

**AGENDA**  
**WYOMING CITY COUNCIL SPECIAL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, NOVEMBER 28, 2022, 5:00 P.M.**

**1) Call to Order**

**2) Roll Call**

**3) Public Comment on Agenda Items**

*This public comment period is reserved for comment on agenda items only. If you wish to speak about an item that is not on the agenda, please hold your comments until the acknowledgement of visitors at the end of the meeting. It is important to note this is not an opportunity for dialog or debate; this is an opportunity to provide comment to the City Council. Upon approaching the podium, please begin by providing your name and address. There is a 3 minute limit per person.*

**4) Resolutions**

- a) To Adopt and Propose Elector Approval of an Amendment to the City Charter to Provide for Levy of Additional Property Tax at the May 2, 2023 Special Election to Support Fire Services, Police and Law Enforcement Services, and First Responder Services, and to Rescind the Similarly Titled Resolution 27503, Adopted October 31, 2022

**5) Acknowledgment of Visitors**

*This public comment period is an opportunity to share concerns or present topics to the City Council that were not part of this meeting's agenda. This is not an opportunity for dialog with Council, but Council may make referrals or request staff to follow up. Please provide your name and address when approaching the podium. There is a 3 minute limit per person.*

**6) Adjournment**

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO ADOPT AND PROPOSE ELECTOR APPROVAL OF AN AMENDMENT TO THE CITY CHARTER TO PROVIDE FOR LEVY OF ADDITIONAL PROPERTY TAX AT THE MAY 2, 2023 SPECIAL ELECTION TO SUPPORT FIRE SERVICES, POLICE AND LAW ENFORCEMENT SERVICES, AND FIRST RESPONDER SERVICES, AND TO RESCIND THE SIMILARLY TITLED RESOLUTION 27503, ADOPTED OCTOBER 31, 2022

WHEREAS:

1. Population growth, additional development, increased traffic, crime trends, increased demands for fire department responses, and other factors have led city leaders to conclude additional police officers and firefighters are needed to provide for the safety of city residents and property, as well as the safety of city police officers and firefighters.
2. Hiring of additional police officers and firefighters requires additional revenues.
3. Section 9.1 of the City Charter of the City of Wyoming, currently limits property taxation as follows:

**Sec. 9.1. Power to tax: tax limit.**

The City shall have the power to assess taxes and levy and collect rents, tolls and excises. Exclusive of any levies authorized by statute to be made beyond charter tax rate limitation, the annual ad valorem tax levy shall not exceed one-half percent of the valuation of all real and personal property subject to taxation in the City, except that an additional two-tenths of one percent, 2 mills on the dollar, may be levied for sewer, water and street improvements, but this latter shall in no way be construed as limitation on the issuance of bonds for water or sewer purposes. An additional thirty-nine thousandths (39/1000) of one percent, 0.39 mills on the dollar, or less, may be levied annually for the operation, maintenance and any other expenses for the public library in the City of Wyoming or for capital improvements in public parks in the City of Wyoming.

- (a) *Sidewalk snowplowing and maintenance levy.* The city shall have the power to levy an additional 2/100 of one percent, 0.2 mills on the dollar for the purpose of snowplowing sidewalks and to repair and construct sidewalks within the city.
  - (b) *Public transportation levy.* An additional twenty-five thousandths (25/1000) of one percent (1%), a 0.25 mills on the dollar, or less, may be levied annually for use for public transportation. (This subsection shall expire on June 30, 2000).
  - (c) *Parks, recreation and senior citizens centers levy.* An additional fifteen-hundredths of one percent, 1.5 mills on the dollar, or less, may be levied annually for use for the operation, maintenance and any other expenses for parks, recreation and senior citizens centers.
  - (d) *Fire department levy.* An additional seventy-five-thousandths of one percent, 0.75 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Fire Department.
  - (e) *Police department levy.* An additional one hundred-twenty-five-thousandths of one percent, 1.25 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Police Department.
  - (f) *Public Safety levy.* An additional one hundred-twenty-five thousandths of one percent, 1.25 mills on the dollar, may be levied annually for public safety for the operation, maintenance and administration of police and fire services.
4. The City Council wishes to amend the City Charter to levy an additional 1.5 mills of *ad valorem* property tax for fire services, police and law enforcement services, and first responder services for 5 years.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Section 9.1 of City Charter of the City of Wyoming, Michigan be amended by adding subsection (g) to read as follows:
  - (g) *Fire, law enforcement and first responder levy.* An additional one-hundred-fifty-thousandths of one percent, 1.50 mills on the dollar, may be levied annually for public safety including fire services, police and law enforcement services, and first responder services. (This subsection shall expire on June 30, 2028.)

2. If the proposed City Charter amendment is approved by city electors, section 9.1 of the City Charter of the City of Wyoming, Michigan would read as follows:

**Sec. 9.1. Power to tax: tax limit.**

The City shall have the power to assess taxes and levy and collect rents, tolls and excises. Exclusive of any levies authorized by statute to be made beyond charter tax rate limitation, the annual ad valorem tax levy shall not exceed one-half percent of the valuation of all real and personal property subject to taxation in the City, except that an additional two-tenths of one percent, 2 mills on the dollar, may be levied for sewer, water and street improvements, but this latter shall in no way be construed as limitation on the issuance of bonds for water or sewer purposes. An additional thirty-nine thousandths (39/1000) of one percent, 0.39 mills on the dollar, or less, may be levied annually for the operation, maintenance and any other expenses for the public library in the City of Wyoming or for capital improvements in public parks in the City of Wyoming.

