

City Paving Program Has Its Problems

Radio Experiment Approved In Troy

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Notice is hereby given that an election will be held in the City of Birmingham, County of Oakland, State of Michigan, on

MONDAY, APRIL 7, 1952

at the place or places of holding the election in said city as indicated below, viz:

- Precinct 1—Lutheran Church of the Redeemer—Church School—West Maple near Chesterfield.
- Precinct 2—Holy Name School, Corner Harmon and Woodland—Woodland Avenue Entrance.
- Precinct 3—Adams School, Corner Oakland and Worth.
- Precinct 4—Municipal Building, 151 Martin Street.
- Precinct 5—Torry School, 1658 East Lincoln, Corner Torry.
- Precinct 6—New Y.M.C.A. Building, 400 E. Lincoln.
- Precinct 7—Grand Trunk Station, 245 Eton.
- Precinct 8—Birmingham High School (new), Corner West Lincoln and Cranbrook.

from seven o'clock in the forenoon until eight o'clock in the afternoon Eastern Standard Time, for the purpose of electing the following officers:

Two City Commissioners (Full Three Year Term), One City Commissioner (To fill vacancy, One Year Term), Two Members of the Library Board and One Constable, and to vote on the following Charter Amendments:

CHARTER AMENDMENT NUMBER ONE AMENDMENT TO RETIREMENT SYSTEM

Section 24 (a) of Chapter XIX of the City Charter be amended to provide the City with means of reimbursement where death of an employee is caused by acts of a third party.

Section 24 (a) of Chapter XIX of the Charter of the City of Birmingham is printed herewith, immediately followed by the proposed amendment to Section 24 (a) of Chapter XIX.

Section 24 (a). Pensions Offset By Workmen's Compensation Benefits. Any amounts which may be paid or payable under the provisions of any workmen's compensation or pension or similar law, including any pensions allowed and payable by the Federal or State Governments on account of service performed in the armed forces of the United States, to a member who has not attained his eligible retirement age, or to a beneficiary or to the dependents of a member or beneficiary, on account of any disability or death shall offset against and payable in lieu of any benefits payable out of funds provided by the City under the provisions of this chapter on account of the same disability or death.

(b) **Subrogation Rights.** In the event any person becomes entitled to and does receive pension benefits as the result of an accident or injury caused by the act of a third party, the City shall be subrogated to the rights of the said person against such third party to the extent of benefits which the City pays or becomes liable to pay. Acceptance of pension benefits by any person shall be construed as an election hereunder and the City shall thereby be subrogated to the rights of said person against any third party.

(PROPOSED AMENDMENT)

Section 24 (a) Pension Offset By Workmen's Compensation Benefits.

Any amounts which may be paid or payable under the provisions of any workmen's compensation or pension or similar law, including any pensions allowed and payable by the Federal or State Governments on account of service performed in the armed forces of the United States, to a member who has not attained his eligible retirement age, or to a beneficiary or to the dependents of a member or beneficiary, on account of any disability or death shall offset against and payable in lieu of any benefits payable out of funds provided by the City under the provisions of this chapter on account of the same disability or death.

(b) **Subrogation Rights.** In the event any person becomes entitled to and does receive pension benefits as the result of an accident or injury caused by the act of a third party, the City shall be subrogated to the rights of the said person against such third party to the extent of benefits which the City pays or becomes liable to pay. Acceptance of pension benefits by any person shall be construed as an election hereunder and the City shall thereby be subrogated to the rights of said person against any third party.

(c) **Subrogation Rights in Case of Death.** In the event any person being the eligible beneficiary of a deceased member as provided in Section 24 (a) of this chapter, becomes entitled to and does receive pension benefits as the result of the death of such member in accordance with provisions of said chapter, and the death of such member occurs under circumstances giving rise to a claim for action against a third party, or under such circumstances as to result in a monetary recovery from such third party, whether by Court action or otherwise, the City shall be subrogated to the rights of said person, including the rights of the personal representative of said person, to the extent of the said third party to the extent of benefits which the City pays or becomes liable to pay. Said right of subrogation shall extend to and shall include all benefits payable to or for the benefit of any funds or sums which may be collected or received by the personal representative of said deceased member from such third party. The City shall be subrogated to such rights of subrogation.

