



Charter Commission Meeting
 May 14, 2019
 7:00 PM

City Hall, Room 306, 301 Washington Avenue, Bay City MI 48708

Meeting Results:

- Consider findings and recommendations from the Michigan Attorney General related to Charter Commission’s proposed City Charter. Adopt necessary revisions to the charter.
- Understand the timeline and process for voter consideration.
- Consider the necessary steps for a public education campaign.

Time	Task/Result
7:00	<p>Opening & Overview The Clerk will call the roll and minutes from the December 11, 2018, meeting will be approved. Result: Commissioners are present and prepared for the meeting.</p>
7:05	<p>Approval of the Agenda</p>
7:10	<p>Public Input (time will be extended if necessary) Result: Members of the public have the opportunity to voice their comments, questions, concerns.</p>
7:25	<p>Work Session: Discussion of Attorney General communication dated April 14, 2019, related to the proposed revisions to the Bay City Charter. Commissioners will consider potential changes to the proposed revisions to ensure compliance with the HRCA and other applicable legal requirements. Result: Commissioners adopt revised language and resubmit the document to the State of Michigan for consideration.</p>
9:00	<p>Getting the Charter to the Ballot Commissioners will discuss the necessary steps and required timeline to bring the revised charter to the voters of Bay City by November 2019, per the work plan outlined by the Commission in its formation meeting. Result: All commissioners understand the remaining work of the Charter Commission.</p>
9:25	<p>Other Announcements/Concerns Result: Commissioners have the opportunity to raise additional items.</p>
9:30	<p>Adjourn</p>

CITY OF BAY CITY
CITY CHARTER COMMISSION
MEETING MINUTES
Tuesday, December 11, 2018

The Charter Commission met at City Hall, Room 306, 301 Washington Avenue. The meeting was called to order by Charter Commission President Kristen McDonald Rivet at 8:00 PM.

Present: Charter Commissioners Thomas Baird, Alexander Dewitt, Kristen McDonald Rivet, Elizabeth Peters Carrie Sepeda, Nicholas Shaffer, Christopher Shannon, Michael Wooley, 8.
Excused: Commissioner Donald Tilley, 1 (arrived at 9:18 PM; left at 9:50).
Absent: None.
Others Present: City Clerk Tema J. Lucero.

Minutes

Commissioner Baird moved approval of minutes from the November 13, 2018, meeting, seconded by Commissioner Dewitt. Motion Carried.

Public Input

Commissioner Dewitt read emails received by Stephanie Tanner, 2412 Center Avenue and Craig Windt, 804 19th Street, who were unable to attend the meeting.

Brandy Swartz, 911 McKinley Street, spoke against having another meeting as the charter was completed and mailed. She spoke in favor of fewer commissioners.

Andy Rogers, 1111 N. Water Street, spoke on the 1% administrative fee and would like a sunset clause of ten years be associated with any fee or tax for sidewalks.

Alejandro Savantes, 400 N. Johnson Street, asked the commission to use caution when making decisions about requirements to serve on a board or commission.

Kurt Legner, 308 S. Hampton Street, asked how much the 1% administration fee generated through the city and the county.

Old Business

Commissioner Wooley moved to amend the agenda by adding sections 1.3, 3.1, 6.9 and 9.3, seconded by Commissioner Shaffer.

Motion carried by the following vote:

Yes, Commissioners Peters, McDonald Rivet, Sepeda, Shaffer, Shannon, Wooley, 6.

No, Commissioners Baird, 1.

Abstained, Commissioner Dewitt, 1.

Commissioner Wooley moved for all future meetings the first order of business shall be review, modification and/or approval of the proposed agenda, seconded by Commissioner Shaffer.

Motion carried by the following vote:

Yes, Commissioners Peters, Sepeda, Shaffer, Shannon, Wooley, 5.

No, Commissioners Baird, Dewitt, McDonald Rivet, 3.

Section 1.3. - Wards. & Section 3.1. - Composition of city commission.

