

THE ATTEMPTS FOR A NEW CITY CHARTER
IN OWOSSO, MICHIGAN

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ABSTRACT

THE ATTEMPTS FOR A NEW CITY CHARTER IN OWOSSO, MICHIGAN

by Stanford E. Harrington

This study has been made to describe attempts for a new city charter in Owosso, Michigan. The idea in Owosso was to change from a commission form of government to a city manager type. It was thought by some that Owosso needed a trained man with a strong hand to keep track of mushrooming services--tax assessment, street repair, police and fire duty, elections, airport, health, and purchasing. There were two attempts to change the old city charter and the opposition was strong and bitter.

This study will first consider the history of Owosso and then a general descriptive summary of the old city charter. It will then follow the history of the two attempts to change the old city charter with attention paid to the organizations and leaders behind each attempt.

Each attempt will be detailed to show the actual controversy between the proponents and opponents with an analysis given of each election. The advertisements and the open forum letters in the local newspaper will be used to illustrate the controversy. Public opinion, as a whole, cannot be judged by what is read in the open forum of a newspaper, but the author believes that the open forum of the

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Owosso Argus Press is at least a guide as to what things are disliked by certain segments of the population because letters were not suppressed by the editor. A better insight into the community may be had if the feelings expressed in the open forum are evaluated with the analysis of the election.

The first attempt was defeated on April 8, 1954 at the annual city election where the vote was three to two against having the charter revised.

The second attempt which was the larger and more nearly successful of the two attempts, will have its leadership examined and reviewed in detail as to its characteristics, actions, and traits. The proposed charter will be summarized. The second attempt was defeated on April 4, 1957, at the annual city election where the vote was two to one against the proposed charter. The outcome of this election will be reviewed and the election compared with previous elections.

The chief arguments against the new charter proposed during the second attempt were three: it might result in increased costs and taxes; the manner in which the members of the council were to be selected was undesirable; the county supervisors from the city would not be elected but would be city officers acting ex officio.

It was clear that the charter commissioners needed the wisdom of a veteran politician in addition to Mr. George

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Sidwell, the legal specialist they retained when they formulated the new charter. It would have been better to leave things like the election of the councilmen and the county supervisor to each ward and have a reasonably good charter instead of trying for a more perfect situation (in the author's opinion), and ending up with nothing.

THE ATTEMPTS FOR A NEW CITY CHARTER
IN OWOSSO, MICHIGAN

by
Stanford E. Harrington

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CHAPTER I

INTRODUCTION

The intent of this study is to examine the attempts to adopt a new city charter in Owosso, Michigan.

In order to better understand the attempts, the study will first consider the history of the City of Owosso and a general descriptive summary of the old city charter. The present city government was a three-man commission form of government. The commissioners were long-time residents of Owosso and had made their friends and enemies as they had governed. In this respect they were no different from any administrator or politician because it is impossible to please everyone. Whether they had been efficient and had acted in good faith was a moot question.

City charters are the rules for governing a city. As a municipality grows, it finds a need for new rules to handle added services and problems. The idea in Owosso was to change from a commission form of government to a city manager type. It was thought by some that Owosso needed a trained man with a strong hand to keep track of mushrooming services--tax assessment, street repair, police and fire duty, elections, airport, health, and purchasing.

The first attempt to change Owosso's city charter has already become only a vague memory to most people, even to those who were involved in it. The only information that could be found was in the official records of the city and in the old copies of the newspapers on file at Owosso's public library. It was defeated on April 8, 1954, at the annual city election where the vote was three to two against having the charter revised.

Public opinion, as a whole, cannot be judged by what is read in the open forum of a newspaper, but the author believes that the open forum of the Owosso Argus Press was at least a guide as to what things were disliked by certain segments of the population because letters were not suppressed by the editor. A better insight into the community can be had if the feelings expressed in the open forum are evaluated with an analysis of the election. It is for this reason the author has used the open forum letters to illustrate the controversy between the parties concerned in both attempts.

The second attempt was made two years after the first attempt and on April 16, 1956, at the annual city election the voters voted two to one that they wanted the city charter revised, and nine charter commissioners were elected. At the same election the voters were asked, "If the charter of the City of Owosso shall be revised, is the alderman-city manager form of government preferred?" The answer to that question was 1,056 yes, 885 no.

Since the city as a whole preferred that form of government, the nine charter commissioners drew up a charter that called for an alderman-city manager form of government. They brought every phase of the charter up to date, to correspond with state laws, Supreme Court decisions, and the experience of city officials. They hired a legal specialist, George Sidwell, of Lansing, to help them. The result of the charter group's ten months of labor was a 153 page document they were confident would be accepted at the polls.

Controversy swirls up around proposals to set up a city manager form of government because some people feel they have begun to lose control of their government. A great deal of misinformation about the charter made the rounds, along with vicious and unfounded rumors and charges and counter charges. Postcards, handbills, special newspapers, and letters in the local newspaper's open forum were used by the groups in their attempt to persuade the public to support them when they went to the polls. There was mud-slinging from both groups accompanying their lines of persuasion. Half-truths make it difficult for the uninformed to decide whom to believe. A helpful force at work on the side of the anti-new charter group was the fear of change to the unknown.

On April 1, 1957, the voters of the City of Owosso went to the polls and decided two to one against the proposed new charter. The vote was 2,704 no, to 1,398 yes.

The vote could surely be taken as a decisive indication of public sentiment on this question at the time of the voting. There was a good turnout of voters and there was no argument over the lack of interest. It seems probable that to an extent some of the voters did not understand the new charter and so voted "no," but this could not explain away the very decisive rejection.

CHAPTER II

OWOSSO HISTORY

Location

Owosso, Michigan, the largest city in Shiawassee County is the center of a widely-diversified industrial and agricultural community. It is the market center for a wide area extending beyond the limits of the county. Owosso is located twenty-four miles west of Flint, and thirty-five miles north-east of Lansing. It is located at the intersection of State Highways M-47 and M-21, and the Shiawassee River cuts through the center of the city.

Statistical Review

Form of government--the present city government of Owosso is a three-man commission-form of government. The commission consists of a mayor, a commissioner of public utilities, and a commissioner of public improvements.

Population--the 1960 United States Census showed Owosso had a population close to 17,000.

Area--the area of Owosso is 4.25 square miles.

Assessed valuation--the state equalized valuation of Owosso for 1959 was \$51,417,348 with the working assessed valuation being \$21,544,025. The combined city, county, and

school taxes for 1959 was \$64.01 per \$1,000 for operating costs and an additional \$7.32 per \$1,000 for debt retirement.

The tax rates borne by the taxpayers of Owosso for the past 51 years are shown on the following table.

Churches--Owosso has twenty-five churches, representing seventeen leading denominations. The combined church membership and attendance is estimated at nearly 50 per cent of the city's population.

Industries--Owosso has forty-five widely-diversified industries that manufacture a varied line of products. Among the manufactured products of Owosso and vicinity are: fractional horsepower motors, batteries, commutators, abrasives, furniture, gas machinery, railroad car repairs, aluminum doors and windows, automobile bodies, plastics, trailer coaches, ventilating fans, and power brakes.

Newspapers and radio stations--Owosso has one daily newspaper, the Owosso Argus Press, and a radio station, WOAP.

Social-Economic Characteristics of the Wards

The results of the Owosso-Corunna Area Survey conducted in 1959 by the Institute for Community Development and Services, Michigan State University, were used in attempting to confirm the author's personal impressions of the social-economic characteristics of the various wards. The ward samples obtained from this survey were extremely small and can be considered as only indicative of trends. The number

TABLE 1

TAX RATE PER \$1,000 ASSESSED VALUATION

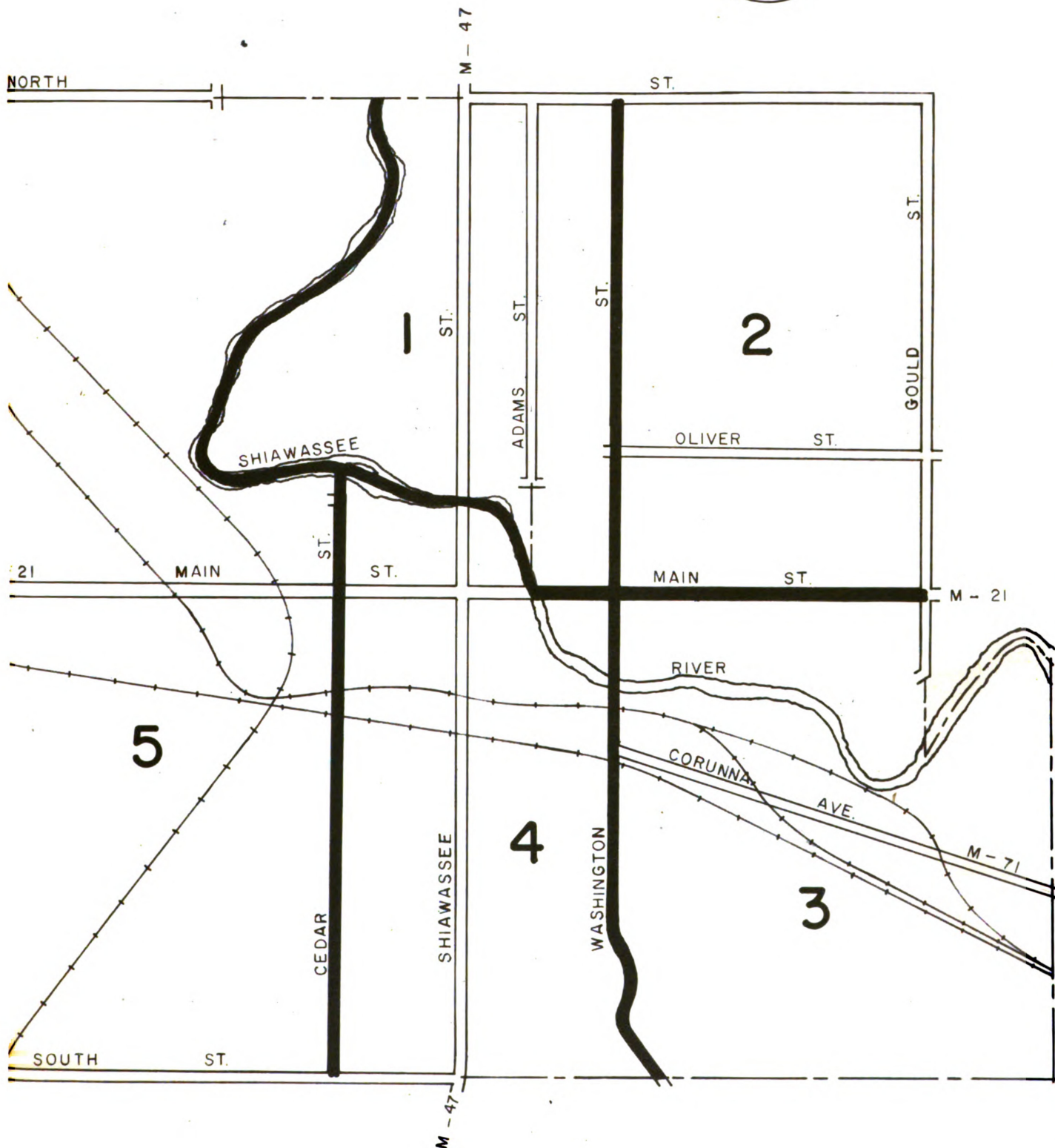
| Year | State | County | | School | | City | |
|------|-------|----------------------|-----------|--------|-----------|-------|-------|
| | | Special Education | Operating | Debt | Operating | Debt | Total |
| 1909 | 3.62 | | 3.04 | | 4.88 | 11.25 | 22.79 |
| 1910 | 2.82 | | 4.15 | | 5.41 | 14.85 | 27.23 |
| 1911 | 3.28 | | 3.88 | | 6.16 | 12.79 | 26.21 |
| 1912 | 2.62 | | 3.92 | | 6.42 | 15.20 | 28.16 |
| 1913 | 4.09 | | 4.47 | | 8.35 | 14.71 | 31.62 |
| 1914 | 1.86 | | 2.67 | | 4.92 | 10.26 | 19.71 |
| 1915 | 2.90 | | 2.50 | | 5.38 | 10.26 | 21.04 |
| 1916 | 1.99 | | 2.73 | | 5.20 | 10.20 | 20.12 |
| 1917 | 2.63 | | 3.79 | | 5.65 | 10.75 | 22.82 |
| 1918 | 2.55 | | 3.85 | | 6.91 | 13.52 | 26.83 |
| 1919 | 4.30 | | 5.16 | | 9.14 | 13.02 | 31.62 |
| 1920 | 4.06 | | 8.57 | | 14.32 | 14.06 | 41.01 |
| 1921 | 4.26 | | 7.66 | | 16.19 | 17.71 | 45.82 |
| 1922 | 4.10 | | 8.57 | | 15.21 | 17.71 | 45.59 |
| 1923 | 3.71 | | 8.26 | | 17.38 | 17.50 | 46.85 |
| 1924 | 2.95 | | 8.15 | | 17.10 | 17.40 | 45.60 |
| 1925 | 3.50 | | 7.90 | | 15.08 | 17.44 | 43.92 |
| 1926 | 3.58 | | 8.20 | | 15.09 | 17.67 | 44.54 |
| 1927 | 4.50 | | 8.00 | | 15.63 | 17.58 | 45.71 |
| 1928 | 3.72 | | 8.33 | | 15.61 | 18.00 | 45.06 |
| 1929 | 5.08 | | 8.43 | | 15.60 | 17.23 | 46.34 |
| 1930 | 4.94 | | 6.33 | | 15.55 | 16.52 | 43.34 |
| 1931 | 5.44 | | 6.30 | | 14.75 | 16.14 | 42.63 |
| 1932 | 5.19 | | 7.54 | | 12.70 | 16.14 | 41.57 |
| 1933 | .80 | | 9.40 | | 13.54 | 18.00 | 41.74 |
| 1934 | .86 | | 6.64 | | 12.88 | 17.88 | 38.20 |