CHARTER AMENDMENT NUMBER TWO GENERAL FINANCE

Shall the Charter of the City of Birmingham be amended, Chapter VII thereof to provide for a finance department?

(Chapter VII of the Charter of the City of Birmingham is printed herewith, immediately followed by the proposed amendment to Chapter VII.)

CHAPTER VII GENERAL FINANCE Fiscal Year

Section 1. The fiscal year of the city shall begin on the first day of July of each year.

Section 2. The city treasurer shall be the general accountant of the city and shall keep a complete set of accounts showing the financial transactions of the city, which accounts shall conform with any uniform system required by law. The city treasurer shall receive and disburse all moneys belonging to the city and shall keep an accurate detailed account of all money received from any source, including the particular fund into which or out of which the same is paid. He shall also keep a record of all moneys as in this charter provided. He shall at least once a month, and showing all cash on hand and in bank at the beginning of the preceding month, the receipts and disbursements for the preceding month, the cash and bank balances at the end of the preceding month, and the condition of the several funds of the city. He shall make such other reports as the commission may require.

Section 3. No money shall be drawn from the treasury of the city except as authorized by the commission, which shall be by check supported by voucher, carrying full detail as to principal, discounts, freight allowances, distribution, and funds. Such vouchers shall be in triplicate and shall be countersigned except in the case of labor when the payroll shall suffice. All invoices, estimates of work performed and payrolls shall be approved and signed by the manager.

each receiving and spending agency of the city government to be made at such intervals and in such form as he may deem expedient.

- (b) Submit to the Commission through the City Manager, a quarterly statement in sufficient detail to show the exact financial condition of each fund of the city and such monthly and annual statements in the form and detail as may be requested by the Commission or the Manager;
- (c) Compile such information as the Manager may require for the preparation of the annual budget;
- (d) Prescribe the forms of reports, receipts, vouchers, claims or bills to be used by all city offices, departments, and agencies and to be returned to the accounts kept in the office;
- (e) Examine all contracts, orders and other documents by which the city government incurs financial obligations and approve same after ascertaining that moneys will be available therefor and that the obligations shall become due and payable;
- (f) Audit and approve, before payment, all bills, invoices, and other evidences of claims, demands, or charges, against the city government and with the advice of the City Attorney determine the legality thereof;
- (g) Inspect, audit, and prescribe the form of any accounts or records of financial transactions which may be maintained apart from the office, department or agency of the city government and to be returned to the accounts kept in the office;
- (h) Authorize all purchases; establish specifications for material purchased; determine that material or equipment has been received in accordance with the specifications of all supplies, material, and equipment and provide for transfer or sale same.

There shall be a Treasurer's Department, the head of which shall be the City Treasurer, who shall have the following powers and duties:

- (a) Have custody of all investments and invested funds of the city government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes for transfer, registration, or exchange;
- (b) Supervise and be responsible for all disbursements as provided for by the Charter of the City;
- (c) No money shall be withdrawn from any fund of the city except as authorized by the Commission. All disbursements shall be signed by the City Treasurer or Deputy City Treasurer, and Director of Finance. All checks shall be supported by vouchers, carrying full detail of the purpose of the payment or money received, and labor when the payroll certification shall suffice. All vouchers shall be approved and signed by the Director of Finance.
- (d) The city treasurer shall be provided with an imprest cash fund in an amount to be determined from time to time by resolution of the commission, which fund shall be used for petty disbursements. Such fund shall be replenished only by approval of the commission and upon filing of receipts for moneys paid out.
- (e) No transfer shall be made from one fund to another without express authority from the commission.

Imprest Cash Fund

Section 4. The treasurer shall be provided with an imprest cash fund in an amount to be determined from time to time by resolution of the commission, which fund shall be used for petty disbursements. Such fund shall be replenished only by approval of the commission and upon filing of receipts for moneys paid out.

Transfer of Funds

Section 5. No transfer shall be made from one fund to another without express authority from the commission.

