

Proposed Farmington Hills Charter

TO THE ELECTORS OF FARMINGTON TOWNSHIP:
On May 16, 1972 voters approved incorporation of Farmington Township as a City and in the same election elected a Charter Commission to draft and submit a Charter for the City of Farmington Hills. The Charter has held 27 meetings and three public hearings. The Charter has been completed and provides the proposed City with permitted home rule powers. It also limits rigidly, those powers where they should be restricted, but provides for the necessary flexibility and exercise of powers advisable for a charter designed to last for decades.

The proposed plan of government is simple and responsibility is clearly fixed for a responsive and efficient government at the local level.
The responsibility of the principal features of the Charter:
Following is a summary of the principal features of the Charter:

GOVERNMENTAL STRUCTURE:
The responsibility of governing the city is placed upon a Council of seven members nominated and elected at large. The Council appoints a City Manager who is the chief administrative officer of the city government and directly responsible for the efficient administration of five city departments.
The Council also appoints members of the Board of Review, the City Clerk, Planning Commission members, Planning Consultants and Consulting Engineers. The Mayor, elected by the Council from its membership, serves as presiding officer of the Council and as ceremonial head of the city government. The Council determines all governmental policy and the City Manager is responsible for the implementation of that policy.

PROTECTING CITIZENS' INTERESTS:
Rights of the people are preserved through the initiative, referendum and recall provisions in the Charter. The Charter is unique in that it provides for the protection of citizens' interests and city officials' rights and regulations regarding conflicts of interest.

ELECTIONS:
Regular non-partisan city elections are to be held on the odd numbered calendar years. Non-partisan primary elections are to be held when necessary.
The composition of the Council provides for four council members, a majority, to be elected every two years.

PUBLIC PROTECTION:
Protection of property and inhabitants of the city is provided through the establishment of a Public Safety Department under the direction of the City Manager. A Human Rescue Division has been established within this Department to operate in conjunction with the Police and Fire Divisions. Recognizing that the size of these functions should be in proportion to the population and development of the city, flexibility as to their makeup is provided for in the Charter.

FINANCE - TAXATION - BONDS:
The annual budget, prepared by the City Manager, must be considered at a public hearing and then approved by the Council. The city possesses all the necessary powers to provide fiscal integrity but the citizens' interests have been carefully safeguarded. The Charter tax rate is restricted and coordinated to the planned growth and development of Farmington Hills, and only a vote of the electorate can change the scheduled tax rate limitation established by the Charter.
In addition, provision is made to protect senior citizens with fixed incomes so that in hardship cases, taxes can be deferred for payment later.

CHARTER COMMISSION:
Robert A. McConnell, Chairman
Robert J. Clarke, Vice-Chairman
Floyd A. Cairns, Secretary
Joan Dudley, Member
Frederick W. Fairfield, Member
Richard W. Frankel, Member
Frederick Lichtman, Member
Ben Marks, Member
Earl Teeples, Member

Presented to you as a public service by The Farmington Hills Charter Commission and The Farmington Enterprise and Observer.

PREAMBLE

We, the citizens of this community, in spirit, conviction and purpose, have declared our intention to create a system of home rule government to insure that local laws and institutions shall keep pace with the progress of human endeavors.

We recognize that nothing is more difficult to carry out, nor more doubtful of success, than to initiate a new order, but the facilities of the past often are inadequate for the present and the future.

We fully acknowledge the traditional precepts that this government must provide for the public health, safety and welfare, that every citizen must be guaranteed due process under law, and that civil order and preservation of the peace are necessary if we are to insure the orderly administration of our affairs. In such matters as zoning, taxation and public improvements we recognize that our citizens expect self-willed growth subject only to their collective self-discipline and initiative.

Our community derives from a semi-rural tradition. Pastoral areas are not uncommon, and among us there are still those who gain their livelihood from the soil. Our residents' sought and wish to maintain this tradition within a community which recognizes that the old can exist and thrive with the new. Home Rule Government need not mean urban life and urban strife. Commerce and industry can be a part of a tranquil suburb and, in concert with our citizens, can contribute to the quality of community life which we all seek.

We willingly assume the responsibilities and obligations of Home Rule Government, knowing that becoming a responsive city is the most difficult of all civic achievements. Respect for ourselves, respect for the dignity of human individuality and continued self-development underlie its attainment.