TABLE 1--Continued

| Year | County | | | School | | | City | | |
|------|--------|----------------------|-----------|--------|-----------|------|-----------|------|-------|
| | State | Special Education | Operating | Debt | Operating | Debt | Operating | Debt | Total |
| 1935 | | | 8.50 | | 10.42 | | 17.86 | | 36.78 |
| 1936 | | | 8.25 | | 10.41 | | 17.99 | | 36.65 |
| 1937 | | | 6.71 | | 10.34 | | 17.91 | | 34.96 |
| 1938 | | | 6.74 | | 10.11 | | 19.16 | | 36.01 |
| 1939 | | | 6.84 | | 10.10 | | 20.28 | | 37.22 |
| 1940 | | | 6.95 | | 10.10 | | 18.89 | | 35.94 |
| 1941 | | | 6.93 | | 10.10 | | 18.48 | | 35.51 |
| 1942 | | | 6.13 | | 9.80 | | 17.98 | | 33.91 |
| 1943 | | | 6.02 | | 9.70 | | 17.75 | | 33.47 |
| 1944 | | | 6.40 | | 10.50 | | 17.20 | | 34.10 |
| 1945 | | | 4.75 | | 12.10 | | 16.30 | | 33.15 |
| 1946 | | | 5.09 | | 15.54 | | 16.28 | | 36.91 |
| 1947 | | | 7.32 | | 16.43 | | 14.06 | | 37.81 |
| 1948 | | | 8.50 | | 16.77 | | 16.08 | | 41.35 |
| 1949 | | | 8.27 | | 16.23 | | 17.04 | | 41.54 |
| 1950 | | | 8.01 | | 15.48 | | 16.53 | | 40.02 |
| 1951 | | | 8.23 | 2.11 | 7.53 | 7.36 | 15.76 | 1.89 | 40.99 |
| 1952 | | | 7.99 | 2.13 | 7.99 | 7.45 | 15.98 | 1.20 | 43.43 |
| 1953 | | | 8.36 | 2.23 | 8.36 | 7.80 | 16.70 | 1.13 | 44.65 |
| 1954 | | | 8.33 | 2.93 | 8.33 | 7.46 | 15.98 | 2.20 | 45.05 |
| 1955 | | | 9.29 | | 9.45 | 7.50 | 22.73 | 2.03 | 51.17 |
| 1956 | | | 9.77 | | 12.02 | 7.52 | 22.51 | 2.68 | 53.85 |
| 1957 | | | 10.00 | | 12.64 | 7.03 | 23.27 | 2.51 | 55.62 |
| 1958 | | 1.49 | 11.31 | | 16.41 | 8.12 | 27.01 | 2.64 | 66.85 |
| 1959 | | 1.55 | 13.11 | | 17.06 | 8.12 | 28.02 | 2.54 | 70.50 |
| 1960 | | 1.79 | 13.13 | | 19.09 | 4.78 | 30.00 | | 71.33 |

CITY OF OWOSSO

WARD BOUNDARIES



of samples obtained from each ward for the two questions tabulated later were as follows:

| <u>1st Ward</u> | <u>2nd Ward</u> | <u>3rd Ward</u> | <u>4th Ward</u> | <u>5th Ward</u> |
|-----------------|-----------------|-----------------|-----------------|-----------------|
| 18 | 21 | 27 | 14 | 31 |

The following chart shows the answers to the question,
 "What was the income of the head of the household last
 year (before taxes)?"

| Income Bracket | Per Cent of Samples Within the Stated Income Bracket | | | | |
|-------------------|---|----------|----------|----------|----------|
| | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward |
| Under 4,000 | 11.2 | 23.8 | 48.2 | 21.4 | 51.6 |
| 4,000-6,499 | 33.3 | 38.0 | 37.0 | 35.8 | 25.8 |
| 6,500-9,999 | 5.6 | 14.3 | -- | 14.2 | 19.4 |
| Over 10,000 | 27.7 | 4.8 | -- | -- | -- |
| No answer | 22.2 | 19.1 | 14.8 | 28.6 | 3.2 |
| TOTAL | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

The following chart shows the answers to the question,
 "What type of work does the head of the household do?"

| Types of Work | Per Cent of Samples Within Stated Types of Work | | | | |
|----------------------------|---|----------|----------|----------|----------|
| | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward |
| Professional, technical | 22.2 | 4.8 | 3.7 | -- | 3.2 |
| Manager, proprietor | 16.7 | -- | -- | 21.4 | 6.5 |
| Sales, clerical | 16.7 | 4.8 | 7.4 | -- | 9.7 |
| Farm | -- | 4.8 | 3.7 | -- | 6.5 |
| Craftsman, foreman | -- | 4.8 | 11.1 | -- | 3.2 |
| Services, mechanics | -- | 28.6 | 14.8 | 14.3 | 12.9 |
| Operative (machine) | 5.5 | 9.5 | -- | 28.6 | 9.7 |
| General labor | 11.1 | 33.2 | 33.4 | 21.4 | 32.2 |
| Retired | 27.8 | 9.5 | 25.9 | 14.3 | 12.9 |
| Refused to answer | -- | -- | -- | -- | 3.2 |
| TOTALS | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |

Political ward boundaries cannot be expected to precisely show the boundaries of economic periphery, however. The income chart shows that in general terms: the Third and Fifth Wards are mostly in the low income bracket; the Fourth Ward may be considered as being in the middle income bracket; the First and Second Wards are in the middle and upper income brackets.

The type-of-work chart shows that: the First and Fourth Wards appear to have more people employed in the upper echelons of the employed population than the other wards by a substantial margin; the Second and Fourth Wards led the other wards with much higher percentages in the skilled labor force.

The ward samples definitely confirm the author's personal impressions of the social-economic characteristics of the various wards. Main Street, which divides the city in half by running East and West, has tended to be the dividing line for the social classes of Owosso. If a person wanted to live on the "better side" of Owosso they had to live North of Main Street. As a result, the social class of the Second Ward has a tendency to blend in better with the First Ward than the other wards except for the portions in the Fourth and Fifth Wards which lay North of Main Street.

The First Ward is to be considered as where most of the "upper social-economic class" reside. The Second Ward is the home of many civic leaders and above average income people who have spilled over from the First Ward. The Third Ward contains many older homes with the older and retired segment of the population living along with the low income groups from the sales, clerical, and general laboring forces. The Fourth Ward, with a mixture of all social-economic classes, has tended to be a "middle class" ward with its South

portion containing some slum sections; its middle portion containing some newer middle class home construction; and its North portion, which extends North beyond Main Street, bringing within the boundaries of the Fourth Ward some higher income manager-proprietor people. The Fifth Ward, which extends North and South of Main Street along the West side of Owosso, has held a low social-economic status in the city but has been slowly changing in the past few years because the vacant areas North of Main Street have attracted considerable housing for the middle and upper income classes.

Owosso has not had any particular minority groups to affect it, and the author has not heard any remarks made about a particular nationality group living in a certain area. Owosso has been predominantly a "one-party" city with the minority party members living in all the wards and partisan politics have not entered into any city election.

The Characteristics of the Elected City Officials

The elected city officials in the city commission during the first attempt to revise the existing charter in 1954, were:

Mayor Charles Moore, born in 1882, was first elected mayor in 1950 having lost to another man in the 1947 mayoralty election. He had also been defeated in 1948 by William Stickel, when he tried for the office of Commissioner of Public Improvements. A former farmer, soldier, businessman, and brickmason, Mr. Moore literally wrote his way into the

mayor's office through the open forum of the Argus Press. Moore started writing letters several years before he was elected. Some of his letters were very critical, some were humorous, and others were only gentle prods at the city administration, but his letters were widely read, and Moore became a public figure.

William Stickel, born in 1896, Commissioner of Public Improvements since 1945, when he was 49 years old. He had started in the street department by cleaning streets and had gradually risen to foreman in the department when he became Commissioner in 1945. Stickel was a member of the American Legion, the Elks, and the Masonic Order, and was a past post-commander of the Legion. He was a quiet-speaking man who disliked argument. His habit of refusing to argue and to speak out firmly against something he disliked irritated many people. Another one of Stickel's habits was to simply ignore a difficult complaint or problem rather than seek a solution.