Commissioner Wooley moved that sections 1.3 and 3.1 be considered together and rescind the action of the last meeting and restate that the word 7 be replaced with 9 in both sections.

Commission President McDonald Rivet recessed the meeting at 8:31 PM. There was no objection. The meeting reconvened at 8:45 PM. Attendance remained the same as at the time of the recess.

Commissioner Wooley moved that sections 1.3 and 3.1 be considered together and rescind the action of the last meeting and restate that the word 7 be replaced with 9 in both sections, seconded by Commissioner Shannon.

Motion carried by the following vote:

Yes, Commissioners Peters, Sepeda, Shaffer, Shannon, Wooley, 5.

No, Commissioners Baird, Dewitt, McDonald Rivet, 3.

Section 6.9 – Boards, Commission, Council and Committee Appointments

Commissioner Wooley moved to rescind the action of the last meeting and add the section with the following language, seconded by Commissioner Shannon.

The Commission shall appoint members to boards, commissions, council and committee as established by law or as created or approved by the Commission.

The Commission shall utilize a nondiscriminatory method of selecting the best qualified applicants.

Motion carried by the following vote:

Yes, Commissioners Baird, Peters, Sepeda, Shaffer, Shannon, Wooley, 6.

No, Commissioners Dewitt, McDonald Rivet, 2.

Commissioner Tilley arrived at 9:18 and moved to adjourn, seconded by Commissioner McDonald Rivet.

Commission President McDonald Rivet recessed the meeting at 9:21 PM. There was no objection. The meeting reconvened at 9:24 PM. Attendance remained the same as at the time of the recess.

Motion failed by the following vote:

Yes, Commissioners Baird, Dewitt, McDonald Rivet, Tilley, 4.

No, Commissioners Peters, Sepeda, Shaffer, Shannon, Wooley, 5.

Section 9.3. - Maximum rate of taxation.

Commissioner Wooley moved to amend by adding the following language as the first sentence, seconded by Commissioner Sepeda.

Except as otherwise provided by law the city shall annually lay and collect taxes in a sum not to exceed 1.9% of the taxable value of the real and personal property in the city.

Motion carried by the following vote:

Yes, Commissioners Baird, Dewitt, Peters, McDonald Rivet, Sepeda, Shaffer, Shannon, Wooley, 8.

No, Commissioner Tilley, 1.

Commissioner McDonald Rivet moved to amend Section 9.3 by removing “The city shall not levy an administration fee on the collection of taxes”, seconded by Commissioner Sepeda.

Commission President McDonald Rivet recessed the meeting at 9:44 PM. There was no objection. The meeting reconvened at 9:50 PM. Attendance remained the same, with the exception of Commissioner Tilley.

Motion failed by the following vote:

Yes, Commissioners Baird, McDonald Rivet, Sepeda, Shannon, 4.

No, Commissioner Dewitt, Peters, Shaffer, Wooley, 4.

Public Input

Alejandro Savantes, 400 N. Johnson Street, spoke in favor of the removal of gender requirement from Section 6.9.

Commissioner Shannon moved to suspend the rules to respond to the speaker, there was no objection.

Other Issues/Concerns/Announcements

Commissioner Wooley moved the following resolution, seconded by Commissioner Baird.

Of Charter Commission as a Whole:

Be It Resolved the Clerk shall mail this revised Charter, bearing the changes adopted this evening, December 11, 2018, to the Office of the Governor for review by the Attorney General no later than Friday, December 14, 2018.

Be It Further Resolved the correspondence from the Clerk shall state “the version of the Charter of the City of Bay City sent on Friday, November 30, 2018, is to be discarded. The attached version of the proposed Charter of the City of Bay City supersedes the prior version.

Resolution adopted by the following vote:

Yes, Commissioners Baird, Dewitt, Peters, Sepeda, Shaffer, Shannon, Wooley, 7.

No, Commissioner McDonald Rivet, 1.

Meeting adjourned at 10:12 PM.

Respectfully submitted,

Tema J. Lucero, City Clerk