CHARTER OF THE CITY OF FARMINGTON HILLS

ARTICLE I INCORPORATION, POWERS AND TERRITORIAL BOUNDARIES

Section 1.01. Powers of the City

The City shall be known as "City of Farmington Hills," and shall be vested with any and all powers which home rule cities are, or may hereafter be, required or permitted to exercise or to provide for in their charters under the Constitution and laws of the State of Michigan, including, but not limited to, Act No. 279 of the Public Acts of 1909, as amended, its fully and completely as though the powers were specifically enumerated herein, except for such limitations and restrictions as are provided in this Charter, and no enumeration of particular powers of the City in this Charter shall be held to limit the powers stated in this article.

Section 1.02. Intergovernmental Relations

The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise,

with any one or more states or civil divisions or agencies thereof, or the United States or any agency thereof.

Section 1.03. Boundaries

The City of Farmington Hills shall embrace all the territory within the limits of Farmington Township, Oakland County, Michigan, Town 10 N, Range 9 E, except that part of said Township lying within the corporate limits of the City of Farmington.

ARTICLE II GOVERNING BODY

Section 2.01. General Powers

All powers of the City shall be vested in a Council, except as otherwise provided by law or this Charter, and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

Section 2.02. The Council

The Council shall consist of seven (7) members nominated and elected at large in a nonpartisan election.

Section 2.03. Qualifications

A Council member shall be a duly registered elector of the City.

Section 2.04. Eecedure

A. Meetings. The Council shall meet regularly twice each month at such times and places within the City as the Council may prescribe. Special meetings may be held on the call of the mayor or of four (4) or more members and, wherever practicable, upon at least twelve (12) hours' notice to each member. Every public meeting of the Council shall be open to the public. A "public meeting" means that part of any meeting during which the Council votes upon any ordinance, resolution, motion or other official action proposed by, or to the Council dealing with the receipt, borrowing or disbursement of funds or the acquisition, use or disposal of services or of any supplies, materials, equipment or other property or the fixing of personal or property rights, privileges, immunities, duties or obligations of any person or group of persons. The term "public meeting" shall not mean any meeting, the publication of the facts concerning which would disclose the institution, progress or result of an investigation of an individual's conduct, qualifications, or performance, or the acquisition of property which might cause speculation to the disadvantage of the public treasure. Notice of all public meetings shall be given in accordance with law. (Act No. 261 of Public Acts of 1968.)

B. Rules and Journal. The Council shall determine its own rules and order of business and shall provide for keeping in the English language a journal of every public meeting of the Council. This journal shall be a public record.

C. Voting. Voting on ordinances and where required by law shall be by roll call and the ayes and nays shall be recorded in the journal. On other matters, any Council member may request a roll call vote. Four (4) members of the Council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council.

D. Publication of Proceedings. Within ten (10) days after each public meeting of the Council, a synopsis of the proceedings thereof, showing the substance of each separate proceeding of the Council, prepared by the City Clerk and approved by the Mayor, shall be published in a newspaper of general circulation in the City.

Section 2.05. Term of Office

Council members shall be elected at the Odd Year General Election. At each such election four (4) Council members shall be elected. Each of the three candidates receiving the greatest number of votes shall serve for a four (4) year term, and the one receiving the fourth (4th) greatest number of votes shall serve for a two (2) year term. All Council members elected at the Odd Year General Election shall take office at twelve (12:00 o'clock Noon on January 1, following the election.

Section 2.06. Remuneration of Council Members

Each member of the Council, except the Mayor, shall receive an annual salary of one thousand eight hundred (1,800) dollars and hereafter the Council may determine the annual salary of Council members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of Council members elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months. It is further provided that at the next such regular election there shall be submitted to a vote of the registered electors the following question:

Shall Ordinance No. _____ adopted on the _____ day of _____, 19____, providing for a salary increase of \$ _____ dollars per annum for Council members be repealed?

Yes _____
No _____

In the event a majority of the ballots cast upon such question shall be affirmative the Council shall, at the first regular meeting following, and prior to the date upon which said increase would have become effective, repeal said ordinance. The annual salary of the Mayor shall be equal to one hundred and fifty (150) percent of the annual salary of a Council member.

Section 2.07. Prohibitions

A. Holding Other City Employment. Except where authorized by law, no Council member shall be employed by the City during the term for which he was elected to the Council, and no former Council member shall be employed by the City until one (1) year after the expiration of the term for which he was elected to the Council.

B. Appointments and Removals. Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the City Manager or any of his subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

C. Interference with Administration. The Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

Section 2.08. Vacancies, Removal from Office and Filling of Vacancies

A. Vacancies. The office of a Council member shall become vacant upon his death, resignation or removal from office in any manner authorized by law.

B. Removal from Office. A Council member shall be subject to removal from office if he (1) lacks at any time during his term of office any qualification for the office prescribed by this Charter or by law; (2) violates any express prohibition of this Charter;