Walter Bennett, born in 1884, had been Commissioner of Public Utilities since 1934 and had held elective office longer than anyone else in Owosso's history. Before his first election in 1934, when he was 50 years old, Walter Bennett was a state inspector for the Department of Labor and Industry and prior to that had been employed as a machinist at the Ann Arbor Railroad car shops. An opinionated man, he was outspoken in his criticism of anything he disliked and seemed to enjoy a good argument.

At the time of the 1954 election, Mayor Moore was 72 years old, Mr. Stickel was 58 years old, and Mr. Bennett was 70 years old. Mayor Charles Moore died in office in 1955, and the elected city officials during the second attempt in 1956 and 1957 were the same except the mayor's office. The new mayor was:

George Rubelman, born in 1896, had graduated from Owosso High School and had served in both World War I and II. He was a private builder for 30 years until in 1952 he became the city's first building inspector. At the age of 59, Rubelman was first elected Mayor at a special election in 1955 to finish the term of Mayor Moore. Rubelman was a past post commander of the American Legion, as well as a member of the Masonic Order, the Elks, and the Rotary. He was active in both veterans and civic fields and was well liked by many people. His inability to make a decision made it very frustrating for all who conducted business with him.

At the time of the second election, in 1957, Mayor Rubelman was 61 years old, Mr. Stickel was 61 years old, and Mr. Bennett was 73 years old.

Government

Owosso was settled in 1833 and has the distinction of never having been organized as a village, passing from a settlement to an incorporated city on February 15, 1859. The city adopted its present charter on November 5, 1913,

and has amended it approximately a dozen times to take care of minor problems. The basic type of government has not been changed since 1913.

The executive and administrative powers, as well as the authority of the city, are distributed as follows: The Mayor is the Commissioner of the Department of Public Safety and Finance; the Commissioner of Public Improvements has charge of that department; and the Commissioner of Public Utilities has charge of that department.

The charter of the City of Owosso requires the election of the Commissioners to be non-partisan, and this also applies to the election of any other officer under the provisions of the charter except for the office of Supervisor. The charter requires the candidates for the office of Supervisor for the several wards to be nominated and elected in the manner provided by the General Laws of the State. Therefore, while the Commissioners are elected at large on a non-partisan basis, the five Supervisors, representing Owosso's five wards, must be elected one from each ward and on a partisan basis. The office of Constable is filled on a non-partisan basis, as well as the office of Municipal Judge.

CHAPTER III

THE PRESENT CHARTER

A General Descriptive Summary

The present city charter took effect on the first Monday in April in the year 1914. The City of Owosso was divided into wards for two purposes--to constitute voting precincts and for the election of supervisors. The legislative body of the City of Owosso consists of the Mayor as Commissioner of Finance and Public Safety, the Commissioner of Public Utilities, and the Commissioner of Public Improvements, which body is known as the Commission. The three man Commission is elected by the qualified voters of the whole city on a non-partisan basis. One Commissioner is elected at each annual municipal election and serves for three years. The city clerk, city assessor, city treasurer, city attorney, and other department heads are appointed by the commission.

The aggregate amount which the Commission may raise by general tax upon the taxable real and personal property in the city, for the purpose of defraying the general expenses and liabilities of the corporation, may not exceed in any one year one and one-half per cent of the assessed value of all real and personal property in the city.

The Commission may also raise such further sums annually, not exceeding three mills on the dollar of the assessed valuation of the property in the city, as may be necessary to provide an interest and sinking fund to pay the funded debts of the city and the interest thereon.

The Commission may also raise additional sums required in any year for the purpose of public improvement, if authorized by two-thirds of the electors voting upon the question at an annual city election or special election called for such purpose. The amount that may be voted or raised in any year, under the provision of this section, may not exceed two per cent of the assessed valuation of the property in the city as shown by the last preceding tax rolls made therein.

The city assessor, city attorney, the mayor, and the several supervisors of the various wards of the city constitute a Board of Equalization and Review of the assessment roll of the city, a majority of whom constitute a quorum.

Faults of the Charter As Seen By Others,
With Certain Rebuttals

Arthur E. Pierpont, former Municipal Judge of Owosso, former Prosecuting Attorney of Shiawassee County, and executive vice-president of the Civic Research Council, had the following statement to make in the Owosso Argus Press on March 31, 1954, during the first attempt to revise the charter.

Many people in Owosso have asked why revise the city charter since this issue has been brought before the public. Generally it can be answered by saying our charter has become outmoded and not applicable to present day problems.

Adopted in 1913, amended here and there a few times for specific purposes, it is still out of date. Changing times, increasing population, greater diversification of industry, in the last forty years have made revision essential.

But to be more specific and answer questions as to why the charter should be revised the following facts are brought to your attention:

1. The present charter provides for the Mayor, City Assessor, City Attorney, and the five supervisors to constitute the Board of Equalization and Review to assess property. To avoid having the persons who made the assessments review them, a disinterested board of taxpayers should constitute the Board of Review.

2. The present charter makes no provision for competitive bidding on contracts for supplies, construction, and services.

3. The present charter permits the three commissioners to buy separately for their departments instead of all city purchasing being handled by one office more efficiently and economically.

4. There is no charter provision for an independent, unbiased audit of the city's accounts by a certified public accountant.

5. Our charter makes no provision for public inspection of a complete audit of the city's books.

6. Our charter does not provide for civil service or merit appointment of city employees.

7. Our charter has no provision for regulation of house trailers.

8. There is no charter provision which establishes an adequate health program for the city, providing for regular inspection of restaurants, milk, sanitation, etc.

9. The charter fails to provide for airport acquisition, operation, etc.

10. The present charter makes no provision for selection of a regular municipal court jury panel and systematic court terms.

11. The charter does not provide for a traffic bureau to handle minor violations and permit settlement of tickets when court is closed or in session.

12. Our charter has no provision safeguarding parking meter receipts for the use originally intended--viz; providing off-street parking.

13. Our charter has no provision for group insurance participation with city employees.

14. Our charter has no provision for a modern municipal court system, providing for, among other things, the court instructing the jury and passing on motions.

15. The present charter does not provide for publication of ordinances, codes, regulations and amendments thereto.

16. Our charter fails to provide for budget control and quarterly public reports, on income and expenses.

These are but a few things which are needed to bring our charter up-to-date. Present day conditions cannot be met with an old style charter. Let's vote for revision and give Owosso a chance to progress.

Mayor Charles Moore issued a statement¹ on April 1, 1954, in which he answered the criticisms of the city charter as voiced by Attorney Arthur Pierpont. Mayor Moore pointed out that the five ward supervisors reviewed the tax assessments and three of the supervisors happened to be members of the Owosso Civic Research Council; that Section 14, Chapter 8 required an audit and for it to be published; that parking meter receipts and house trailers were regulated by ordinances; and the municipal court and its judicial procedure was governed under state law.

Arthur Pierpont replied to Mayor Moore's comments regarding Mr. Pierpont's criticisms of the charter with a statement in which he still contended he was right in his charges and that the mayor had not answered them.²

Mr. L. P. Ball, Chairman of the Charter Revision Committee during their second attempt had this statement to make on March 21, 1956, in a large advertisement in the newspaper:

Here Are Some Very Definite Reasons Why Our Present City Commission Form of Government is Giving Way to More Modern Forms of Local Government.

¹See Letter No. 1 in the Appendix.

²See Letter No. 2 in the Appendix.

1. Commission form of govt. has no organizational distinction between the policy making function of government and the administrative function.
2. The elected commissioners have political debts and it is very possible that the strongest commissioner will succeed in building up a personal political machine and dominate the other commissioners.
3. Commission form of govt. has no over-all executive--no one source of authority to whom citizens and govt. employees can go with problems or complaints. NOT ONE GOVT. BUT 3 LITTLE GOVERNMENTS.
4. There is little chance of govt. appropriations being cut down because the commissioners who vote the funds are the same men who spend them. It means failure to provide any check on govt. spending.
5. The city administration (commissioners) should have knowledge of their particular department and be of executive ability.

Florence C. Brown, outspoken critic of the existing charter and wife of Dr. R. J. Brown, who was later elected as one of the nine Charter Revision Commissioners, stated in the Open Forum¹ on March 28, 1956, during the second attempt, that the following items were wrong with the City Charter:

1. The Charter is forty-three years old.
2. Parts of it are antiquated.
3. It is not streamlined.
4. It needs new paragraphs to cover things not mentioned in the present charter.

She listed as necessary a provision that would make it mandatory to insure city property. A field house had burned down without any insurance coverage, and the loss had been estimated to be in the thousands of dollars.

The Charter Revision Group conducted a series of ward discussions on charter revision using a five-man panel. The

¹See Letter 3 in the Appendix.

panel drew attention to certain provisions as flaws in the city charter asserting the reason some of them were flaws was because the City Commission did not abide by them. The provisions that were to be considered as flaws by the Charter Revision Committee were as follows:

A city commissioner shall not be excused from voting on any question in which he does not have a direct personal interest.

The commission may declare any appointive office vacant for any cause, without a hearing of evidence or statements from parties interested.

Any employee may be discharged at the pleasure of the commissioner in charge of his department.

All police officers shall be appointed by the mayor without confirmation of the commission and may be discharged by the mayor without assigning his reasons therefore and without granting a hearing on the matter of such discharge.

The Chief of Police may be removed without a hearing if the removal is requested in writing by the mayor.

No member of the commission shall, without the authority of the commission enter into an agreement, obligation or contract whereby the city is or will be obligated to pay or be liable for an amount of \$1,000 or over. Any such agreement, obligation or authority of the commission shall be null and void.

Special assessment money for improvements shall be used for no other purpose.

After passage of the annual appropriation bill (budget), no further sums shall be used, raised or appropriated; nor shall any further liability be incurred for any purpose, to be paid from any general fund during the fiscal year for which the appropriation was made, unless the proposition to make the appropriation be sanctioned by a 2/3 vote of the electors.

No improvement or expense is to be ordered or paid for out of any general fund unless it was provided for in the preceding budget.

All money and taxes raised, loaned or appropriated for the purpose of any particular fund shall be applied to the purpose for which such money was raised and received and to no other.

Money may be transferred between funds only if there is a balance in a fund at the end of the fiscal year.

There is no provision in the charter for centralized purchasing which could save the taxpayers money.

There is no provision in the charter for a library.

There is no provision in the charter for an airport.

General Observations by the Author

It is apparent to the author that some of the charges brought out against the existing charter were trivial and succeeded in only belittling some of the other more important charges. Other charges brought out against the existing charter were merely opinions and nothing concrete was used to prove that something better could materialize from a revision. An analysis of the argument between Mr. Pierpont and Mayor Moore will illustrate the above observation.

