

CITY OF AUBURN
BAY COUNTY, MICHIGAN

RESOLUTION NO. 2013-2

A RESOLUTION OF THE CITY OF AUBURN COMMISSION ESTABLISHING
REGULAR ELECTIONS IN NOVEMBER OF EACH EVEN YEAR
COMMENCING WITH THE CITY ELECTION OF NOVEMBER 2016

Moved by Russ Williams, supported by Ann Macheliski, to adopt the following:

WHEREAS, the City of Auburn regularly conducts its City elections in November of each odd number year per section 8(a) of Article IV of the City Charter; and

WHEREAS, at each regular City odd-year November election the Mayor of the City is elected for a two-year term and three city commissioners are elected for a four-year staggered terms per section 2 of Article V of the City Charter; and

WHEREAS, a primary election is held in August of each odd year if, upon the time for filing nomination petitions, the number of candidates on said petitions exceed twice the number of candidates to be elected to any city office per section 8(b)(c) of Article IV of the City Charter; and

WHEREAS, Section IV(4)(2)(a) (4) of the Michigan Election Code MCL § 168.642(a)(4), as added by 2012 PA 523, authorizes a city commission of a city that holds elections for city officers at the odd-year November election to change its regular election schedule for future years to even-year city November elections by the adoption of a resolution in compliance with the requirements of section 642 of the Michigan Election Code, MCL § 168.642, provided that the terms of the City's elected officers elected hereto for and at the last odd-year November city election in November of this year (2013) are not shortened and that those terms of elected city officers continue until their successors are elected and qualified at the next regular city election (MCL § 168.644(g)(1)); and

WHEREAS, members of the Auburn Charter Revision Commission have expressed interest in proposing a revised charter which provides for regular city elections in November of each even-number year with nominations to be made by petition without a primary election being held and for continuing terms of two years for the Mayor and four years on a staggered basis for the six city commissioners (3 elected in each even-year November election), and

WHEREAS, the city commission has held a public hearing regarding this resolution pursuant to the published notice of the public hearing.


NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION THAT:

1. The date of the regular city election is changed from the first Tuesday after the first Monday in November of each odd-numbered year to the first Tuesday after the first Monday in November of each even numbered year commencing with the regular city election in November 2016 resulting in the last city regular odd-year November election being held on November 5, 2013.
2. A primary election shall be held, if provided for by the applicable charter provision of the current or revised charter, at the august primary for each year in which there is a city regular November election.
3. The term of the Mayor duly elected at the odd-year November election this year (2013) which would otherwise expire in November 2015 shall continue until his or her successor is elected and qualified in November 2016.
4. The term of the three (3) commissioners duly elected at the odd-year November election this year (2013) which would otherwise expire in November 2017 shall continue until their successors are elected and qualified in November 2018.
5. The terms of the three (3) commissioners duly elected at the odd-year November election in 2011 which would otherwise expire in November 2015 shall continue until their successors are elected and qualified in November 2016.
6. The city clerk is hereby instructed to file this resolution with the County Clerk of Bay County, the elections division of the Secretary of State of the State of Michigan, and the Clerk of the City of Auburn Charter Revision Commission.

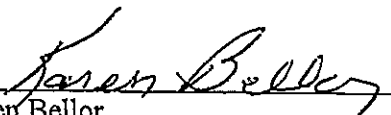
Yeas: Ken Charbonneau, Ann Macheliski, John McNally, Russ Williams, Lee Kilbourn.

Nays: None. Absent: Matt Hardy

The foregoing Resolution was duly adopted at a regular meeting of the City of Auburn City Commission held on the 6th of May, 2013.

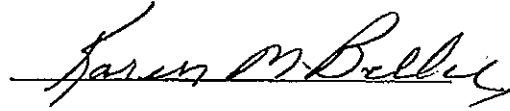


Lee Kilbourn
Mayor
City of Auburn



Karen Bellor
Clerk
City of Auburn

I, Karen M. Bellor, Clerk of the City of Auburn, do hereby certify the foregoing to be a true copy of a resolution adopted by the City of Auburn City Commission at their meeting held on May 6th 2013 of 2013.

A handwritten signature in cursive script, reading "Karen M. Bellor", written over a horizontal line.

Clerk
City of Auburn

CITY OF AUBURN
113 E ELM STREET
AUBURN, MICHIGAN 48611
Regular Commission Meeting
May 6, 2013

Auburn City Commission met at the City Hall Building, 113 E Elm Street was called to order by Mayor Kilbourn for a regular meeting at 7:00 P.M.

COMMISSIONERS PRESENT: Russ Williams, Ken Charbonneau, Ann Machelski, John McNally, Amy Rezmer, Lee Kilbourn.

Absent: McNally/Charbonneau moved to excuse Hardy for personal reasons. Yeas: Williams, Charbonneau, McNally, Rezmer, Kilbourn. Nays: Machelski.

ALSO PRESENT: Jo Ella Krantz, Karen Bellor, Al VanOchten, Don Tice, Deputy Wolpert, Deputy Box, Steve VanTol, City Attorney Brian Elder and a few residents of the City.

Mayor Kilbourn led the Pledge of Allegiance.

I. APPROVAL OF AGENDA:

Machelski/Williams moved to approve t Yeas: All. Nays: None

II. APPROVAL OF MINUTES OF THE APRIL 15, 2013 REGULAR MEETING:

Machelski/McNally moved to approve the minutes of April 15, 2013 meeting as printed. Yeas: All. Nays: None.