Treasurer to Collect

Section 6. All taxes, special assessments and other money accruing to the city shall be collected by the city treasurer. All moneys received by any officer or employee of the city for or in connection with the business of the city, shall be paid promptly to the city treasurer, and shall be deposited by the treasurer with such responsible banking institution or institutions as may be designated by the commission and furnishing such security as the commission may determine, and all interest on such deposits shall accrue to the benefit of the city. The commission shall provide for the prompt and regular payment and deposit of all city moneys as required by this section.

Fees Property of City

Section 7. The fee for any office or employee in his official capacity shall belong to the city except as in this charter otherwise provided and except also where it is otherwise provided in the resolution or ordinance fixing the salary of any officer or employee.

Funds Created

Section 8. The revenues raised by general taxation upon all property in the city, or by loan to be repaid by such tax, shall be divided into such and so many funds as the commission may by ordinance or resolution determine.

Section 9. The commission shall provide that a periodical audit, which shall be at least annual, be made of the accounts of all the officers and departments of the city government, by the public accountants who have no personal interest, direct or indirect, in the financial affairs of the city or any of its officers or employees.

Treasurer's Yearly Report

Section 10. Not later than the first day of September of each year, the treasurer shall make out statements showing the financial position of the corporation at the close of the preceding fiscal year. Such statements shall distinctly show the following: The amount of all taxes collected during the year for all purposes, the amount raised for each fund; the amount levied by special assessments and the amounts collected in each special assessment district; the amounts received from all other sources during the year, according to a logical classification thereof; the expenditures made during the year and the objects thereof, according to a logical classification; the outstanding bonded indebtedness of the city and the condition of all sinking funds; the amount of delinquent taxes and the amount of interest accrued thereon; information as shall be necessary to a full understanding of the financial concerns of the city. Said statement shall be signed by public inspection.

Budget

Section 11. On or before the first day of May of each year the commission shall present and propose an annual budget in reasonable detail for the ensuing fiscal year, based upon estimates furnished by the city manager. The estimates and information shall be available for distribution and a public hearing shall be given by the commission before adopting such budget. After such hearing, the commission shall adopt such budget as proposed or with such modifications as it may deem advisable.

Appropriation Resolution

Section 12. Not later than the twenty-fourth day of May of each year, the commission shall pass an appropriation resolution, which shall be based on the budget as adopted by the commission and which shall comply with the lawful requirements of any state agency established by statute. The total amount of said appropriation shall not exceed the estimated revenues of the city from taxes and other sources, as set forth in the budget. No liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of this annual appropriation resolution, or under continuing contracts and loans authorized under the provisions of this charter. At any meeting after the passage of the appropriation resolution and before the first day of July of each year, the members of the commission shall be notified by the city manager of the amount of the transfer of unused balances appropriated for one purpose to another purpose.

Section 13. On or before the beginning of each quarterly period during the fiscal year, the commission shall restate the income for that year and if it appears to the commission that the income for the year as estimated in the budget will be less than originally estimated, then the total appropriations shall be increased accordingly and the commission shall designate which appropriations shall be reduced and the amount of the reduction.

(PROPOSED AMENDMENT)

CHAPTER VII GENERAL FINANCE

Section 1. The fiscal year of the city shall begin on the first day of July of each year.

Section 2. The Director of Finance Department, the head of which shall be the Director of Finance, shall have knowledge of municipal accounting and shall have charge of the financial and financial control.

Section 3. The Director of Finance shall have the objective that the financial interests of the city shall at all times be protected and that the financial planning, budgeting, purchasing, reporting and control of the city shall be in the hands of the Director of Finance shall have the following powers and duties: (a) To have charge of the general accounting system for the city government and to see that all offices, departments and agencies which accounting system shall conform to such uniform system as may be required by law; keep books for and exercise financial control over each office, department and agency; keep separate accounts for the items of appropriation shown in the city budget, each of which amounts shall be responsible for the appropriation in the amount of the balance; show the unpaid obligations against it and the unencumbered balance; require reports of receipts and disbursements from

each receiving and spending agency of the city government to be made at such intervals and in such form as he may deem expedient.