Mr. Pierpont in his Open Forum letter of March 31, 1954, contended that because the charter is old it is out of date, but this was not a logical deduction. Mr. Pierpont further criticized the make up of the Board of Review and wanted a disinterested board of taxpayers in their place, but the mayor and the five supervisors are all elected representatives of the people, and who but the people themselves should select the Board of Review? Mr. Pierpont also stated that all city purchasing should be handled by one office for more efficiency and economy, but this is not necessarily so in a small city with very few similar items being used in the various departments. Mr. Pierpont proceeded to complain about the lack of charter provisions on the regulation of house trailers and airport acquisition, but these were not issues which would draw interest from most citizens. Mr. Pierpont did not at any time state anything specific that would awake the proletariat, that is, where large sums of money had been wasted.

Mayor Moore's reply to Mr. Pierpont only helped confuse the charges. Whether this was the intention of Mayor Moore is a moot question. Mayor Moore's reply was not direct answers to the questions posed by Mr. Pierpont, but he skirted them with statements about existing policy and ordinances which were subject to change on short notice. Mayor Moore's statement that there was a pension plan for city employees in answer to the lack of civil service is typical of his reply. Mr. Pierpont, in a follow-up letter, pointed out the obvious lack of proper answers, but repeated his earlier mistake by dragging out each little trivial detail.

Mr. L. P. Ball launched a broader, more constructive attack in his March 21, 1956 advertisement and received no rebuttal in regards to it. His second charge, that it was possible for one commissioner to build up a personal political machine and dominate the other commissioners, can be made against other forms of government and does not necessarily have to be true against the commission form of government.

Mrs. Brown's attack only caused injury to the whole matter of revision. The letter from her that was cited was only one of many in which she ground out her four points. The fact that it was forty-three years old stirred no one. The charge that parts of it might be antiquated or not streamlined caused only the reply "So what!". She did bring out though in her letter some reasons why there was a need for

additional charter regulations. The reasons listed were reasonable and charged negligence on insuring public property and the illegal use of parking meter funds. It was thought by many people that these misdeeds by the Commission were caused by ignorance and this could be corrected by having the requirements stated in the charter. The author takes exception to this line of reasoning, and believes that the same actions could have taken place even with the charter requirements.

Many people wanted men with more administrative ability at the head of their local government and thought the only way to accomplish this was to revise the existing charter. It is the author's opinion that this could have been accomplished by raising the salaries of the Commissioners or by making it a part-time position and thus attracting men of higher caliber. The Commissioners were required to devote their full time to their position, but received salaries smaller than many of their own city employees. The salaries were fixed by the charter and men with good executive abilities would hesitate before devoting their full time to being a Commissioner.

Certain other faults of the existing charter were brought out into the open by city officials and employees as the new charter was being drafted. For example, the city engineer and the Commissioner of Public Improvements recommended that the new charter should not have a limitation on

the amount of money that can be specially assessed against a piece of property for any one improvement. The existing charter limitation of 50 per cent of the assessed valuation was hurting the city because a low value vacant lot could stop an entire project. Examples were cited where a street had people in dire need of sanitary sewer and could not get it constructed because of the limitation. "We are caught in a vicious circle," stated the City Engineer. "We can't construct the improvement because of the low assessed valuation, and we can't raise the assessed valuation as the value isn't there without the improvements."

One of the main faults of the old charter that helped decide the people to vote yes on the second charter revision attempt was the fighting between the Commissioners. On June 27, 1954, Mayor Charles Moore made a point of abstaining from voting when the City Commission passed a blanket re-appointment of all city officers. The Mayor, asked why he did not vote, answered: "That's a personal question, no comment."

To another query by Commissioner William Stickel as to whether he had any objection to the slate of officials named, the Mayor said: "I have no recommendations. There is no use discussing them individually as you and Bennett [the third Commissioner] would approve of them anyway." Commissioner Stickel issued a public statement that the Mayor had violated the City Charter on purpose by not voting.

Another major argument took place after Mayor Moore died. It was between Commissioners Stickel and Bennett. When Mayor Moore died, in 1955, it was the responsibility of the remaining two commissioners to appoint his successor until the next regular election. Failure to agree on the man caused the city to spend considerable money on two special elections (a primary and final election). The balance of the mayor's term was for only four months, and many taxpayers considered this a waste of money.

CHAPTER IV

THE FIRST ATTEMPT AT CHARTER REVISION

Organization

The organization behind this first attempt to revise the charter called itself the Civic Research Council. There were many civic-minded people to be found in its membership. The Civic Research Council had been originally organized a year earlier for the express purpose of defeating a proposed tax increase. The City Commission, at that time, had attempted to raise the tax limitation from fifteen mills to twenty mills. The proposal was defeated by a fourteen to one majority.

Nine of the top leaders in this organization ran for the office of Charter Commissioner. They were:

James Anderson--Graduate of Owosso High School. Veteran of World War II. Member of Shiawassee Conservation Association. Owner of Owosso Bolt and Brass Company.

L. B. Finch--Graduate of Owosso High School. In insurance and real estate business for past 30 years. Member of Owosso Association of Insurance Agents and Shiawassee County Board of Realtors. Active in Civic affairs.

Charles R. Grace--Engineer with Mid-West Abrasive Company. Sixteen years in Owosso. Four years chairman of National Foundation for Infantile Paralysis. Past President of Kiwanis Club. Chairman Board Methodist Church. Graduate of Ohio Northern University.

Lee L. Omer--Resident and in business in Owosso for 34 years. Now in real estate business with son in Lee L. Omer and Son. Member of Shiawassee County Board of Realtors.

Arthur E. Pierpont--Graduate of Owosso High School. Graduate of Detroit College of Law. Practiced law in Owosso since 1925. Veteran of World War II, in which he was Colonel in Judge Advocate General's Corps. Former Municipal Judge of Owosso and Prosecuting Attorney of Shiawassee County.

Robert Spiece--Graduate of Owosso High School. Veteran of World War II. Now Secretary-Treasurer of Auto-Lite Local No. 754, UAW-CIO.

Leon G. Vosburg--Graduate of Owosso High School. Graduate of University of Michigan. President and General Manager of Wolverine Sign Works. President Pioneer Wagon Works, Incorporated. Resident of Owosso for 37 years.

Kenneth Yerrick--Salesman and treasurer of Economy Mills, Incorporated, of Owosso. Former President of Washington School PTO. Member of Owosso Board of Education.

L. P. Ball. Graduate of Owosso High School. Veteran of World War I. Member of American Legion. In jewelry business in Owosso for 49 years. Active in civic affairs.

The Proposal for Charter Revision

On June 5, 1953 petitions were taken out requesting that the question of having a general revision of the charter of the City of Owosso be submitted to the electors for adoption or rejection at a special election to be called within not less than 120 days, nor more than 130 days, after the date of filing petition. The petitions further requested that at the same election, a charter commission be elected in accordance with the statutes.

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Approximately 2,000 names, or 20 per cent of the registered voters in the city, were needed to call a special election. The halfway mark was reached and the petitions turned into the City Clerk on September 1, 1953. Members of the Charter Review Committee hoped at that time to bring the signature campaign to a close by the middle of September. On September 18th, the petitions were taken into the factories for the first time and volunteers were being requested to step forward.

On January 12, 1954, the petitions were officially filed with the City Clerk, with a letter asking that the question be brought up at the next regular election instead of a special election. There were not enough signatures for a special election, although the Charter Revision Committee suggested enough would have been obtained. There were many more signatures than were necessary to put the question on a regular ballot.

A legal opinion from Lewis Benson, City Attorney, and Frank G. Millard, State Attorney General, that the petitions were valid was received by the City Commission before passing a resolution on January 12, 1954, putting the question of whether the charter should be revised on the April 5, 1954 annual City election. The resolution also provided for the election, on the same ballot, nine electors to serve as Charter Commissioners in case the proposition for Charter Revision prevailed.

The ControversyProponents Versus Opponents

Mayor Charles Moore used a request by Owosso firemen for a shorter work week to base an attack on the proposed Charter revision. He stated that he did not see how the City Commission could grant their request because of the lack of money. Moore further stated he did not know where they would be able to obtain the \$15,000 to \$20,000 needed for revision of the Charter if the proposal passed in the April election.

The Owosso Civic Research Council replied with the following advertisement:

AN OPEN LETTER TO MAYOR CHARLES MOORE

Dear Mayor Moore:

On at least two occasions during the past 30 days, you have been quoted on saying that the Charter Revision Proposal to be voted on at the Spring Election, if approved, would cost the taxpayers of the city \$15,000 to \$20,000.

One such quotation appeared in the Argus Press of Feb. 9th and the other was made before the Council of Social Agencies of Corunna. Inasmuch as you have repeated this remark, it is apparent that you are sure of source of your information.

Since your first statement in the local paper, the Civic Research Council has gone to the trouble to determine the facts in this regard. We have been informed by a consultant on municipal government who has worked on Charter Revisions in several Michigan cities, that the cost for a city the size of Owosso would be considerably less than \$5,000. If it is possible for other cities in Michigan to revise their charters for less than \$5,000, we think the people of Owosso are entitled to know why you believe it is going to cost us three or four times that amount.

Since there are a group of public-spirited citizens who have volunteered to serve as Charter Revision Commissioners

at no cost to the city, if elected, we can see no reason for any costs in connection with this project beyond that which is required by law. This includes legal fees, printing and advertising.

If you have any facts that we have been unable to uncover that will substantiate your estimate, will you please accept our offer to provide a similar amount of newspaper space, so you can itemize your figure so we will know why you think this much money is required.

Respectfully submitted

OWOSSO CIVIC RESEARCH COUNCIL

Mayor Charles Moore in answer to the advertisement declared that he would explain his estimated cost of \$15,000 to \$20,000 for charter revision if the people actually behind the Owosso Civic Research Council would identify themselves.¹

Answering Mayor Charles Moore's charges that the Owosso Civic Research Council had never published the names of the board of directors of the group, Charles Grace, president of the council, refuted the charge, saying that the complete list had been published in the Argus Press the day after the group was formed. He made the following statement:

The Civic Research Council, as the mayor very well knows, is the same group which was organized a year ago for the express purpose of defeating a proposed tax increase, which would have increased our taxes by some 33 per cent. At that time, the voters of Owosso approved the action of the council by voting down the proposed increase by a 14 to 1 majority.

On March 20, 1954, the City Commission held a special meeting to pass the day per diem wage of ten dollars for

¹See Letter No. 4 in the Appendix.

Charter Commissioners and to establish the City Hall as the legal place of meeting for the proposed Charter Commission. The reason for this special meeting of the City Commission was the time limit for filing for the posts of Charter Commissioners. This time limit expired at 5:00 P.M. on March 26, 1954.

On March 25, 1954, Mayor Moore made a more vigorous attack against the proponents of Charter revision in Owosso.¹ He attacked the character of the group by saying only a favored few with questionable personal interests was proposing the Charter revision.

Mayor Moore continued to maintain that he was not fighting the Charter revision and asserted that he was only insisting that the citizens be given the facts because the opponents of the revision might not be able to express their views in paid advertisements. In his discussion of the proposed Charter revision,² Mayor Moore stated that the City Charter was not antiquated, because the Constitution of the United States was older; that the City Charter was not outmoded and inefficient because it had been amended, just as the Constitution of the United States had been, to keep it abreast of current needs; and that the cost of amendments were much cheaper than the cost of a total revision.