III. CONSENT AGENDA

Machelski/Charbonneau moved to receive the consent agenda 2013 Auburn Corn Fest Parade Sunday, July 14, 2014 at 1:00 p.m., March 26, 2013 Downtown Development Authority Meeting Minutes. Yeas: All. Nays: None.

IV. PUBLIC COMMENT:

Machelski/McNally moved to open floor to public comment. Yeas: All. Nays: A resident questioned who was currently running for City Commission seats, why there were not two City meetings in April and various DDA issues were questioned and commented about. Machelski/Charbonneau moved to close the floor to public comment. Yeas: All. Nays: None.

V. Unfinished Business

None

VI. New Business

- 1) Mayor Kilbourn opened the floor to questions/comments regarding moving elections from odd year to even year elections.
 - a) Susan Emerson stated that she thought it was a great idea and did not have a problem with it.
 - b) Gerald Janowicz agreed that it would be an outstanding idea too.

Williams/Machelski moved to adopt Resolution No. 2013-2 to change elections from odd years to even years. Roll Call Vote: Yeas: Charbonneau, Machelski, McNally, Rezmer, Williams, Kilbourn. Nays: None. Absent: Hardy.

- 2) McNally/Charbonneau moved to accept this employment contract and pass it on to Don Tice for his review and signature upon acceptance. Roll Call Vote: Yeas: Machelski, McNally, Rezmer, Williams, Charbonneau, Kilbourn. Nays: None.
- 3) McNally/Ken moved to add item 3. to the Agenda under new business: Bay County Community Recreation Plan for \$750.00. Yeas: All. Nays: None.
- 4) McNally/Charbonneau moved to opt into the Bay County Community Recreation Plan for \$750.00. Roll Call Vote: Yeas: McNally, Rezmer, Williams, Charbonneau, Machelski, Kilbourn. Nays: None.

VII. Administrator's and Department Head Reports

Machelski/Charbonneau moved to accept the Administrator's and Department Head Reports as presented. Yeas: All. Nays: None. Yeas: All. Nays: None.

VIII. Bills Submitted for Payment

Charbonneau/McNally moved to pay the bills submitted for payment. Roll call Vote: Yeas: Rezmer, Williams, Charbonneau, Machelski, McNally, Kilbourn. Nays: None

IX. Public Comment

McNally/Charbonneau moved to open the floor to Public Comment. Yeas: All. Nays: None. Comments/questions were asked regarding possible Insurance reimbursement for the payment made for road service regarding the stuck Police vehicle. Concerns were addressed regarding the sidewalks and approaches to the docks at the park and at the very least there could be a temporary fix. Comments were made regarding various DDA potential projects. McNally/Charbonneau moved to go out of public comment. Yeas: All. Nays: None.

X. Mayor and Commissioner's Comments

Machelski requested that the City Clerk inform the attendees who had taken out petitions to run for City Commissioner and Mayor and the absences of Commissioner Hardy. Rezmer announced that she had a meeting set up at North America Director of Public Affairs at Michigan Ops and he mentioned that there are Dow Family funds available which are different than Dow Chemical contributions and they are really big into environmental activities and make an attempt to get additional funding for the Park. McNally volunteered to pay the \$50.00 licensing fee required for the Boy Scouts to participate at the Fishing Clinic on May 23, 2013. Williams addressed that he was the driving force to update the software programs to enhance existing capabilities and pushing for Codification of the Ordinances. Kilbourn discussed some of DDA possible projects that were questionable by residents.

XI. ADJOURNMENT:

McNally/Machelski moved to adjourn at 7:59 P.M. Yeas: All Nays: None

APPROVAL

CLERK

MAYOR

AFFIDAVIT OF PUBLICATION

State of Michigan, ss. In the Matter of City of Auburn – Public Hearing Notice
County of Bay (Changing Election Schedule)

CAROL A. DeVEAU being first duly sworn, says that she is the publisher of THE BAY CITY DEMOCRAT AND THE BAY COUNTY LEGAL NEWS, 309 Ninth Street, P.O. Box 278, Bay City, Michigan 48707-0278. A newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published, on the dates indicated.

City of Auburn
PUBLIC HEARING NOTICE
NOTICE IS HEREBY GIVEN that the City of Auburn City Commission will be conducting a Public Hearing on May 6, 2013 at 7:00 P.M. at the Auburn City Hall, 113 E. Elm, Auburn, MI 48611, to receive public comment related to changing its regular election schedule for City offices from odd-year elections, to even-year elections. Any change adopted by the Commission will be effective January 1, 2014.
All interested persons are invited to attend this public hearing. A copy of the proposed resolution can be viewed at the City Clerk's Office at 113 E. Elm during regular business hours Monday – Friday between the hours of 8:30 a.m. and 4:30 p.m.
Written comments will be accepted until 4:30 p.m. on May 6, 2013.
The City of Auburn will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing. Individuals with disabilities requiring aids or services shall contact the City of Auburn, by writing or calling, Karen Bellor, City Clerk, (989) 662-6761, as soon as possible to allow the City sufficient time to have available the aids and services.
KAREN BELLOR
Clerk

18th day of April, 2013
day of _____, 20____
day of _____, 20____
day of _____, 20____

Carol A. Deveau
CAROL A. DEVEAU, Publisher

Subscribed and sworn to before me this 18th
day of April, A.D. 2013

Wendy M. Knochel
WENDY M. KNOCHEL
Notary Public, State of Michigan, County of Bay
My commission expires April 29, 2013
Acting in the County of Bay