



SENATE BILL No. 1199

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

A bill to amend section 3 of chapter V of Act No 215 of the
Public Acts of 1895, entitled as amended

"The fourth class city act,"

being section 85 3 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 3 of chapter V of Act No 215 of the
2 Public Acts of 1895, being section 85 3 of the Michigan Compiled
3 Laws, is amended to read as follows

4 CHAPTER V

5 Sec 3 (1) A city attorney, city marshal, street commis-
6 sioner, city surveyor, ~~a~~ city assessor when provided for, and
7 ~~a~~ chief engineer of the fire department shall be appointed by
8 the mayor, ~~by and~~ with the consent of the council The council
9 may also provide by ordinance for the appointment of, for the
10 term prescribed in the ordinance, other officers whose election

1 or appointment is not specially provided for in this act ~~—~~ as
2 the council considers necessary for the execution of the powers
3 granted by this act These appointments shall be made by the
4 mayor, ~~by and~~ with the consent of the council, and ~~their~~ THE
5 powers and duties OF THE OFFICERS shall be prescribed by
6 ordinance The mayor shall not have a vote in the council
7 regarding mayoral appointments of those officers

8 (2) THE COUNCIL MAY APPOINT A CHIEF ADMINISTRATIVE OFFICER
9 FOR A TERM PRESCRIBED BY ORDINANCE UNDER SUBSECTION (1) OR TO
10 SERVE AT THE PLEASURE OF THE COUNCIL IF THE CHIEF ADMINISTRA-
11 TIVE OFFICER SERVES AT THE PLEASURE OF THE COUNCIL, THE COUNCIL
12 MAY ENTER INTO AN EMPLOYMENT CONTRACT WITH THE CHIEF ADMINISTRA-
13 TIVE OFFICER EXTENDING BEYOND THE TERMS OF THE MEMBERS OF THE
14 COUNCIL AN EMPLOYMENT CONTRACT WITH THE CHIEF ADMINISTRATIVE
15 OFFICER SHALL BE IN WRITING AND SHALL SPECIFY THE COMPENSATION TO
16 BE PAID TO THE CHIEF ADMINISTRATIVE OFFICER, ANY PROCEDURE FOR
17 CHANGING THE COMPENSATION, ANY FRINGE BENEFITS, AND ANY OTHER
18 CONDITIONS OF EMPLOYMENT THE CONTRACT SHALL STATE THAT THE
19 CHIEF ADMINISTRATIVE OFFICER SERVES AT THE PLEASURE OF THE
20 COUNCIL THE CONTRACT MAY PROVIDE FOR SEVERANCE PAY OR OTHER
21 BENEFITS IN THE EVENT THE EMPLOYMENT OF THE CHIEF ADMINISTRATIVE
22 OFFICER IS TERMINATED AT THE PLEASURE OF THE COUNCIL

23 (3) ~~—(2)—~~ A writing prepared, owned, used, in the possession
24 of, or retained by a board, commission, or committee created
25 under this act in the performance of an official function shall
26 be made available to the public in compliance with THE FREEDOM OF

1 INFORMATION ACT, Act No 442 of the Public Acts of 1976, being
2 sections 15 231 to 15 246 of the Michigan Compiled Laws