Replies to Mayor Moore's question as to what was wrong with the present Charter will be found in this thesis under

¹See Letter No. 5 in the Appendix.

²See Letter No. 6 in the Appendix.

Chapter III, section entitled, "Faults of the Charter As Seen By Others, with Certain Rebuttals."

Fifteen men filed their petitions of candidacy for Charter Commissioner. Of these, fourteen filed the last day for filing. Nine of these men received the endorsement of the Owosso Civic Research Council. The names and qualifications of the nine men endorsed by the Owosso Civic Research Council were listed earlier under "Organization."

Mayor Moore issued a statement on March 31, 1954, estimating the cost of revising Owosso's Charter would cost a minimum of \$16,400, and broke down the figure into various items in his statement which follows:

These Charter Commissioners, in the event they serve, will be entitled to \$10 a day. They can, under the law, serve for 90 days. If nine are elected each could collect \$900, which makes the \$8,100 allowable by law.

In this connection we have no way of knowing, regardless of the statements made by persons of a minority group presuming to know otherwise, that these checks totaling \$8,100 will not be picked up. The Owosso Civic Research Council says their nine hand-picked men will serve for nothing. Who knows if that nine will be elected?

No Charter Commission can function properly without a stenographer who would be equal to such a task. I am advised that stenographers of this type are available only at weekly salary scales of \$80 and upwards. Such a stenographer would have to be extremely dependable, even approaching the status of a court reporter. To follow expressions of nine commissioners would call for the best in any stenographer. In placing this cost at \$1,000 I believe, after inquiry, that I am possibly too low.

It is my understanding that the Argus Press would charge \$600 for printing one full charter in its columns for one insertion. In such an important matter as submitting a possible new charter to the people, and in a legal sense, such printing would be for three different issues of the paper and for a cost of \$1,800.

In the field of printing costs we would come to the printing of the city charter booklets, which are always necessary. This would cost an additional \$500, if not more.

And last, but not least, the necessary and authoritative local advice could cost \$5,000 and possibly more.

There is no question but that any charter revision committee should be attended daily by such legal counsel as would govern them in their deliberations. And thus he can properly advise the members of what sections of a charter would stand the tests of court actions and what sections would not.

Background information on the pattern of this type of argumentation may be found in State and Local Governments by Charles R. Adrian.¹

General Observations by the Author

The controversy continued with charges and counter charges. Rumors circulated that a lot of the municipal employees would be fired and that some of them would even lose their pensions. Mr. Grace's statement that the complete list of names of the Board of Directors of the Owosso Civic Research Council had been published a year earlier was found to be true. The reason given for the ten dollars a meeting being set as the rate of pay for the Charter Commissioners was that the supervisors and the Board of Review were paid that amount.

The mayor was challenged to a public debate by the Charter Revision Group. Their offer was to have one member of their group debate Mayor Moore at any time, at any public place, or on the radio, provided he was the spokesman for the

¹Charles R. Adrian, State and Local Governments (New York: McGraw-Hill Book Company, Inc., 1960), p. 48.

entire City Commission. Nothing ever came of this challenge.

Pamphlets rapping the city manager plan were distributed by Mayor Moore. It was entitled, "The Story of a Lost 'Survey'," and was written by George W. Welsh, former Mayor of Grand Rapids.¹ Mayor Moore personally fought this Charter revision attempt with a great deal of effort while insisting at the same time that he would not oppose revision of the Charter. He made this fight with little support from the other two Commissioners.

Mayor Moore kept insisting that only a "favored few" were advocating a change. The fact that more than 1,500 registered voters of Owosso had signed petitions did not mean anything to him.

The issue on the question of Charter revision changed from being simple to complex. City managership became the issue for many, while others were just confused. The simple issue confronting the voter of whether they wanted a Charter Commission to study and advise about the Charter was beclouded by statements by both sides.

The issue rapidly changed to voting whether you wanted another form of government. With all the talk being about the city manager plan, the real issue was whether the city should have a city manager. This important issue was first

¹According to the cover of the booklet, it is a reprint of an article by Welsh originally published in the Grand Rapids Shopping News of June 18, 1953.

brought out in print by Mayor Moore when he stated, "No matter how hard the proponents of this charter revision try to duck the real issue, the fact is that there are few places you can go in the city where it is not suggested that the revision is calculated to provide for a city manager for Owosso." The city manager issue was reinforced with the following vague statement by the Charter Revision Committee. "We have discovered that if we change our form of city government that it must be done by a revision of the entire charter as amendments to the present charter will not be sufficient."

Why the Charter Revision Committee continued to try to keep the city manager issue from becoming an issue is hard to understand. They did not capitalize on their previous political victory and use as a reason for a change in the form of government, the necessity for a permanent safeguard against an unnecessary major tax increase. This type of approach might have gained support from the masses which had defeated a requested tax increase by the commission with a fourteen to one majority the previous year, and detracted from the "favored few" propaganda coming from Mayor Moore.

Propaganda of various types was used to defeat the proposal. Some of the propaganda might be classified as follows: name calling, e.g., "favored few"; transfer, e.g., comparing the charter with the United States Constitution; and card stacking, i. e., telling the truth, but not the whole truth.

These types and some other types of propaganda are further described in State and Local Governments.¹

The Election

The Proposed Charter Commissioners

The qualifications of the nine men endorsed by the Owosso Civic Research Council were listed earlier under the organization's personnel. The qualifications of the other six men were:

Lawrence Brown, 27, a draftsman with E. S. Brewer and Sons, a veteran of World War II and of the Korean War, third vice-commander of the local American-Legion post, married and the father of two daughters.

Louise Angle, 78, retired, served seven years as city assessor and a year as supervisor of the fifth ward.

Robert Eveleth, 47, a truck driver with Mid-West Abrasive Company and a member of the Eagles.

Joe Fisher, 53, former owner of Fisher's sporting goods store, is now in business administration.

Andrew Urick, 28, service manager of Bengier Motor Company and a veteran of World War II, was graduated from Owosso High and General Motors Tech, and has resided in the city 14 years.

Outcome of the Election

On April 8, 1954, the City Commission proceeded to canvass the result of the Annual City Election held April 5, 1954, with the following results. (Note: The number of

¹Adrian, op. cit., p. 199.

people registered and the outcome of the election expressed in per cent of the registered for that ward is listed in the analysis of this election.)

| For Charter Revision | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|---|----------|----------|----------|----------|----------|-------|
| Yes | 411 | 226 | 124 | 146 | 131 | 1038 |
| No | 282 | 292 | 326 | 274 | 353 | 1527 |
| Total Voting ¹ | 693 | 518 | 450 | 420 | 484 | 2565 |
| For the Amendment of Section 2 of Chapter 4 of the City Charter Regarding Supervisors Term of Office ² | | | | | | |
| Yes | 478 | 334 | 254 | 250 | 270 | 1586 |
| No | 135 | 169 | 155 | 127 | 158 | 744 |
| Total Voting | 613 | 503 | 409 | 377 | 428 | 2330 |
| For \$170,000 Storm Sewer Bond Issue | | | | | | |
| Yes | 346 | 282 | 216 | 179 | 238 | 1261 |
| No | 216 | 189 | 166 | 148 | 176 | 895 |
| Total Voting | 562 | 471 | 382 | 327 | 414 | 2156 |
| For Commissioner of Public Improvement | | | | | | |
| Earl Smith | 168 | 163 | 214 | 151 | 211 | 907 |
| William Stickel | 485 | 367 | 237 | 278 | 270 | 1637 |
| Total Voting | 653 | 530 | 451 | 429 | 481 | 2544 |
| For Constable | | | | | | |
| Jess Frazee (Democrat) | 110 | 141 | 108 | 92 | 112 | 563 |
| Randel Grover (Republican) | 530 | 369 | 311 | 307 | 320 | 1837 |
| Total Voting | 640 | 510 | 419 | 399 | 432 | 2400 |

¹Figures from all "Total Voting" columns were not included in official records of canvas.

²This Amendment changed the Supervisor's term of office from one year to two years.

| For Supervisor | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|---|-------------|-------------|-------------|-------------|-------------|-------|
| John B. Howe | 514 | | | | | |
| James L. Dingwall | | 365 | | | | |
| Louis F. Rubelman | | | 226 | | | |
| Ed Washburn | | | | 237 | | |
| James W. Shippee | | | | | 300 | |
| <hr/> | | | | | | |
| For Charter Commissioners ¹ | | | | | | |
| L. Paul Ball ² | 449 | 278 | 161 | 183 | 140 | 1211 |
| Lee L. Omer ² | 409 | 230 | 138 | 157 | 126 | 1060 |
| Arthur E. Pierpont ² | 408 | 215 | 136 | 141 | 126 | 1026 |
| Charles Grace ² | 378 | 198 | 115 | 125 | 112 | 928 |
| Kenneth Yerrick ² | 352 | 196 | 125 | 117 | 137 | 927 |
| James A. Anderson ² | 348 | 214 | 115 | 124 | 113 | 914 |
| Leon G. Vosburg ² | 366 | 208 | 108 | 119 | 95 | 896 |
| Robert Spiece ² | 289 | 174 | 117 | 112 | 129 | 821 |
| L. B. Finch ² | 286 | 167 | 104 | 95 | 85 | 737 |
| Donald C. Berndt | 196 | 147 | 128 | 118 | 135 | 724 |
| Robert Eveleth | 202 | 132 | 100 | 107 | 134 | 675 |
| Lawrence J. Brown | 176 | 138 | 131 | 104 | 115 | 664 |
| Louis B. Angle | 173 | 127 | 82 | 86 | 94 | 562 |
| Joe A. Fisher | 160 | 94 | 73 | 85 | 118 | 530 |
| Andrew Urick | 144 | 97 | 82 | 89 | 108 | 520 |

¹Alphabetical listing in official records changed to listing in order of number of votes received.

²Indicates charter revision group of the Civic Research Council.

Note: The first nine would have been elected Charter Commissioners if the charter revision issue had passed.

Analysis

An analysis of the outcome of this first attempt will be done by comparing it with voter registration, and with previous mayoralty elections. It should be noted that the

petitions that were filed carried many names and were estimated shortly before they were filed to have 17.8 per cent of the registered voters. This percentage is not official because the petitions were not fully checked as only 5 per cent was needed to put the issue on a regular election. The percentage of 17.8 per cent of the registered voters represented approximately 1,574 voters. The fact that only 1,038 people voted for the Charter Revision indicated probably one of every two petition signers did not have much interest in what they were signing, and signed only because they were asked.

NUMBER OF REGISTERED VOTERS

| Date | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|------------------|-------------|-------------|-------------|-------------|-------------|-------|
| April 6, 1953 | 2061 | 2102 | 2082 | 1832 | 1916 | 9993 |
| October 20, 1953 | 1807 | 1845 | 1836 | 1610 | 1743 | 8841 |
| April 5, 1954 | 1848 | 1847 | 1845 | 1626 | 1763 | 8929 |

The votes cast for mayor in the April 3, 1950 election was 4,067 with Charles R. Moore receiving 2,529 votes to his opponent's 1,538 votes. Mayor Moore lost in the First and Second Wards and received his main support in the other wards, as is shown in the following table.

