

RESOLUTION TO AUTHORIZE BALLOT PROPOSAL TO RENEW MILLAGE FOR LOCAL STREET AND ROAD REPAIR AND REPLACEMENT

At a Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on April 13, 2021, at 7 p.m. Eastern Daylight Savings Time, via Zoom video conference pursuant to Public Act 254 of 2020, in Warren, Michigan.

PRESENT: Councilmembers Green, Kabacinski, Lafferty, Moore, Papandrea, Rogensues, Watts

ABSENT: Councilmembers None

The following preamble and resolution were offered by Councilmember Moore and supported by Councilmember Lafferty:

The residents of the City of Warren deserve local roads and streets that are maintained in optimal condition.

The City is solely responsible for the cost of local roadway repairs and replacement because local roads are generally not eligible for funds from State of Michigan or the County of Macomb.

Due to insufficient funding from the State of Michigan, the City of Warren must continue to raise the revenues that would sustain the proper repair and replacement of local streets and roadways:

This funding would also help fund improvements to paved access or parking areas of parks or public buildings.

At a special held on August 2, 2016, the electors in the City of Warren adopted an amendment to the City Charter to authorize the levy of an additional 2.1 mills for a five-year period for local roads and streets.

Based upon the Headlee Amendment, the millage was reduced to the current amount of 2.0349.

This additional millage levy has provided the City with resources to effectively respond to residents' concerns, repair road defects in neighborhoods, avoid deterioration and major reconstruction, and has provided overall improvement in the City's local roads and surface condition.

The Mayor, Controller and Budget Director are recommending that the millage be renewed to continue the City's existing local road repair program, and to provide the revenues to continually improve and maintain local roads, including public parking or access areas.

THEREFORE, IT IS RESOLVED, that in accordance with Act No. 279 of the Public Acts of Michigan, 1909, as amended, Section 9.1 of the Charter of the City of Warren, which reads as follows:

"The city shall have the power to assess taxes and to lay and collect rents, tolls and excises. The annual general ad valorem tax levy for municipal purposes shall not exceed nine-tenths of one percent of the assessed value of all real and personal property in the city: Provided that in addition to the foregoing, the city shall have the power to levy three-tenths of one mill of the assessed valuation as equalized, of all property in the city for the purpose of additional fire department life support units: Provided further that in addition to the foregoing, the city shall have the power to levy .9798** of one mill each year for police protection for a period of twenty (20) years (authorized on August 4, 1998); Provided further that in addition to the foregoing, the city shall have the power to levy .9798** of one mill each year for fire and emergency medical rescue services for a period of twenty (20) years (authorized on August 4, 1998): Provided further that in addition to the foregoing, the city shall have the power to continue to levy .9676 mills each year for police protection for twenty (20) years, following expiration of the .9798 tax levy authorized on August 4, 1998 and continuing through the December 2038 tax levy***. Provided further that in addition to the foregoing, the city shall have the power to continue to levy .9676 each year for fire and emergency medical services for twenty (20) years, following expiration of the tax levy of the .9798 mills authorized on August 4, 1998, and continuing through the December 2038 tax levy***. Provided further that in addition to the foregoing, the city shall have the power to levy one mill for Parks and Recreation and Forestry effective August 4, 1992: Provided further that in addition to the foregoing, the City shall have the power to levy an additional 2.1 mills for the repair and replacement of local streets and roadways for a period of five (5) years (authorized on November 2011): Provided further that in addition to the foregoing, the City shall have the power to continue to levy 2.1 mills for the repair and replacement of local streets and roadways for an additional five (5) years, upon expiration of the tax levy of 2.1 mills for local streets and roads (authorized on November 2011), and beginning with the December 2016 tax levy and continuing

through the December 2020 tax levy. Provided further that in addition to the foregoing, the city shall have the power to levy an additional 4.9 mills each year for police protection and fire safety protection for a period of five (5) years, effective August 7, 2012. Provided further that in addition to the foregoing, the city shall have the power to continue to levy an additional 4.9** mills each year for police and fire safety protection for five (5) years, after the expiration of the tax levy of the additional 4.9 mills authorized on August 2, 2016, and continuing through the December 2021 tax levy."

