

Committee Charge: Gather, analyze and present objective facts and a recommendation in an advisory report to the Village Council regarding incorporation as a Home Rule City.

FREQUENTLY ASKED QUESTIONS

June 18, 2019

1. Why is the village looking to change to a city?

The Village of Manchester has considered becoming a city at different times over the years, dating as far back as the 1970s. In Michigan, cities have more autonomy than villages due to their municipal structure, which means villages and townships are tied together in certain decision making even if it's not beneficial for both village and township residents. Plus, in certain areas, such as tax collection, there are two layers of government as opposed to one, adding an extra layer that may not be necessary. Reflecting on the needs and interests of village residents and whether the current duplicative government structure serves the community and its future in the best way possible is what led to the exploration of becoming a city. At this stage, it's an exploratory process and no decision has been made on whether to pursue such an endeavor. The Village Council has appointed a Citizens Advisory Committee to investigate the process, review the pros and cons from similar communities that have completed cityhood initiatives and give feedback on how this will impact the village and the surrounding communities. The committee will deliver its findings in a report to Village Council once complete.

2. How is a city different from a village?

City status results in less duplicative government than a village. A city is considered a primary local unit of government by the state while a village is a subunit of the township. A village is not considered a primary local unit of government by the state as it does not assess or collect taxes (except its own village tax) and it does not conduct county, state and national elections.¹

A city assumes the legally required duties of primary local units of government: 1. Assessing property 2. Collecting taxes for the county and schools 3. Conducting county, state and national elections. A city also provides local public services such as fire/police protection, water supply, sewage disposal, zoning, etc.²

3. What are the disadvantages of going from a village status to a city status?

City residents would not be able to run for elected office in Manchester Township or vote in Township elections since they would not be residents of the Township.

4. What are the advantages of going from a village status to a city status?

Under city status, residents could see a reduction in annual property taxes, would have sole control over decisions made that affect city residents and would remove the duplicative government structure that currently exists.

¹ Michigan Municipal League, Municipal Report, *Impact of Changing from a Village to a City*, Updated January 2019

² Ibid.

5. Will village residents vote on this? Yes, the process includes several formal/regulated decision points for village resident registered voters: a. Petition process – once petition language is approved by the State Boundary Commission and Public Hearings and comments are concluded, the petition must be signed by 20% of village voters within 45 days asking for an election on the issue b. An election is then held for members of the Charter Commission c. An election is then held on the new proposed Charter. The results of that election determine if the Village becomes a City.³

Also please see Exhibit A *Timeline for Incorporation as a Home Rule City*.

6. Would this change affect my property taxes?

The change would be that village property owners would no longer pay township taxes. The city would, however, need to contract for fire protection that is currently provided by Manchester Township via township property taxes. A new city tax to fund this contract would be necessary and likely similar in amount to the current Manchester Township fire millage.

7. How would the city pay for providing the required duties in #2 above?

The village is currently providing many of these functions, either directly (water supply, sewage disposal, zoning), through contract (police protection) or through taxes to the township (fire protection).

Collecting county and school taxes (pass through to these entities) would utilize existing village operations

The assessment costs would be additional and would probably be contracted.

The additional costs associated with conducting county, state and national elections would be procuring voting equipment, training the clerk, staffing the polling station and publication of notices.

No additional village staff would be required in providing these functions. Expenses for the additional work would be offset by the property tax administration fees currently collected by the township.

8. Would the village still provide fire protection as a city?

Residents will continue to have fire protection services regardless of whether the community is a village or a city. If the Village of Manchester is incorporated as a city, officials would negotiate a contract for fire protection services. Manchester Township has agreed to the idea of a negotiated contract or agreement. The taxes paid for fire protection would switch from township tax collection to city tax collection.

9. How would the ownership of fire protection-related assets such as the Fire Hall, trucks and other equipment be determined? This would be subject to state law and working with Manchester Township.

³ Transition to Cityhood/March 18,2011/Don Beavers/Michigan Municipal League

10. Would the village still provide police protection as a city? Yes. Manchester, as a village or city, would continue to contract with the Washtenaw County Sheriff Department for police coverage.