VOTES CAST FOR MAYOR--APRIL 3, 1950, ELECTION

| Name | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|--------------------|-------------|-------------|-------------|-------------|-------------|-------|
| Edward A. Cournyer | 589 | 468 | 170 | 197 | 114 | 1538 |
| Charles R. Moore | 283 | 390 | 609 | 500 | 747 | 2529 |
| Total Voting | 872 | 858 | 779 | 697 | 861 | 4067 |

Three years later (April 6, 1953) there was no contest for the mayor's office and Mayor Moore was elected again with 1,989 votes being cast for him in the various wards as follows:

| Name | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|------------------|-------------|-------------|-------------|-------------|-------------|-------|
| Charles R. Moore | 512 | 442 | 372 | 323 | 340 | 1989 |

It is interesting to note in comparing the two mayoralty elections that a larger percentage of people turned out to vote in the First and Second Wards for the 1953 election than the other wards, and that the number voting for Mayor Moore increased in the First and Second Wards and decreased in the other wards. It is the author's interpretation this merely indicated there was more of a voter's responsibility shown in the First and Second Wards, and the lack of an opponent made the people vote for the incumbent.

In the April 8, 1954, election little additional interest was shown for the Charter revision issue over that for the Office of Commissioner of Public Improvements. In fact,

it would appear when comparing the number of people voting in this election with the number voting in the previous mayoralty elections, the Charter revision issue stirred little additional interest over the general masses. This apathy applied even in the First and Second Wards. They had 519 more votes cast in the 1950 mayoralty election than in this election.

In comparing the number of people voting for the Charter revision with the number of voters that voted for Charter Commissioners, one might assume from the five to one ratio, the average voter only voted for the men he knew and trusted and did not try to vote for nine candidates, or that a considerable number of people voting "no" for Charter revision did not bother to vote for any Charter Commissioners.

The outcome of the April 8, 1954, election, expressed in per cent of the registered for that ward, was as follows:

| For Charter Revision | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------|
| Yes | 22% | 12% | 7% | 9% | 7% | 12% |
| No | 15 | 16 | 18 | 17 | 20 | 17 |
| Total | 37% | 28% | 25% | 26% | 27% | 29% |

In comparing the above percentages of people voting "yes" for Charter Revision against the percentage of people

voting "no" for Charter Revision, it was apparent that the main source of strength behind the Charter Revision issue lay within the First Ward and little support came from the Third, Fourth, and Fifth Wards, which are located on the other side of the Shiawassee River.

CHAPTER V

THE SECOND ATTEMPT AT CHARTER REVISION

Organization

The Main Leaders

Their characteristics.--

George W. Hoddy, 51, Chairman of the Charter Commission, President of Universal Electric Corporation, and father of five children. A resident of Owosso since 1938, President of the Memorial Hospital Board of Trustees, District Chairman of Boy Scouts, and a director of the Chamber of Commerce. Mr. Hoddy was a quiet, intelligent man who spoke in a forceful manner. He was generally considered to be a reasonable, likeable man, and a leader in civic affairs.

Harold C. Meier, 43, Vice-Chairman of the Charter Commission, Vice-President and Director of Industrial Relations of Universal Electric Corporation. The father of four children, past director of the Y.M.C.A., and former Airport Commissioner. He has resided in Owosso since 1944. Mr. Meier was very diplomatic in his dealings with other people. He was active in community affairs and had a persuasive manner.

James S. Miner, 42, one of the Charter Commissioners, attorney and Circuit Court Commissioner, the father of two children, a member of the Y.M.C.A. Board. He was born in Owosso. Mr. Miner had a forceful personality which needed to be tempered. He was an intelligent, conscientious attorney who was successful and ambitious.

L. P. Ball, elderly, Chairman of the Charter Revision Committee, not one of the Charter Commissioners, but a driving force for the city manager form of government for many years. Former President of the Chamber of Commerce and the owner of a jewelry store, he has been interested in politics all his life and was defeated when he ran for mayor in the past. He had very fixed ideas and not enough diplomacy or political wisdom.

Their actions, and the effect of their actions.--The actions of the main leaders were very harmful to the proposed Charter. Mr. Hoddy and Mr. Meier both resigned in the middle of the drafting of the proposed charter in order for their company to buy property from the city. This made the entire Charter Commission lose considerable prestige and public confidence.

Mr. Miner accepted the token payment for his services, even though all the other Charter Commissioners refused their payments. This action of Mr. Miner made considerable political ammunition for the opposition.

Mr. Ball made the following statement during a discussion on whether to elect all councilmen at large, and whether to increase the taxing limitation from 15 mills to 20 mills: "Let's keep away from anything controversial and get this charter accepted. We can amend it later to take care of those matters." This statement was made at a Charter Commission meeting and was therefore publicized. This statement made people wonder if the Charter Commissioners would end up with an improved charter, or just one that featured the council-manager form of government.

The Characteristics of the Secondary Leaders

Most of the principal followers were elected to the Charter Commission. Other followers can be classified as above average taxpayers, in the author's opinion, because

they were willing to try to improve their local government rather than just complain about conditions. They came from all walks of life and it is almost impossible to gather data concerning them. Therefore, the author will limit himself to the balance of the Charter Commission, with the exception of Mrs. R. J. Brown.

R. J. Brown, M.D., 48, one of the Charter Commissioners was elected Chairman of the Charter Commission when the original chairman resigned. Member of the Owosso Medical Group, Fellow of the American College of Surgeons, and Diplomate of the American Board of Surgery. He obtained his Doctor of Medicine degree from the University of Michigan and moved to Owosso in 1935. Dr. Brown was a quiet, likeable man who was highly thought of in the community. He lacked leadership qualities and failed to provide the needed guidance as chairman.

Kenneth E. Fauth, 51, one of the Charter Commissioners, an automobile broker and former night superintendent of Bendix Aviation in Owosso. The father of two children, he was an Owosso native.

William P. Himburg, 35, one of the Charter Commissioners, Operations Manager of Indian Trails Bus Line, a Director of the Chamber of Commerce, and Chairman of its Industrial Committee during this attempt. He was former Airport Commissioner, the father of four children, a graduate of Annapolis, and a quiet, popular man.

Walter W. Pabst, 37, one of the Charter Commissioners, co-owner of Pabst Brothers Hardware Store (a large neighborhood store), a director of both the Chamber of Commerce and the Owosso Development Corporation, and the father of four children. He came to Owosso just before World War II and was a successful business man, having built his business from a small beginning.

Mrs. Ruth Y. Ellis, 41, widow, Charter Commissioner, mother of two children and owner of Ellis Insurance Agency. She was an Owosso School Board member, and had lived here since 1938. A successful business woman, but easily influenced in her decisions by others.

Kenneth E. Yerrick, 37, Charter Commissioner, salesman and Treasurer of Economy Mills, and a member of the Owosso School Board. The father of two children, he had lived in Owosso since 1937.

Mrs. R. J. Brown, wife of Dr. R. J. Brown, and business manager of the Owosso Medical Group. While she had no formal status with the Charter Commission, she played a behind-the-scenes role by writing many letters to the open forum to promote the new Charter. She was impatient and had a definite tendency to antagonize people.

General Observations by the Author

Review of the leadership traits in the group.--

1. Social standing. There was no lack of social standing in the leaders or their followers. It appears there was, in fact, too much social standing. This was indicated by the general feeling of people the author spoke with-- that a small, select group was trying to gain control of the City.

2. Wealth. Sufficient wealth was available to promote the new Charter. The Charter Commission consisted of a large factory owner, a wealthy physician, and an owner of a hardware store, among others of above average income. Costly advertisements in the paper indicated money was available.

3. Technical knowledge. Technical knowledge was handled by a Commission member who was a lawyer. The Charter Commission also employed a legal specialist, George Sidwell of Lansing, to help them.

4. Aggressive leadership. There was no shortage of aggressive leadership. In fact, there was so much of it the

Charter group was charged with trying to finish the Charter without taking the time to give it due consideration. A word of caution was even given by the Argus Press, which was giving strong support for the new Charter.

5. Popularity. This was very hard to establish one way or the other. George Hoddy was the owner of a large local factory, which had excellent relations with its employees to the extent that the employees were anti-union. Dr. Brown was very well thought of as a surgeon, but his wife was unpopular and she held a predominant position in the promotion of the Charter.

6. Cooperation. There was no visible discord, and to all appearance there existed good cooperation within the Charter Commission group.

7. Propaganda facilities. The propaganda facilities could be considered good. The Argus Press was backing the proposed Charter and ran editorials, feature stories, and a question and answer series. Postcards were mailed to every home, large advertisements were put in the Argus Press, and radio announcements from the local station were used. Open discussions were held by members of the Charter Commission at Parent-Teacher Organization meetings to answer questions from the public. One main fault seemed to be that the unpopular Mrs. Brown wrote letter after letter to the open forum in answer to letters from the opposition, which gave the impression that a very small group was trying to push

something through. There was a definite need for more people to send the letters if the open forum was to be used at all. The opposition used large advertisements, letters to the open forum, handbills, special small newspapers, and rumors. The rumors were so strong that the Charter group had to answer them instead of ignoring them. One rumor was that the new council would fire all city employees.

Review of the leadership traits in the individual.--

1. Organizational knowledge. Organization knowledge was lacking in most of the individuals. The promotion was carried on by a few individuals, and the lack of organized support from a large number of people was apparent. This was the exact opposite of the opposition, which had a large, well organized group fighting.

The Charter Commissioners made a very slow start and proceeded slowly in their study and as a result hurried up to finish the Charter in order to have it on the Spring ballot. This made a bad impression which could have been avoided with proper organizing.

2. Loyalty. Two acts by Charter Commissioners produced unfavorable publicity for the group, and gave the opposition political ammunition. Only one Charter member out of the nine accepted the token payment for his time spend at each meeting. It was the lawyer, Mr. J. Miner, who could well have afforded to refuse the money.

Two other Commissioners, Mr. G. Hoddy, Chairman of the Charter Commission and President of Universal Electric Corporation, and Mr. H. Meier, Vice-Chairman of the Charter Commission and Vice-President of Universal Electric Corporation, resigned to insure the legality of their company's purchase of land owned by the city. The present Charter prohibited city officers from dealing with the city and they were considered city officers. The question arises--as long as the land was not needed immediately for expansion, why did they not wait until the new Charter was completed?

3. Initiative. The entire promotion and the very things the Charter Commissioners proposed in their new Charter proved there was plenty of initiative in their group even if they lacked the political wisdom to convey effectively their ideas to the general public.

4. Self-confidence. Too much self-confidence was evident and developed ill-will. The Charter Commission did not follow-up on the campaign promise to ask for recommendations from various groups, such as the City Planning Commission.

5. Education. The education of the leaders and their followers was well above average.

6. Rhetoric. The rhetorical skill of the individuals was above average except there appears to be reason to say their ability was not sufficient to explain the Charter to the common voter in terms he could understand.

