

Shall the City of Rochester Hills Charter be amended to delete Charter Section 9.9 to eliminate the City Primary Election?

YES NO

7. The proposed Charter amendment shall be published in full together with the existing Charter provision that will be altered or abrogated thereby as part of the election notice not less than 10 days prior to the election.

8. The canvass and determination of the votes on the proposed Charter amendment shall be made in accordance with the laws of the State of Michigan and the City of Rochester Hills Charter.

(OPTION 2)

RESOLUTION

WHEREAS, the City Council of the City of Rochester Hills desires to initiate a proposed amendment to City Charter Section 9.9, Primary Election, to eliminate the need for a City Primary election unless there are at least three times the number of candidates as there are persons to be elected.

THEREFORE, the City Council of the City of Rochester Hills resolves:

1. The City Council, by a three-fifths vote of its members-elect, pursuant to the authority granted under the Home Rule Cities Act, MCL 117.1, et seq, proposes that Section 9.9, Primary Election, of the City of Rochester Hills Charter shall be amended to read as follows:

The City primary election shall be held on the Tuesday after the second Monday in September of each odd-numbered year. If **Unless** there are not more than twice **three times** the number of candidates for each office to be filled as there are persons to be elected, the primary election shall not be held, and those persons filing valid petitions shall be declared the nominees.

2. Provisions of existing Section 9.9 of the City of Rochester Hills Charter to be altered or abrogated if the proposed amendment is adopted now read as follows:

The City primary election shall be held on the Tuesday after the second Monday in September of each odd-numbered year. If there are not more than twice the number of candidates for each office to be filled as there are persons to be elected, the primary election shall not be held, and those persons filing valid petitions shall be declared the nominees.

3. The purpose of the proposed Charter amendment shall be stated on the ballot as follows:

A proposal by the Rochester Hills City Council to amend City Charter Section 9.9 to provide that a City Primary Election shall not be held unless there are more than three times the number of candidates for each office to be filled as there are persons to be elected.

4. The City Clerk shall forthwith transmit a copy of the proposed amendment to the Governor of the State of Michigan for the Governor's approval, and transmit a copy of the foregoing statement of purpose of the proposed Charter amendment to the Michigan Attorney General for the Attorney General's approval, as required by law.

5. The proposed Charter amendment shall be submitted to the qualified electors of this City at the general election to be held in the City of Rochester Hills on Tuesday, November __, 2004, and the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the proposed Charter amendment to a vote of the electors as required by law.

6. The proposed amendment shall be submitted to the electors in the following form:

**PROPOSED CITY CHARTER AMENDMENT TO MODIFY WHEN A CITY PRIMARY
ELECTION MAY BE HELD**

A proposal by the Rochester Hills City Council to amend City Charter Section 9.9 to provide that a City Primary Election shall not be held unless there are more than three times the number of candidates for each office to be filled as there are persons to be elected.

Shall Section 9.9 of the City of Rochester Hills Charter be amended to provide that a City Primary Election shall not be held unless there are more than three times the number of candidates for each office as there are persons to be elected?

YES NO

7. The proposed amendment shall be published in full together with the existing Charter provision that will be altered or abrogated thereby as part of the election notice not less than 10 days prior to the election.

8. The canvass and determination of the votes on the proposed Charter amendment shall be made in accordance with the laws of the State of Michigan and the City of Rochester Hills Charter.