

Village Council Orientation

December 16, 2024

Village of Lake Orion
EST 1859



Legal Framework of Village Government

- Federal Law
 - US Constitution
 - Federal Statutes and Code of Federal Regulations (CFR)
 - Federal Case Law
 - Presidential Executive Orders
- State Law
 - Michigan Constitution
 - Michigan Statutes and Administrative Rules
 - State Case Law
 - Governor's Executive Orders



Legal Framework of Village Government (cont'd)

- Village Laws
 - Village Charter
 - Village Ordinances
 - Council Resolutions (rules, regulations, policies, and directives)
 - Administrative Policies and Procedures

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Michigan Sunshine Laws

- Intended to provide openness and transparency of government operations
- Michigan Open Meetings Act – Public Act 267 of 1976 as amended
 - Requires public notice of meetings of public bodies at least 18 hours in advance (Village Charter requires 24 hours notice)
 - Requires written minutes of public meetings
 - Permits closed meetings for certain, limited purposes with separate minutes
 - Provides penalties for violation of the Act



Michigan Sunshine Laws (cont'd)

- Michigan Freedom of Information Act – Public Act 442 of 1976 as amended
 - Requires public documents to be open for public inspection and copying
 - Requires an established procedure for responding to public requests for documents
 - Provides for exemption from disclosure for certain, limited documents
 - Provides for an appeal procedure for public body denials of documents
 - Provides penalties for violation of the Act



Council-Manager Form of Government

- Lake Orion is one of only 48 home rule villages (out of a total of 261 Michigan villages) with its own local charter adopted by citizens; remaining villages are General Law villages
- Lake Orion's charter establishes a council-manager form of government for the village
- Village Council = elected representatives of the people; adopt local laws, rules, regulations, and policies governing the Village and its operations
- Village Manager = Chief Administrative Officer of the village government appointed by the Village Council; responsible for the efficient and effective operations of the Village and providing professional advice on Village matters to the Council and other boards and commissions



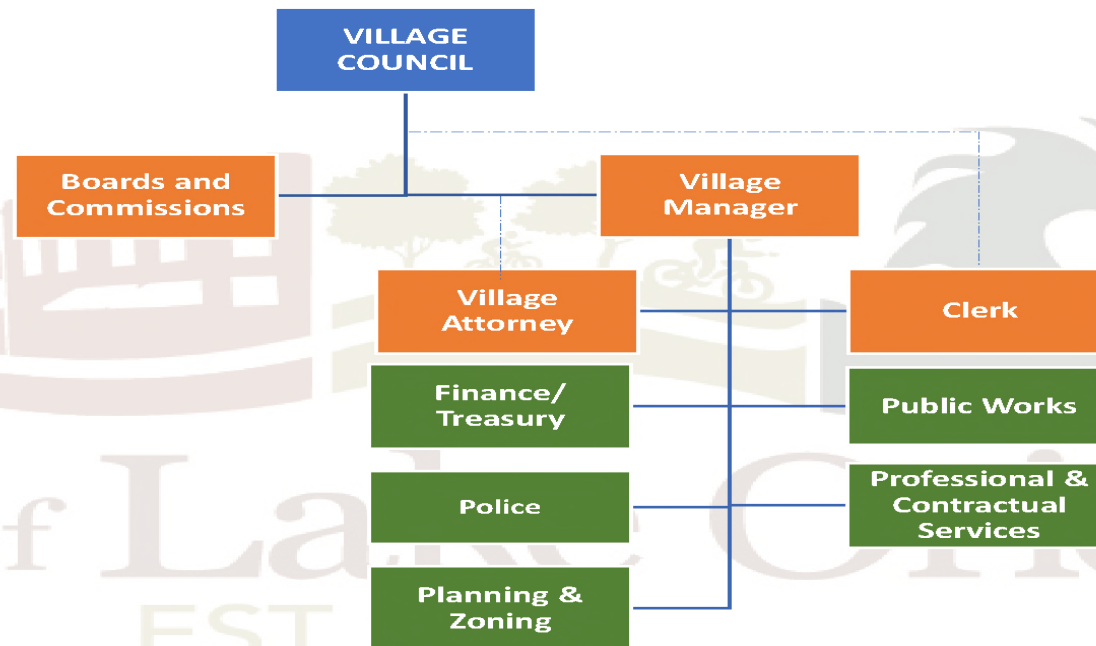
Council-Manager Form of Government (cont'd)

- Charter requires distinct separation between legislative and administrative functions and makes it a requirement that every office of the Village maintain that separation
- Charter also requires Council members to deal with Village staff only through the Village Manager except for purposes of inquiry; Council cannot give direction to Village staff
- Charter prohibits standing committees of the Council



Organizational Structure of Village

VILLAGE OF LAKE ORION ORGANIZATIONAL CHART



Public Service Partners

- Village Contractors
 - Engineering Services – Nowak & Fraus Engineers
 - Planning and Zoning Services – McKenna
 - Building Permitting & Inspection Services – Orion Township Building Department
 - Tax Collections – Orion Township Treasurer
 - Water Supply – Orion Township and Great Lakes Water Authority
 - Sanitary Sewer Operations, Maintenance & Treatment – Oakland County Water Resources Commissioner and Clinton-Oakland Sewage Disposal System/Oakland-Macomb Interceptor Drainage District
 - Rubbish and Recycling Collection Services – Priority Waste LLC
 - Information Technology Services – VC3, Inc.