The Proposal for Charter Revision

The Proposal

On December 12, 1955, petitions were circulated asking the City Commission to place a Charter revision question on the April 2, 1956 municipal election ballot. The petitions not only asked for revision but for an advisory vote on an alderman-manager form of government. The petitions specifically avoided asking for the election of Charter Commissioners. The plan was to have the Charter Commissioners elected at a special election within sixty days after an affirmative vote for revision.

On December 27, 1955, Mr. L. P. Ball requested the City Commission to put the question of Charter revision on the next regular election ballot. The City Commission refused to take action on the request without petitions making it mandatory. On December 31, 1955, the petitions were filed with 656 signatures. With over 5 per cent of Owosso's estimated 9,000 registered voters having signed the petitions, placement of the revision question on the ballot became mandatory.

On February 7, 1956, the City Commission passed a resolution putting the questions of whether the Charter should be revised and whether such revision, if authorized, should provide for the adoption of an alderman-city manager form of government for Owosso.

On March 6, 1956, the Owosso City Commission made its first move to hurt the Charter revision attempt. In a surprise move, the City Commission opened the municipal election to the election of nine Charter Commissioners by amending the resolution adopted on February 7, 1956. The compensation for the Charter Commissioners was fixed at six dollars per meeting.

The Controversy

Proponents versus opponents.--The controversy for this second attempt followed the same approximate lines as the controversy for the first attempt for Charter revision in 1954. Five public hearings were held by the Charter Revision Group. The open forum was alive with letters pro and con.

On March 20, 1956, the City Commission set up a \$10,000 budget for the Charter Commission. Required by state law to be created before the election, the budget provided:

| | | |
|------------------------|-----------|----------------|
| Pay for Commissioners. | | \$4,860 |
| Clerical help | | 600 |
| Legal advertising | | 850 |
| Printing the charter | | 600 |
| Legal advice. | | 2,500 |
| Contingencies | | 590 |
| | | <hr/> \$10,000 |

When the City Commission set six dollars a meeting for the Charter Commissioners, it figured the revision meetings would last about three hours and the Charter Commissioners should earn about two dollars an hour. Mayor George

Rubelman stated that while the cost for clerical help had been a pure guess, the cost for legal advertising and printing were estimates from a printer and a publisher. Rubelman also stated that the cost for legal advice was based on the published estimate of Mr. L. P. Ball, Chairman for the Charter Revision Group, who had estimated the cost from \$2,000 to \$3,000.

The Charter Revision Group maintained that \$4,860 would be cut automatically if the voters selected charter commissioners who had expressed a desire to work without pay. The group further maintained there was nothing in the law which required the charter commissioners to accept six dollars a meeting in reimbursement. Mayor George Rubelman was quoted by Mr. L. P. Ball as saying no check would be written for any charter commissioner who did not submit the equivalent of a time slip for his services.

General observations by the author.--The author in his position as City Engineer of Owosso had the opportunity to view and hear the City Commissioners' personal attitude towards the approaching election on the question of charter revision. It was the author's opinion that at no time did the City Commissioners really believe the voters would cast an affirmative vote for charter revision. Time after time, the City Commissioners would either laugh and crack jokes about the attempt, or would scoff and ridicule the whole idea of the charter revision as a waste of everybody's time.

There was little or no organized resistance by the City Commission to the question of charter revision at this time. One reason for this was Mayor Moore had died in the interim and Mayor Rubelman, the new Mayor, lacked leadership traits. It was thought that sufficient action had been taken by the City Commission on March 6, 1956, when it opened the municipal election to the election of nine charter commissioners.

The Charter Revision Group had specifically avoided requesting the election of charter commissioners at the same election because they had reasoned that personalities had become involved and had helped to defeat the previous charter revision proposal in 1954. It was for this reason the petitions had specifically avoided asking for the election of charter commissioners.

Mayor George Rubelman actually helped the Charter Revision Group when he allowed himself to be quoted as saying that no check would be written for any charter commissioner who did not submit the equivalent of a time slip for his services. This was not the same attitude former Mayor Moore had maintained, and it helped the Charter Revision Group in quieting the general public's fear about the expenses involved in the revision.

The Election

The proposed Charter Commissioners.--Twenty-one people filed their petitions to become candidates for the Charter

Commission. The Charter Revision Group declared the following twelve candidates would serve without compensation: Dr. R. J. Brown, Mrs. Ruth Ellis, Kenneth Fauth, William Himburg, George Hoddy, Robert MacFarlane, Harold Meier, Rev. H. T. Mills, Walter Pabst, Charles A. Rodgers, Kenneth Yerrick, and Howard W. Baker.

Three other candidates who volunteered to serve without compensation were: William H. Haase, Don J. Smith, and Mrs. Eleanor Glick. The other six candidates who made no comment about whether or not they would serve without compensation were: Edward H. Shumaker, Donald O. Berndt, George Caylor, Charles Grace, James Miner, and Glen Beebe.

Outcome of the election.--On April 6, 1956 the City Commission proceeded to canvas the results of the vote cast at the Annual City Election held April 2, 1956 with the following results: (Note: The number of people registered and the outcome of the election on the questions of charter revision and the manager-form of government expressed in per cent of those registered for that ward is listed in the analysis of this election.)

| For Mayor | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|---|-------------|-------------|-------------|-------------|-------------|-------|
| George Rubelman | 545 | 463 | 320 | 287 | 382 | 1997 |
| For Constable | | | | | | |
| Randell Grover (Republican) | 479 | 362 | 265 | 227 | 295 | 1628 |
| Altan Swarthout | 67 | 93 | 54 | 50 | 64 | 328 |
| Total Voting ¹ | 546 | 455 | 319 | 277 | 359 | 1956 |
| For Supervisor | | | | | | |
| John Howe | 392 | | | | | |
| Harold Kercher | | 324 | | | | |
| Louis Rubelman | | | 208 | | | |
| Ed Washburn | | | | 190 | | |
| Richard Selleck | | | | | 203 | |
| For \$398,000 Storm Sewer Bond Issue | | | | | | |
| Yes | 391 | 325 | 163 | 143 | 188 | 1210 |
| No | 178 | 160 | 187 | 136 | 223 | 884 |
| Total Voting ¹ | 569 | 485 | 350 | 279 | 411 | 2094 |
| For Charter Revision | | | | | | |
| Yes | 474 | 385 | 214 | 202 | 246 | 1521 |
| No | 178 | 180 | 178 | 126 | 204 | 866 |
| Total Voting ¹ | 652 | 565 | 392 | 328 | 450 | 2387 |
| For Manager-Form of Government | | | | | | |
| Yes | 381 | 293 | 166 | 149 | 168 | 1157 |
| No | 199 | 194 | 191 | 133 | 213 | 930 |
| Total Voting ¹ | 580 | 487 | 357 | 282 | 381 | 2087 |

¹Not included in official records of canvas.

| For Charter Commissioners ¹ | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total | Per Cent of Registered Voters ³ |
|--|----------|----------|----------|----------|----------|-------|--|
| George Hoddy ² | 471 | 323 | 179 | 152 | 195 | 1320 | 15.6 |
| William Himburg ² | 441 | 283 | 156 | 150 | 210 | 1240 | 14.6 |
| Harold Meier ² | 415 | 312 | 150 | 130 | 181 | 1188 | 14.0 |
| Ruth Ellis ² | 363 | 256 | 131 | 108 | 136 | 994 | 11.7 |
| James Miner | 313 | 226 | 154 | 110 | 161 | 964 | 11.4 |
| Richard Brown ² | 313 | 233 | 142 | 106 | 158 | 952 | 11.2 |
| Kenneth Fauth ² | 282 | 231 | 109 | 106 | 103 | 831 | 9.8 |
| Kenneth Yerrick ² | 273 | 183 | 139 | 90 | 112 | 797 | 9.4 |
| Walter Pabst ² | 209 | 158 | 106 | 121 | 173 | 767 | 9.0 |
| Howard Baker ² | 201 | 164 | 107 | 104 | 159 | 735 | 8.7 |
| Glen Beebe | 178 | 204 | 121 | 81 | 106 | 690 | 8.2 |
| Charles Grace | 214 | 162 | 85 | 81 | 90 | 632 | 7.5 |
| William Haase | 142 | 171 | 89 | 80 | 114 | 596 | 7.0 |
| Donald Berndt | 151 | 135 | 113 | 91 | 99 | 589 | 6.9 |
| M. T. Mills ² | 175 | 134 | 111 | 80 | 71 | 571 | 6.7 |
| Donald Smith, Sr. | 129 | 113 | 68 | 56 | 99 | 465 | 5.5 |
| George Caylor | 56 | 95 | 73 | 75 | 67 | 366 | 4.3 |
| Eleanor Glick | 74 | 77 | 68 | 45 | 74 | 338 | 4.0 |
| Charles Rodgers ² | 56 | 59 | 64 | 67 | 70 | 316 | 3.7 |
| Robert MacFarlane ² | 83 | 100 | 44 | 41 | 33 | 301 | 3.6 |
| Edward Shumaker | 39 | 53 | 26 | 19 | 37 | 174 | 2.1 |

¹Alphabetical listing in official records changed to listing in order of number of votes received with the first nine being elected as Charter Commissioners.

²Indicates the candidates which the Charter Revision Group declared would serve without compensation.

³The per cent of registered voters' figures are unreliable. Each voter had the right to vote for nine different Charter Commissioners but it can not be determined to what extent each voter exercised their privilege.

Analysis.--The 1950 mayoralty election contest stirred 4,067 voters to turn out. The lack of any contest in the 1953 mayoralty election reduced that number of 1,989 voters. There was no contest in the 1956 mayoralty election either, and the number of people voting for the mayor remained fairly constant with 1,997 voters.

The issue on charter revision in the same 1956 election showed only a little additional interest, with 2,387 people casting their votes. In every ward the number voting "no" for the manager form of government increased over the number voting "no" for charter revision. There was also an additional 300 voters that were for charter revision but did not express their preference in regards to the manager form of government. It should be noted that less than half of the people voting for charter revision expressed a preference for the manager form of government.

The number of registered voters on January 1, 1956 were as follows:

| 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|----------|----------|----------|----------|----------|-------|
| 1,754 | 1,808 | 1,737 | 1,531 | 1,627 | 8,457 |

The outcome of the April 6, 1956 election expressed in per cent of the registered voters for that ward was as follows:

| For Charter Revision | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------|
| Yes | 27% | 21% | 12% | 13% | 15% | 18% |
| No | 10 | 10 | 10 | 8 | 13 | 10 |
| Total Voting | 37% | 31% | 22% | 21% | 28% | 28% |

| | | | | | | |
|-----------------------------------|-----|-----|-----|-----|-----|-----|
| For Manager Form of Government | | | | | | |
| Yes | 22% | 16% | 10% | 10% | 10% | 14% |
| No | 11 | 11 | 11 | 9 | 13 | 11 |
| Total Voting | 33% | 27% | 21% | 19% | 23% | 25% |

There was a definite difference in the way the wards voted. The First and Second Wards voted definitely in favor of the manager form of government while in the Third, Fourth, and Fifth Wards only 10 per cent of the registered voters voted "yes" for the manager form of government, and this percentage balanced fairly well with the "no" votes.