- (b) Submit to the Commission through the City Manager, a quarterly statement in sufficient detail to show the exact financial condition of each fund of the city and such monthly and annual statements in the form and detail as may be requested by the Commission or the Manager;
- (c) Compile such information as the Manager may require for the preparation of the annual budget;
- (d) Prescribe the forms of reports, receipts, vouchers, claims or bills to be used by all city offices, departments, and agencies and to be returned to the accounts kept in the office;
- (e) Examine all contracts, orders and other documents by which the city government incurs financial obligations and approve same after ascertaining that moneys will be available therefor and that the obligations shall become due and payable;
- (f) Audit and approve, before payment, all bills, invoices, and other evidences of claims, demands, or charges, against the city government and with the advice of the City Attorney determine the legality thereof;
- (g) Inspect, audit, and prescribe the form of any accounts or records of financial transactions which may be maintained apart from the office, department or agency of the city government and to be returned to the accounts kept in the office;
- (h) Authorize all purchases; establish specifications for material purchased; determine that material or equipment has been received in accordance with the specifications of all supplies, material, and equipment and provide for transfer or sale same.

There shall be a Treasurer's Department, the head of which shall be the City Treasurer, who shall have the following powers and duties:

- (a) Have custody of all investments and invested funds of the city government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes for transfer, registration, or exchange;
- (b) Supervise and be responsible for all disbursements as provided for by the Charter of the City;
- (c) No money shall be withdrawn from any fund of the city except as authorized by the Commission. All disbursements shall be signed by the City Treasurer or Deputy City Treasurer, and Director of Finance. All checks shall be supported by vouchers, carrying full detail of the purpose of the payment or money received, and labor when the payroll certification shall suffice. All vouchers shall be approved and signed by the Director of Finance.
- (d) The city treasurer shall be provided with an imprest cash fund in an amount to be determined from time to time by resolution of the commission, which fund shall be used for petty disbursements. Such fund shall be replenished only by approval of the commission and upon filing of receipts for moneys paid out.
- (e) No transfer shall be made from one fund to another without express authority from the commission.

Section 7. The fee for any office or employee in his official capacity shall belong to the city except as in this charter otherwise provided and except also where it is otherwise provided in the resolution or ordinance fixing the salary of any officer or employee.

Section 8. The revenues raised by general taxation upon all property in the city, or by loan to be repaid by such tax, shall be divided into such and so many funds as the Commission may by ordinance or resolution determine.

Section 9. The Commission shall provide for an audit to be made of the accounts of all the officers and departments of the city government, by the public accountants who have no personal interest, direct or indirect, in the financial affairs of the city or any of its officers or employees.

Section 10. Before the beginning of the budget year, the head of each office or department of the city shall submit to the City Manager, when required by him, a work program for the year, which program shall show the requested allotments of the city for each office or department for each quarter of the year, for the entire budget year. The City Manager shall review the requested allotments in the light of the work program and the aggregate of such allotments shall not exceed the total appropriation available to said office, department or agency for the budget year.

Section 11. The City Manager shall file a copy of the allotment of funds for each office or department and agencies to be made from the appropriations on the basis of approved allotments and notices of the place and time when such allotments are to be made. If the allotment is less than the original allotment, the budget year in the same manner as may be revised during the year, which shall be less than the original allotment, the City Manager shall file a copy of the revised allotment with the City Manager, who shall file a copy of the same with the City Commission. The aggregate of such allotments shall not exceed the total appropriation available to said office, department or agency for the budget year.

Section 12. The City Manager, on or before the first Monday in May of each year, shall submit to the Commission a budget and appropriation resolution for the ensuing fiscal year. The date as he shall determine, he shall obtain from each office, department, or agency, estimates of revenue and expenditure of each office, department or agency, or organization, and the character and object of expenditure, and such other supporting data as he may require; together with an estimate of all current needs of the city, which estimates and supporting data should be undertaken (a) within the budget year and (b) within the five next succeeding years. In preparing the budget, the City Manager shall review the estimates, and may revise same as he may deem advisable.

Section 13. Upon presentation to the City Commission, the budget and budget report and all supporting schedules shall be a public record in the office of the City Clerk, open to public inspection. The City Manager shall cause sufficient copies of the budget and budget report to be prepared for distribution to interested persons. The City Commission shall hold a public hearing on the proposed budget and shall cause to be published and distributed to interested persons a copy of the budget and budget report after such hearing, which the Commission will hold said hearing. After such hearing, the Commission shall adopt such budget as proposed or with such modifications as it may deem advisable.

