



SENATE BILL No. 1197

June 22, 1994, Introduced by Senator HONIGMAN and referred
to the Committee on Local Government and Urban
Development

A bill to amend section 8 of chapter V of Act No 3 of the
Public Acts of 1895, entitled as amended

"An act to provide for the incorporation of villages to define
their powers and duties to provide for the levy and collection
of taxes, borrowing of money, and issuance of bonds and other
evidences of indebtedness by villages to define the powers and
duties of the municipal finance commission or its successor
agency and of the department of treasury with regard thereto to
define the application of this act and provide for its amendment
by villages subject thereto and to validate prior amendments and
certain prior actions taken and bonds issued by villages,"

as amended by Act No 173 of the Public Acts of 1985, being sec-
tion 65 8 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 8 of chapter V of Act No 3 of the
2 Public Acts of 1895, as amended by Act No 173 of the Public Acts
3 of 1985, being section 65 8 of the Michigan Compiled Laws, is
4 amended to read as follows

CHAPTER V

1

2 Sec 8 (1) The council may employ a village manager The
3 manager shall serve at the pleasure of the council

4 (2) THE COUNCIL MAY ENTER INTO AN EMPLOYMENT CONTRACT WITH A
5 VILLAGE MANAGER EXTENDING BEYOND THE TERMS OF THE MEMBERS OF THE
6 COUNCIL AN EMPLOYMENT CONTRACT WITH A MANAGER SHALL BE IN WRIT-
7 ING AND SHALL SPECIFY THE COMPENSATION TO BE PAID TO THE MANAGER,
8 ANY PROCEDURE FOR CHANGING THE COMPENSATION, ANY FRINGE BENEFITS,
9 AND ANY OTHER CONDITIONS OF EMPLOYMENT THE CONTRACT SHALL STATE
10 THAT THE MANAGER SERVES AT THE PLEASURE OF THE COUNCIL THE CON-
11 TRACT MAY PROVIDE FOR SEVERANCE PAY OR OTHER BENEFITS IN THE
12 EVENT THE EMPLOYMENT OF THE MANAGER IS TERMINATED AT THE PLEASURE
13 OF THE COUNCIL

14 (3) Unless otherwise provided by ordinance adopted under
15 subsection ~~-(2)-~~ (4), the council may assign to the manager only
16 those powers and duties not required by law to be assigned to or
17 performed by another official of the village

18 (4) ~~-(2)-~~ The council may adopt an ordinance assigning to
19 the manager an administrative duty imposed by this act on the
20 council an administrative duty imposed by this act on the vil-
21 lage president the authority to appoint, remove, direct, or
22 supervise any employee or appointed official of the village or
23 supervisory responsibility over the accounting, budgeting, per-
24 sonnel, purchasing, and related management functions imposed by
25 this act on the village clerk and the village treasurer ~~The~~
26 ~~assignment of responsibilities to the manager becomes effective~~
27 ~~upon adoption of the ordinance, except that the~~ THE council

1 shall provide in the ordinance that the assignment becomes
2 effective 45 days after the date of adoption ~~and that if~~ UNLESS
3 a petition signed by not less than 10% of the registered electors
4 of the village is filed with the village clerk within the 45-day
5 period, IN WHICH CASE the ordinance shall not become effective
6 until after the ordinance is approved at an election held on the
7 question Notice of the delayed effect of the ordinance and the
8 right of petition under this subsection shall be published sepa-
9 rately at the same time, and in the same manner, as the ordinance
10 is published pursuant to section 4 of chapter VI The village
11 clerk shall compare the signatures on the petitions to the signa-
12 tures of those electors as they appear on the registration cards
13 of the village If a petition bearing the required number of
14 valid signatures of electors is filed, the clerk shall perform
15 the acts required for the submission of the question of adoption
16 of the ordinance at the next general or special election An
17 ordinance adopted before ~~the effective date of this subsection~~
18 DECEMBER 2, 1985 that conforms substantially with the require-
19 ments of this subsection is valid to the same extent as if the
20 ordinance had been adopted after ~~the effective date of this~~
21 ~~subsection~~ DECEMBER 2, 1985