



CITY OF LUDINGTON

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RYAN M. COX, MAYOR
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DEBORAH L. LUSKIN, CITY CLERK
LINDA J. ROGERS, CITY TREASURER

RESOLUTION OF LUDINGTON CITY COUNCIL TO AMEND THE FIRST PARAGRAPH OF CHAPTER 13, SECTIONS 13.1 AND 13.2 OF THE LUDINGTON CITY CHARTER TO STATE THE CITY MANAGER'S AUTHORITY TO OBLIGATE OR EXPEND CITY FUNDS FOR EMERGENCY REPAIRS WITHOUT PRIOR COUNCIL APPROVAL AND TO REPEAL ALL RESOLUTIONS IN CONFLICT HEREWITH

BE IT RESOLVED, by the City Council of the City of Ludington, Michigan, as follows:

1. By a 3/5 vote of its members, pursuant to the authority granted by Public Act 279 of 1909, as amended, it is proposed that the first paragraph of Chapter 13, Sections 13.1 and 13.2 of the Charter of the City of Ludington shall be amended as stated herein:

Section 13.1 of the Charter of the City of Ludington shall be amended as follows:

Section 13.1 – Authority to make purchases, contracts, and leases: The power to authorize the making of purchases, contracts, and leases on behalf of the City is vested in the Council and shall be exercised in accordance with the provisions of the laws of the State. Council approval shall not be required prior to the City Manager obligating or expending City funds for goods and services associated with emergency repairs.

The existing first paragraph of Chapter 13, Section 13.1 of the Charter of the City of Ludington to be altered by such proposal, if adopted, now reads as follows:

Section 13.1 – Authority to make purchases, contracts, and leases: The power to authorize the making of purchases, contracts, and leases on behalf of the City is vested in the Council and shall be exercised in accordance with the provisions of the laws of the State.

Section 13.2 of the Charter of the City of Ludington shall be amended as follows:

Section 13.2. – [Procedures:] The City Council shall establish, by ordinance, the procedures for the purchase and sale of property, other than real estate, for the City. The dollar limit within which purchases may be made without the necessity of prior Council approval will be set by ordinance with the exception of obligating or expending City funds for goods and services associated with emergency repairs. The City Manager shall notify the City Council when funds in excess of a dollar limit established by City Council resolution are spent on emergency repairs.

On the Shores of Lake Michigan

The existing first paragraph of Chapter 13, Section 13.2 of the Charter of the City of Ludington to be altered by such proposal, if adopted, now reads as follows:

Section 13.2. – [Procedures:] The City Council shall establish, by ordinance, the procedures for the purchase and sale of property, other than real estate, for the City. The dollar limit within which purchases may be made without the necessity of prior Council approval will be set by ordinance with the exception of emergency repairs.

2. The purpose of the proposed amendment shall be designated on the ballot as follows:

This Charter Amendment is proposed for the purpose of stating the City Manager's authority to obligate or expend City funds for emergency repairs without prior Council approval.

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

4. The proposed amendment shall be submitted to the qualified electors of this City at the Special Election to be held in the City of Ludington on the 2nd day of August, 2016, and the City Clerk is directed to give notice of the election and notice of registration in the manner prescribed by law.

5. The proposed amendment shall be submitted to the electors in the following format:

PROPOSED AMENDMENT TO SECTION 13.1 AND THE FIRST PARAGRAPH OF SECTION 13.2 OF THE CHARTER OF THE CITY OF LUDINGTON STATING THAT THE CITY MANAGER HAS AUTHORITY TO OBLIGATE OR EXPEND CITY FUNDS FOR EMERGENCY REPAIRS WITHOUT PRIOR COUNCIL APPROVAL.

A City Charter Amendment proposed by the City Council to amend Section 13.1 and the first paragraph of section 13.2 of the Charter by stating that the City Manager has authority to obligate or expend City funds for emergency repairs without prior Council approval.

SHALL THE PROPOSED AMENDMENT TO THE CHAPTER 13, SECTION 13.1 AND THE FIRST PARAGRAPH OF SECTION 13.2 OF THE CITY CHARTER BE ADOPTED?

YES

 NO

7. The canvass and determination of the votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Ludington.

Yeas 5

Nays 0

Absent 2

Motion CARRIED


Deborah L. Luskin, City Clerk

CERTIFICATION

I, Deborah L. Luskin, Ludington City Clerk, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Ludington City Council at a regular meeting thereof held on the 9th day of MAY, 2016.


Deborah L. Luskin
City Clerk