Public Service Partners (cont'd)

- Services Provided by Other Governmental Units
 - Assessing Services – Orion Township and Oakland County Equalization Division
 - Election Services – Orion Township Clerk
 - Fire Services – Orion Township Fire Department (through millage)
 - Library Services – Orion Township Public Library (through millage)
 - Transportation Services – North Oakland Transportation Authority (through millage)
 - Cable Television Public, Education, & Government (PEG) Services – Orion Neighborhood Television and Orion Community Cable Communications Commission (through video franchise fees)



Village Council

- Seven (7) elected Council members serving staggered four-year or two-year terms; elections held during even-numbered years
- Village President and President Pro-Tem elected by Council after each general election to two-year terms
- Election requirements and process set by Charter
- Powers, duties, and authority of Council set by Charter
- Council is the governing and legislative (policymaking) body responsible for enacting ordinances and adopting policies for Village operations; appoints Village Manager, Clerk, and Attorney; adopts annual budget, fee schedules, utility rates, and major plans such as the CIP, Master Plan, Parks and Recreation Master Plan, and asset management plans
- Council conducts its meetings in accordance with the OMA and its own adopted rules of procedure
- Council develops annual goals in January of each year as a guide in the preparation of the ensuing year's budget proposal



Village President

- Elected every two years by Council
- Presides over Village Council meetings
- Possesses a vote on all matters coming before the Council
- Has no veto power
- Possesses certain emergency powers as enumerated by the Village Charter
- Is the appointing authority for the DDA Board of Directors and Planning Commission, subject to Council approval, and serves as a voting member on both boards



Village Manager

- Position established by Village Charter as Chief Administrative Officer of the Village government
- Appointed by the Village Council under an employment agreement
- Professionally trained and experienced, politically neutral public administrator
- Responsible for the proper administration and management of Village operations, services, and personnel
- Appoints administrative officers of the Village , except Clerk and Attorney, subject to Council approval
- Hiring authority for all other employees of the Village
- Provides professional advice to Council and other boards and commissions



Village Manager (cont'd)

- Responsible for enforcement of Village laws
- Prepares and administers Village budget in accordance with Charter requirements
- Serves as Zoning Administrator, Act 51 Street Administrator, Title VI Coordinator, and Purchasing Agent
- Serves as a voting member on the Planning Commission



Budgeting and Finance

- Budget process and taxation governed by the Michigan Constitution, Michigan Uniform Budgeting and Accounting Act, Michigan General Property Tax Act, and Village Charter
- Headlee and Proposal “A” have significant impact on Village finances
- Financial statements of the Village are audited annually in accordance with the Village Charter, generally accepted accounting principles, and the Government Accounting Standards Board
- Actuarial reports of the Pension/Retirement and Other Post Employment Benefits (retiree healthcare) legacy costs are issued annually
- Budgets, audits, and pension and OPEB annual actuarial valuation reports are available on the Village web site



Purchasing and Bidding

- Purchasing and bidding regulations are governed by the Village Charter and purchasing ordinance of the Village
- The Village competitively bids purchases exceeding \$25,000; Council must approve purchases over \$50,000; purchases under \$25,000 are based on competitive price quotes
- The Village utilizes the Michigan Intergovernmental Trade Network's (MITN) Bidnet Direct online system for sealed competitive bidding
- The Village also occasionally “piggybacks” on other governmental units' bids or the State of Michigan MiDeal cooperative contracts system
- The Village utilizes the BS&A purchase order financial software to manage the budget and to monitor compliance with bid requirements



Web Site and Technology

- Administration utilizes a variety of technology to assist with operations and service delivery. Some important software and web applications include:
 - Microsoft Office suite of applications
 - BS&A cloud application for financial accounting and reporting
 - CivicPlus for web site design and management – www.lakeorion.org
 - CivicPlus Meeting Essentials for meeting agenda, minutes, and video management
 - GoGOV GoEnforce for code enforcement reporting and tracking
 - BidNet Direct web platform for competitive bidding
 - American Legal Publishing web platform for online ordinances
 - SilverSmith web application for GIS, asset management, and DPW work orders
 - Considering GoGOV for zoning, events, and other permits



Ethics

- Village Charter prohibits nepotism in appointments to Village offices or employment
- Village Charter prohibits personal interest in Village contracts
- Village ordinance establishes certain ethical standards for all Village officials and employees and establishes the Board of Ethics to hear complaints of alleged ethics violations; Council will be considering appointments to this board soon
- Village Manager is also bound by the International City/County Management Association Code of Ethics as a member of ICMA and MME professional organizations



**For more in-depth information on the topics covered,
please visit the Village web site at**

www.lakeorion.org

QUESTIONS?

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