11. Would the village limits change? The village would propose keeping its current boundaries. The State Boundary Commission may initiate a change as part of its mandatory review.

12. Can we still be called a village? Yes

13. Would this affect current local events such as the Chicken Broil, Christmas in the Village, the Farmers Market, etc.? No

14. What effect will this have on the schools? None

15. What effect will this have on Manchester Township? Responding to the invitation in the April 23, 2019 letter to Manchester Township Supervisor DeRossett, Township officials stated at their June 4th presentation to the CAC that they have not calculated the budgetary impact of this change. They plan to do so in the next few weeks. Accordingly they also stated that any operational impact is also yet to be determined.

16. How long a process is this change likely to take? The process includes multiple steps, some of which have specific time requirements. Most villages that have taken the process to cityhood status have taken 2-3 years. Please see **Exhibit A** attached to this FAQ for a full timeline from the State Boundary Commission.

17. What is the experience of former villages that are now cities? In general the villages that have converted to cities are pleased with the results and would do it again. There have been issues to deal with in every instance, but for the most part the outcomes have proven positive.

This change is relatively minor in the immediate impact upon residents. The autonomy of both recognized governmental units (the city and the township) allows each to pursue their interest where those interests may diverge.

**Timeline for Incorporation as a Home Rule City
Outlined by the State Boundary Commission**

Exhibit A

Part I. Petition Process

Action	Timeline
1. Pre-filing activities, e.g., task force, survey, public forums	

2. Prepare and submit draft petition for preview	Approximately 1-2 months
3. Circulate petition for signatures	
4. File petition with State Boundary Commission on forms provided by the Boundary Commission	
5. Determination of legal sufficiency by Boundary Commission	Approximately 2-3 months after filing. If petition is determined to be legally sufficient then go on to 6. If petition is determined to not be legally sufficient, the process ends. A new petition must be filed, and the process would start over.
6. Public Hearing conducted by Boundary Commission	Approximately 3-4 months after legal sufficiency meeting (only if approved as legally sufficient)
7. Submit additional public comment to Boundary Commission	During 30-day period following public hearing
8. Rebuttal Period (7day period on material received at public hearing and during 30-day period for involved parties (petitioner, twp, village, city) only	The 7-day rebuttal period is designated by SBC staff after the 30-day public comment period expires.
9. Adjudication (Commission deliberation and recommendation to Director based on docket evidence and record)	Approximately 2-3 months after rebuttal period
10. Adopt Findings of Fact document	Approximately 1-2 months after adjudication
11. Director of Department of Licensing and Regulatory Affairs Signs Order	Approximately 1-2 weeks after Findings are adopted

If the order denies the petition for the proposed incorporation, the process is ended.

If the order approves the petition to allow the proposed incorporation process to continue, and a referendum petition is filed, refer to Part II.

If the order approves the petition to allow the proposed incorporation process to continue, and a referendum petition is not filed, refer to Part III.

Part II. Referendum

Action	Timeline
1. Circulate referendum petition form for signatures	
2. File referendum petition with the Boundary Commission	Within 45 days of the date the Order is signed by the Director

3. Boundary Commission determines legal sufficiency of referendum petition	Approximately 2 months after filing
4. Referendum election	Date set to coincide with Michigan Election Law
5. If the continuation of the incorporation proceedings are approved by referendum, then a charter must be adopted within 2 years of the date the approval order becomes effective.	

Part III. Adoption of Charter

Action	Timeline
1. Charter Commission candidates file nominating Petitions	In time for county clerks to prepare local ballots
2. Election of 9 charter commissioners	
3. Write a draft charter	Charter Commission must meet within 10 days of election; frame draft within 90 dyas
4. Charter review by the Governor’s office	
5. Election on charter	
6. If charter does not pass, repeat steps 3, 4, and 5	
7. If charter is approved, the effective date of the new city is the date started in the charter	
8. If charter is not adopted within: a) three years or two attempts within three years after the date the approval order becomes effective; or b) if the charter commission does not reconvene within 90 days after the election at which the first proposed charter was defeated, the incorporation proceedings are ended.	

⁶ State of Michigan, State Boundary Commission, Office of Land Survey Remonumentation, Bureau of Construction Codes/LARA.