*(**actual amounts are may be lower due to the Headlee reductions. The library millage. The library millage is set forth in section 7.23 of the City Charter).*

A Shall read as follows, subject to approval of the electorate of the City of Warren:

"The city shall have the power to assess taxes and to lay and collect rents, tolls and excises. The annual general ad valorem tax levy for municipal purposes shall not exceed nine-tenths of one percent of the assessed value of all real and personal property in the city: Provided that in addition to the foregoing, the city shall have the power to levy three-tenths of one mill of the assessed valuation as equalized, of all property in the city for the purpose of additional fire department life support units: Provided further that in addition to the foregoing, the city shall have the power to levy .9798** of one mill each year for police protection for a period of twenty (20) years (authorized on August 4, 1998); Provided further that in addition to the foregoing, the city shall have the power to levy .9798** of one mill each year for fire and emergency medical rescue services for a period of twenty (20) years (authorized on August 4, 1998): Provided further that in addition to the foregoing, the city shall have the power to continue to levy .9676 mills each year for police protection for twenty (20) years, following expiration of the .9798 tax levy authorized on August 4, 1998 and continuing through the December 2038 tax levy***. Provided further that in addition to the foregoing, the city shall have the power to continue to levy .9676 each year for fire and emergency medical services for twenty (20) years, following expiration of the tax levy of the .9798 mills authorized on August 4, 1998, and continuing through the December 2038 tax levy***. Provided further that in addition to the foregoing, the city shall have the power to levy one mill for Parks and Recreation and Forestry effective August 4, 1992: Provided further that in addition to the foregoing, the City shall have the power to levy an additional 2.1 mills for the repair and replacement of local streets and roadways for a period of five (5) years (authorized on November 2011): Provided further that in addition to the foregoing, the City shall have the power to continue to levy 2.1 mills for the repair and replacement of local streets and roadways for an additional five (5) years, upon expiration of the tax levy of 2.1 mills for local streets and roads (authorized on November 2011), and beginning with the December 2016 tax levy and continuing through the December 2020 tax levy. Provided further that the city shall be have the power to continue to levy an additional 2.1 mills** for local street and roadways, which may include local paved areas, for an additional five (5) years, beginning with the tax levy in December 2021 and continuing through the July 2025 tax year***; Provided further that in addition to the foregoing, the city shall have the power to levy an additional 4.9 mills each year for police protection and fire safety protection for a

period of five (5) years, effective August 7, 2012. Provided further that in addition to the foregoing, the city shall have the power to continue to levy an additional 4.9** mills each year for police and fire safety protection for five (5) years, after the expiration of the tax levy of the additional 4.9 mills authorized on August 2, 2016, and continuing through the December 2021 tax levy. Provided further that the City shall have the power to continue to levy an additional 4.9 mills** each year to police and fire safety protection for five (5) years, beginning with the July 2022 tax levy and ending though the July 2026 tax levy.****

(** actual amounts are lower than as stated above due to the Headlee reductions).

(*** subject to voter approval to renew the millage on August 3, 2021).

IT IS FURTHER RESOLVED, that the purposes of such proposed Charter Amendment shall be designated on the ballot to be submitted to the electorate as:

**MILLAGE RENEWAL PROPOSAL FOR LOCAL STREET
AND ROAD REPAIR AND REPLACEMENT**

"Shall the City of Warren continue to be authorized in section 9.1 of the City Charter to levy up to 2.0349 (\$2.0349 per \$1,000) on taxable value of property located in the City of Warren each year for five (5) years beginning with the December 2021 tax levy, and continuing through the July 2025 levy, inclusive? The millage will raise in the first year of such levy estimated revenues of \$7,435,619, for the purpose of repairing or replacing local streets and roads, including public access or parking areas? If approved, this would renew a previously authorized millage."

Yes _____

No _____

IT IS FURTHER RESOLVED, that this resolution shall be severable, and if any provision or part of this resolution is found to be invalid or unlawful by the Attorney General, Governor, or by any court of competent jurisdiction, or by other operation of law, the remaining provisions or parts of the resolution shall be unaffected, and shall remain in full force and effect.

IT IS FURTHER RESOLVED, that the City Attorney shall submit this resolution to the Governor and Attorney General for approval.

IT IS FURTHER RESOLVED, that the proposed charter amendment shall be submitted to the qualified electors of the City at a Special Election to be held in the City

of Warren, the 3rd day of August, 2021, and the City Clerk shall give notice of the election in the manner prescribed by law, and to perform all tasks and provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law.

IT IS FURTHER RESOLVED, that non-material corrections to the ballot proposals or this resolution as may be directed by the Attorney General, may be incorporated into an amended resolution, and distributed to Council, provided that revisions that are material in nature shall be re-submitted for approval of Council.

AYES: Councilmembers Moore, Lafferty, Kabacinski, Papandrea, Rogensues, Watts, Green

NAYS: Councilmembers _____

RESOLUTION DECLARED ADOPTED this 13th day of April, 2021 by a three-fifth vote of its membership pursuant to the authority granted by Act 279 of the Public Acts of 1909, as amended.



MINDY MOORE
Secretary to the Council

CERTIFICATION

STATE OF MICHIGAN)
)SS.
COUNTY OF MACOMB)

I, SONJA BUFFA, duly elected City Clerk for the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Warren at its meeting held April 13, 2021.



SONJA BUFFA
City Clerk

