

## CARO CHARTER COMMISSION APPROVED MINUTES

Richard Ransford, Chair. Al Jones, Vice-Chair. Don Duggar, Clerk

Members Thomas Baird, Wm Bortel, Kerwood Crutchfield,  
Joe Greene, Debra Lung-Lipan, David Mattlin

The meeting of the Caro Charter Commission was called to order by Commission Chair Richard Ransford at 5:00 PM on December 2 2008 at the Caro Municipal Building 317 S State St Caro MI 48723.

In attendance were Richard Ransford, Al Jones, Don Duggar, Thomas Baird, Wm Bortel, Kerwood Crutchfield, Joe Greene, Debra Lung-Lipan and David Mattlin. Also in attendance were Caro Manager Don Beavers, Clerk Karen Snider and several public.

Bortel/Greene move to approve the minutes of the November 24 meeting with the following corrections and additions:

Insert 5.5c and 6.1a in the text which was inadvertently left out. Change the duplicated 7.4c in the paragraph regarding Sec 7.4b to 7.4d. The corrected text should read "Discussion followed on Sec 7.4b, 7.4c and 7.4d of the Chelsea charter. The existing text was adopted by consensus. Also in Sec 6.1a insert at the end of the paragraph "except for December."

There was a clarification on the paragraph on the second page of the minutes regarding discussion of Sec 7.4e. Don Beavers had presented a suggested text which was numbered Sec 7.4e. There is no Sec 7.4e in the Chelsea charter. Motion carried.

Discussion followed on Sec 5.10 regarding vacancies occurring close to an election. Bortel/Crutchfield move to adopt the wording in sec 3.4 of the Perry charter as follows; "Vacancies in elective offices shall, ~~within sixty days~~ be filled by appointment by the Council, of a person possessing the qualifications for the office who shall hold such office until the next regular or special City election, at which election the vacancy shall be filled for the unexpired term of such office. Any qualified elector may apply to the council for appointment." Motion carried.

Discussion followed on Sec 7.5 of the Chelsea charter regarding removal of the city manager. After much discussion, Crutchfield/Greene move to accept Sec 7.5 a, b, c, and d as written. Vote was 8 yes and 1 no. Motion carried

The commission returned to discussion of Sec 7.3b City Manager, Appointment: Compensation. Jones/Lipan move to add the following to Sec 7.3b "and be part of his/her employment agreement." Motion carried

The commission returned to discussion of Sec 7.5d. Jones/Lipan move to adopt the existing text of the Chelsea charter as follows; “The manager shall continue to receive a salary until the effective date of a final resolution of removal. The action of the council in suspending or removing the manager shall not be subject to review, unless challenged by a successful appeal to the courts.” Motion carried.

Discussion followed on sections 7.6 a, b and c regarding City Clerk; sections 7.7 a, b, c and d regarding City Treasurer and sections 7.8 a, b, c, and d regarding City Assessor except in Sec 7.8a strike the word education in the last line and add the words “proper certification by the state assessor’s board.” Jones/Lipan move to approve Sections 7.6 through 7.8 of the Chelsea charter. Motion carried.

Discussion followed on 7.9a, b, c, d, e, f, g of the Chelsea charter with existing text agreed to by consensus.

Extensive discussion followed on Sec 7.10 of the Chelsea charter regarding who hires the police chief and who does the chief report to and other items in 7.10. Jones/Lipan move to adopt the text of the Douglas charter as follows and to refer this language to Manager Beavers for comment; “separately or thru agreements, or within the intergovernmental division of the city, police protection to enforce all laws and all ordinances and codes which are in force in the city and to preserve peace and good order in the city. The council shall pass ordinances to implement public safety measures and the city manager shall carryout the functions of such ordinances. The police force of the city shall have and exercise all the immunities, privileges and powers for the police officers under the common law and of the State of Michigan for the preservation of quiet, good order, and for the safety of persons and property in the city. If the city operates its own police department, the city manager will be responsible for the supervision of the police chief. And also to include Sec 7.11 Fire Protection from the Chelsea charter in the text of 7.10. Motion carried

Note that with Sec 7.11 combined with Sec 7.10 the balance of Chapter 7 will be renumbered.

Discussion followed on Sec 7.12a, b and c of the Chelsea charter. Greene/Baird move to amend Sec 7.12c by adding the words “Planning Commission” in the first line right before the words “Zoning Board of Appeals” and striking the words “and shall be residents of he city” and adding the word “appointments,” after the first word “Their” in the second sentence. Motion carried.

Discussion followed on Sec 7.13a, b, c, d and e of the Chelsea charter. Bortel/Greene move to change the last sentence of the first paragraph to read “He or she shall be appointed by the manager on the basis of education, ability, training and experience and with the compensation package approved by council. Vote was 8 yes, 1 no, motion carried.

Discussion followed on Sec 7.14a, b and c of the Chelsea charter. Agreed to by consensus

Discussion followed on Sec 8.1 and 8.2 of the Chelsea charter. Crutchfield/Mattlin move to strike the following words in last sentence “be appointed by the council” to “be recommended for appointment by the Mayor and with the approval of the council.”  
Motion carried

Discussion followed on Sections 8.3 to Sections 8.16 inclusive in the Chelsea charter. Crutchfield/Bortel; move to adopt the text in Sections 8.3 to Sections 8.16 inclusive except to change the text in Sec 8.6a and Sec 8.7c from “affirmative vote of two-thirds (2/3) of council members present” to “affirmative vote of five-sevenths (5/7) of the council.” Motion carried

At the next meeting the Chair wants to review the sections on missed meetings and when ordinances become effective.

Crutchfield/Duggar move to adjourn at 9:30 P.M.

Next meeting will be December 8 2008 at 11 A.M. at the Caro Municipal Building.

Respectively submitted

Don Duggar  
Clerk of the Charter Commission