Section 14. Not later than the second Monday in June of each year, the commission shall pass an appropriation resolution which shall comply with the lawful requirements of any state agency established by statute. The total amount of said appropriation shall not exceed the estimated revenues of the city from taxes and other sources, as set forth in the budget. No liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of this annual appropriation resolution, or under continuing contracts and loans authorized under the provisions of this charter. At any meeting after the passage of the appropriation resolution and after the first day of July of each year, the members of the commission may amend such resolution so as to authorize the transfer of unused balances appropriated for one purpose to another purpose.

Section 15. The Director of Finance, subject to approval of the City Manager and City Commission, may appoint a deputy to act in his absence.

Section 16. The Director of Finance shall provide a bond with such surety and in such amount as the Commission may require.

TAKE FURTHER NOTICE that by order of the City Commission in resolution adopted January 28, 1952, there will be submitted to the vote of the electors of the City of Birmingham at the regular municipal election to be held on April 7, 1952, the following proposition:

That the City of Birmingham, Oakland County, Michigan borrow the sum of not to exceed \$350,000.00 and issue its general obligation bonds therefor, for the purpose of constructing and equipping a fire station and purchasing two new fire trucks.

Only electors owning property in the City assessed for taxes and who are electors or wives of such electors are entitled to vote on this proposition.

IRENE E. HANLEY, City Clerk

City commissioners were hit by a heavy rain during a paving program Monday night.

First, they were confronted with a situation from residents of Pembroke who were complaining when the proposed paving in their area was not constructed, and what street improvements could be realized until such a time that the city was able to begin.

But in the second instance, the commission was addressed by a delegation from the Golfview Heights R.A. subdivision protesting paving for their area.

FACED WITH continued maintenance costs of laying gravel and oil on unpaved streets in Golfview, the city has pressed for paving in that area.

Residents, however, stated that their streets were adequate. If bit more gravel was spread around and drainage ditches put in, they wanted nothing to do with paving program.

Commissioner Milton F. Maloney said that he would like to investigate possibilities of better improving these streets.

City Manager Donald C. Egbert was instructed to study the problem and list solutions that could be made by the city.

RESIDENTS in Pembroke subdivision made a complaint to the city with the problem of poor roads. In their letter to the commission they pointed out that the protection suffers on streets in impassable condition.

Cost of this section, already figured by City Engineer L. R. Gare, calls for a cost of \$10,000. Discussion of the city's share of the costs are being continued in Pontiac, Egbert added.

LEGAL NOTICES

CITY OF BIRMINGHAM, MICHIGAN. NOTICE TO CREDITORS. SHEPHERD ESTATES No. 1. VACATION OF BONDS. ALLIANCE TRAVEL SERVICE.

Notice is hereby given that a meeting will be held in the Commission Room, Municipal Building on Monday, April 7, 1952, at 8:00 a.m. for the purpose of receiving suggestions and objections to the proposed ordinance to vacate the streets and alleys in Sheffield Estate No. 1.

MOVED by Commissioner Rising, Subject: Vacate streets and alleys in Sheffield Estate No. 1. Substitution for which a task was assigned to the City Engineer.

WHEREAS, the city manager has received a request for a substitution of streets and alleys in Sheffield Estate No. 1, and it is deemed advisable to vacate and substitute the following streets and alleys in Sheffield Estate No. 1:

1. Substitution of the southerly line of Lincoln Avenue to the southerly line of Lincoln Avenue.

2. Substitution of the southerly line of Lincoln Avenue to the southerly line of Lincoln Avenue.

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14. Substitution of the southerly line of Lincoln Avenue to the southerly line of Lincoln Avenue.

15. Substitution of the southerly line of Lincoln Avenue to the southerly line of Lincoln Avenue.

Harvard Concert At Christ Church

The Harvard Glee Club, appearing in a concert Saturday night in Detroit, will give an hour of concert at Christ Church Cranbrook Sunday afternoon at 4 p.m. Under the direction of Director G. Wallace Woodworth and Assistant Director Edmund P. Allison, the glee club choir will present religious selections of composers including Gounod, Bach, Palestrina and Byrd.

Want ads cannot be accepted after 5 p.m. each Tuesday.

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