

05/16/2012

## RESOLUTION

WHEREAS, the City Council of the City of Rochester Hills desires to initiate a proposed amendment to City Charter Section 4.2, Charter Tax Rate and Special Voted Millages Limitation, to delete references to expired and obsolete millages and to authorize the levy of up to 3.7 mills to fund police services and operations.

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

1. The City Council, by a 3/5 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 amend Charter Section 4.2.
2. Provisions of existing Section 4.2 of the City of Rochester Hills Charter to be amended if the proposed amendment is adopted now read as follows:

### **Section 4.2 – Charter tax rate and special voted millages limitation**

.1 The annual ad valorem tax levy shall be sufficient to provide funding to adequately cover only budgeted expenditures for the fiscal year but in no case shall the levy exceed five-tenths of one percent (5/10 of 1%) or five (5) mills of the assessed valuation of all real and personal property subject to taxation in the City, except for tax levies authorized in subsections .2 through .7 of this Section. This maximum levy shall be known and referred to as the Charter Tax Rate Limit of the City and shall be subject to all provisions of the Constitution of the State of Michigan and the statutes pertaining there to.

.2 The City may levy such amounts as are required for the payment of principal and interest on outstanding bonds the City.

.3 The City shall levy special voted millages currently in effect authorized by the electors of the Charter Township Avon in the amounts and for the duration authorized, as follows:

Up to 0.5 mills for road chloride and repair through the year 1986 inclusive (approved by the electors on August 7, 1980).

Up to 1 mill for police purposes through the year 1993 inclusive (approved by the electors on August 8, 1974).

Up to 0.25 mills for older persons activities and general community recreation, such as the Rochester-Avon Recreation Authority, through the year 1985 inclusive (approved by the electors on August 4, 1976).

Up to 0.25 mills for older persons transportation activities and services through the year 1991 inclusive (approved the electors on August 10, 1982).

.4 The City may levy up to 2.5 mills for funding of the Fire Department.

.5 The City shall levy up to 1 mill for library purposes, pursuant to Public Act No. 164 of 1877 (MCL 397.201 et seq., MSA 15.1661 et seq.), as amended.

.6 The City may levy such taxes as may be authorized by statute to be made beyond the Charter Tax Rate Limit.

.7 The City may levy taxes for general purposes or for any specially designated purpose for a stated period of time not to exceed twenty (20) years, if approved by a majority of the registered electors voting on the proposition. Such election may be authorized by a majority vote of the Council or shall be called if an initiatory petition is filed as described in Sections 2.9 through 2.13 of this Charter. Where any special tax levy shall be approved by the electorate for a specially designated purpose, such funds shall not be used for other than the designated purpose, and all interest accruing on the investment of such funds shall be credited to that fund and not to the general fund of the City.

3. As amended, Section 4.2 of the City of Rochester Hills Charter would read as follows:

**Section 4.2 – Charter tax rate and special voted millages limitation**

.1 The annual ad valorem tax levy shall be sufficient to provide funding to adequately cover only budgeted expenditures for the fiscal year but in no case shall the levy exceed five-tenths of one percent (5/10 of 1%) or five (5) mills of the assessed valuation of all real and personal property subject to taxation in the City, except for tax levies authorized in subsections .2 through .7 of this Section. This maximum levy shall be known and referred to as the Charter Tax Rate Limit of the City and shall be subject to all provisions of the Constitution of the State of Michigan and the statutes pertaining there to.

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

This is a proposal to amend Section 4.2 of the City Charter. Section 4.2 sets forth tax rate and special voted millages limitations. If approved, the amendment will delete references to now-expired and obsolete millages and will authorize the City to levy up to 3.7 mills to fund police services and operations.

5. 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.

6. The proposed Charter amendment shall be submitted to the qualified electors of this City at the primary election to be held in the City of Rochester Hills on Tuesday, August 7, 2012, 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.

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

**PROPOSED CITY CHARTER AMENDMENT  
TO AUTHORIZE POLICE MILLAGE**

This is a proposal to amend Section 4.2 of the City Charter. Section 4.2 sets forth tax rate and special voted millages limitations. If approved, the amendment will delete references to now-expired and obsolete millages and will authorize the City to levy up to 3.7 mills to fund police services and operations.

Shall Section 4.2 of the City of Rochester Hills Charter be amended to delete references to expired and obsolete millages and authorize the City to levy up to 3.7 mills to fund police services and operations?

Yes \_\_\_  
No \_\_\_

8. 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.

9. 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.