- (a) *Sidewalk snowplowing and maintenance levy.* The city shall have the power to levy an additional 2/100 of one percent, 0.2 mills on the dollar for the purpose of snowplowing sidewalks and to repair and construct sidewalks within the city.
  - (b) *Public transportation levy.* An additional twenty-five thousandths (25/1000) of one percent (1%), a 0.25 mills on the dollar, or less, may be levied annually for use for public transportation. (This subsection shall expire on June 30, 2000).
  - (c) *Parks, recreation and senior citizens centers levy.* An additional fifteen-hundredths of one percent, 1.5 mills on the dollar, or less, may be levied annually for use for the operation, maintenance and any other expenses for parks, recreation and senior citizens centers.
  - (d) *Fire department levy.* An additional seventy-five-thousandths of one percent, 0.75 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Fire Department.
  - (e) *Police department levy.* An additional one hundred-twenty-five-thousandths of one percent, 1.25 mills on the dollar, may be levied annually for the operation, maintenance and other expenses of the Police Department.
  - (f) *Public Safety levy.* An additional one hundred-twenty-five thousandths of one percent, 1.25 mills on the dollar, may be levied annually for public safety for the operation, maintenance and administration of police and fire services.
  - (g) *Fire, law enforcement and first responder levy.* An additional one-hundred-fifty-thousandths of one percent, 1.50 mills on the dollar, may be levied annually for public safety including fire services, police and law enforcement services, and first responder services. (This subsection shall expire on June 30, 2028.)
3. The proposal for this City Charter amendment shall be placed on the ballot for the May 2, 2023 special election as follows:

CITY OF WYOMING CHARTER AMENDMENT AUTHORIZING THE LEVY OF AN ADDITIONAL 1.50 MILLS FOR FIRE SERVICES, POLICE AND LAW ENFORCEMENT SERVICES, AND FIRST RESPONDER SERVICES BEGINNING JULY 1, 2023, UNTIL JUNE 30, 2028.

It is proposed that subsection 9.1(g) be added to the City Charter authorizing the levy of 1.50 mills on the dollar (\$1.50 per \$1,000 of taxable value) for public safety including fire services, police and law enforcement services, and first responder services, expiring on June 30, 2028 which is estimated to raise \$3,863,734.28 in the first year.

A portion of this amount (\$749.96) will be captured by the Wyoming Brownfield Redevelopment Authority and a portion of this amount (\$6,388.89) will be captured by the Wyoming Downtown Development Authority.

Shall this amendment be adopted?

4. The City Clerk and City Attorney are authorized and directed to send a copy of this resolution to the governor and to the attorney general for approval of the proposed charter amendment and ballot proposal.
5. The City Clerk and City Attorney are authorized and directed to publish the full text of the proposed charter amendment together with the existing City Charter section 9.1 in at least one edition of *The Grand Rapids*

*Press* and to take all other steps to ensure the proposal is placed on the ballot and notices provided as required by the City Charter; the home rule city act, 1909 PA 279, MCL 117.1 *et seq.*; the Michigan election law, 1954 PA 116, MCL 168.1 *et seq.*; and any other applicable law.

6. Resolution No. 17503, entitled “Resolution Adopting and Proposing Elector Approval of an Amendment to the City Charter to Provide for Levy of Additional Property Tax at the May 2, 2023 Special Election to Support Fire Services, Police and Law Enforcement Services and First Responder Services,” adopted October 31, 2022, is rescinded in its entirety. All other resolutions and parts of resolutions that conflict with this resolution are rescinded.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes: Councilmembers:

                                 No: Councilmembers:

CERTIFICATION

I certify that this Resolution was adopted by the City Council of the City of Wyoming, Michigan at a special meeting held on November 28, 2022.

Date signed: November 29, 2022

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: November 14, 2022  
Subjects: Proposed Amendment to Charter §9.1 for Additional Millage Levy – Revised Ballot Question  
From: Scott Smith, City Attorney  
Meeting Date: November 28, 2022

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### **RECOMMENDATION:**

Adopt the “Resolution to Adopt and Propose Elector Approval of an Amendment to the City Charter to Provide for Levy of Additional Property Tax at the May 2, 2023 Special Election to Support Fire Services, Police and Law Enforcement Services, and First Responder Services, and to Rescind the Similarly Titled Resolution 27503, Adopted October 31, 2022.”

### **COMMUNITY, SAFETY, STEWARDSHIP:**

Community – Public safety is a priority of citizens, businesses, and Council Members.

Safety – Additional police and fire personnel are needed to provide law enforcement, fire prevention and suppression, and first responder services needed in the city without undue reliance on other communities.

Stewardship – Additional funding is essential to hiring additional police and fire personnel.

### **BUDGET IMPACT:**

If approved by the electors, the proposed City Charter amendment will provide an estimated \$3,863,734.28 of additional funding in the first year.

### **DISCUSSION:**

This is a replacement resolution that incorporates a revised form of ballot question to address concerns raised by the attorney general’s office during its required review of the proposed charter amendment and ballot proposal. The substance remains the same.

While the original ballot question was phrased consistently with past ones, the attorney general’s office sought changes. Because there is time to make those changes without impeding needed timelines, it seemed prudent to seek City Council approval of revised language to ensure the attorney general’s and governor’s approvals of the proposed charter amendment.

The attorney general’s office has informally stated that this resolution satisfactorily addresses its previously stated concerns and assured us that, once this resolution is submitted, formal review will be expedited if we return it with additional information, including the City Clerk’s e-mail address to permit formal review letters to be promptly conveyed.