Only a small percentage of the registered voters turned out for the election despite favorable weather, a bond issue, and the charter revision question. The public simply was not excited or aroused. Support from the Charter Revision Group definitely helped the candidates running for charter commissioner. James Miner was the only one elected who was not supported by the Charter Revision Group and who had not declared he would serve without compensation.

In comparing the number of people voting for the charter revision with the total number of votes cast for charter

commissioners, it is apparent the voters tended to vote only for six candidates instead of the possible nine, or that a considerable number of people voting "no" for charter revision did not bother to vote for the charter commissioners.

The Charter Committee

Personnel

On April 10, 1956, the Owosso City Charter Commission met for the first time since its election and elected George W. Hoddy as chairman and Harold C. Meier as vice-chairman. Sketches of the personnel were given in the section under "Organization."

Consultant

On May 3, 1956, the Owosso City Charter Commission retained Mr. George Sidwell of Lansing as their legal consultant. Mr. Sidwell was born in Denver, Colorado in 1899, served in World War I, and then attended college where he received his degree in engineering. After spending ten years in engineering, he entered the University of Michigan Law School and obtained his law degree in 1935.

After 1935, Mr. Sidwell devoted most of his time and professional activities to the problems of city and village governments in Michigan. He was staff attorney for the Michigan Municipal League for ten years. After leaving the League staff he conducted a legal and engineering practice in Lansing, specializing largely in municipal matters.

He has assisted the charter commissions of forty-one cities and villages in the study and development of their charters, thirty-one of which had been adopted and were in operation.

The New Charter

A General Descriptive Summary

Governmental structure.--The people would elect a council of seven members, upon whom was to be placed the responsibility of governing the city. The council would appoint a city manager, who was to be the chief administrative officer of the city government, under the council, and upon whom was to be placed the responsibility for efficient operation of the administrative service.

Other officials to be appointed or confirmed by the council were to be: a member of the Board of Review, the city's representatives on the Board of Supervisors, a mayor, a city clerk, treasurer, assessor, and other needed officers. The mayor, to be chosen from the council's membership, would serve as presiding officer of the council and as ceremonial head of the city government. The compensation of the council members was to be ten dollars a meeting, with an annual maximum of \$360.00. The mayor was to receive an additional \$200.00 per year.

The city manager was to be given adequate authority, including appointment and removal of administrative officers, subject to council approval and review.

Elections.--Regular non-partisan city elections were to be held the first Monday in April of each odd numbered year. Candidates for councilmen would seek office by petition, and to assure ward representation within the council, two candidates were to be nominated at primary elections from each of the five wards by the electors of the wards. At the following regular election the electors of the city at large were to choose between the nominees from each of the wards. The term of office for councilmen was to be four years, five members being elected from the wards at one time and two from the city at large, together with the judge at another.

Finance-taxation-bonds.--The manager would have drawn up the budget, with the council approving it. Special accounts would have been created by the council for specified future improvements. The money in said special accounts could not have been spent on anything else without approval of the voters at an election.

The annual general ad valorem tax levy for municipal purposes was not to exceed one and one-half per cent of the assessed value of all real and personal property in the city. The power of the city government to issue bonds was the power

available under state law. Borrowing limitations were to be as the Home Rule Law sets up for cities like Owosso.

A board of review composed of five members who had the qualifications for holding elective city office was to be created. The members were to be appointed by the council to serve for five years. The assessor was to be the clerk of the board, but to have no vote.

County supervisors.--The county supervisors from Owosso were to be the mayor, the city attorney, the city assessor, the city finance officer, and one other to be appointed by the council.

Municipal court.--The present municipal court was to be continued unchanged, and the municipal judge elected by the people.

Retirements-pensions.--The intent of the chapter on retirements and pensions was to preserve the present pension plan of the city. This was done by writing the present plans into the charter.

Civil service.--The charter protected every appointive officer and employee of the city in the position held by him. To this purpose, both groups were to be protected by the availability of public hearings at their request, if there had been any unmerited discharge, demotion, or disciplinary action. The council was required to adopt a civil service

plan for all employees within one year after the effective date of the charter.

Public utilities-franchises.--No irrevocable franchise was to be granted except by a three-fifths vote of the people, and exclusive franchises were prohibited. Thirty years was fixed as the maximum life of a franchise, but the council and the people could have limited them to any shorter terms, as circumstances at the time dictated. The right of municipal ownership of public utilities was satisfactorily provided for by state law and was among the powers vested in the city. It was not repeated in detail in this charter, except by a general reference thereto.

Initiative-referendum-recall.--The initiative, the referendum, and the recall were provided for.

General Observations by the Author

The significant result of changing charters would have been a shift in responsibility. The same restriction on taxation of fifteen mills existing under the present charter was retained.

The authority of the Planning Commission, set up by a voter approved ordinance, remained the same, but the membership requirements changed and was in accord with a request by the Planning Commission. This request had to be made by the Planning Commission because the original draft had been made without consulting them.

Civil Service had been a controversial matter. The Charter Revision Commission deliberated whether merit provisions should be spelled out in detail in the proposed charter. The firemen had made a strong attempt to have Act 78 of the Public Acts of Michigan, 1935, as Amended, included in the proposed city charter. Act 78 is an act to establish and provide a board of Civil Service Commissioners in cities, villages, and municipalities having full paid members in the fire and/or police departments; to provide a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment and promotion of all officers and men appointed in said fire and police departments and respective cities, villages, and municipalities; to regulate the transfer, reinstatement, suspension and discharge of said officers, firemen, and policemen; and to repeal all acts and parts of acts inconsistent therewith. The policemen opposed said Act 78's inclusion as did Charter Commissioner Miner. Act 78 was not included, but Civil Service was made mandatory.

The Controversy

Proponents Versus Opponents

A great deal of misinformation about the charter made the rounds along with unfounded rumors and charges and counter charges. Postcards, handbills, special newspapers, and letters in the Argus Press's open forum were used by the

group in their attempt to persuade the public to support them when they went to the polls. A variety of arguments were used in this fight. These arguments can best be shown by referring to some of the letters sent to the Owosso Argus Press open forum.

An appeal to the people to protect themselves from others seeking gain at their expense was made from the group opposing the new charter. It was from Elmer Nesbit, a city employee, on February 5, 1957, when the following letter was published:

Editor, Argus-Press

The charter members seem very sure of themselves when they say they need the time between the April election and July 1st to locate a city manager. If that statement don't choke the citizens of Owosso I don't know what will. For my money I am sure they already have one in sight.

As time goes on it becomes very plain members of the charter commission intend to run for councilmen. This again proved they are out to protect their own personal interest, regardless of the cost to others.

Speaking of locating a city manager, I don't mean any Tom, Dick, or Harry, they might come in contact with, I mean a man with plenty of experience, and you and I both know it will fall on the backs of the taxpayers not the councilman that hired him.

In the first place, what will this group of councilman be able to offer a man of that type, can they guarantee the gentleman a salary of \$12,000, to \$15,000 dollars per year, can they guarantee this type of man a three or five year contract. If they can not do these things a well educated person with plenty of experience in city management would be a fool to step into the office of city manager in Owosso, especially under a small group of citizens, determined to dictate all future moves in the city and at the same time having the words (you can fire him) on their tongues every time something goes wrong.

I understand a charter member made the statement they can get one out of college, (that is fine) but we all know he must have experience as well as a college education to be efficient.

Elmer Nesbit

On February 7th, some unknown taxpayer reinforced this stereotype of the greedy few trying to dominate the proletariat with the following letter:

Editor, Argus Press:

The picture was dim at first, but it surely is getting brighter and clearer as each day passes. I think most of you know just what I mean. For instance when people step into lines of business, like entering into the lumber and coal, contracting, and real estate businesses, they will sure run into difficulties, they did not expect, when they made their investment, and when that happens they are forced to take certain steps to protect their investments.

I think that is just what has happened with a certain few here in Owosso. This group found that certain parts of our present charter stood in their way. Therefore if the law is in your way change the law. That is why they started the campaign last spring to revise the charter. I do not think it is the men in office they were so much concerned about as they would have you and I believe.

They will have things very much their own way if the people of Owosso adopt the new charter next April. Doing so will help this group to fill their coffers with the gold they are seeking, at the expense of others. This must not happen. Again I ask you Mr. Taxpayer, are you going to sit like a bump on a log and in so doing help to fill the bags of these money changers.

In reality I believe it is nothing more than greed in a certain few, that has caused all this disturbance in Owosso.

A Taxpayer

The first letter from the group in favor of the proposed charter which attacked this line of persuasion was from Eleanor Glick, a school teacher and unsuccessful candidate for the Charter Revision Commission, on February 26th.

Editor, Argus Press:

In a recent open forum letter, a gentleman stated that the members of the charter commission were working for their own financial gain in writing our new proposed charter.

I would like to point out to this gentleman that these people were elected by a majority of the voters of this city and that they worked without compensation (with one exception, James Miner).

He also inferred that they were cramming city manager type of government down our throats. Perhaps he forgot that in the spring election the commission was directed by the people of Owosso to consider city manager type of government over other types.

I am personally acquainted with only one of the Charter Commission members, my doctor, Dr. R. J. Brown. As far as he is concerned, I can't see how he could possibly make any money from his part in this work. In fact, I'm of the opinion that he probably lost quite a bit of income during the hours he spent working on this charter and that the thought of income, gain or loss never entered his mind. I sincerely believe that he is one of several who consider it their civic duty to take part in the processes of government.

As a taxpayer, I will personally thank this open forum letter writer if he can prove his accusations. If he can't, as the old saying goes, he should either put up or shut up.

Eleanor Glick

A powerful silencer and weapon was brought into play against one of the principal men of the anti-new charter group. The power of ridicule is very potent when properly used to discredit or to persuade people to be quiet in their opposition. This was used in the letter of February 22nd, from Laura Forsythe.

Editor, Argus Press:

I had a dream last night, Tuesday, February 19, 1957, that is. It followed a late piece of very rich chocolate pie and that equally indigestible article in the Open Forum written by Mr. Nesbit--a city employee I believe.

Either the pie or the article must be to blame for the dream.

In this dream, Gabriel blew his horn, a beautiful shiny horn it was too, and cried out: This is the day--come on you people of Owosso--come to this bright and shining place.

And--there were two who hung back saying:

"What is your motive Gabriel?"

"What are you trying to take away from us voters, Gabriel?"

"Aren't you one of just a select few, Gabriel?"

As I awoke I tried to recall more but standing out clearly were just the sweaters worn by the two who

hung back--on one sweater the initials F. G. and on the other sweater E. N.

Laura Forsythe

The appeal to a person's ego or to their sentiment of self-regard was first used by the pro-new charter group in a letter from F. C. Brown on March 6th. In the same letter, which follows, an attempt was made to discredit the opponents by comparing their letters with methods used by a known and despised group.

Editor, Argus Press:

Russian communists used the Big Lie approach to get away with stealing freedom out from under unsuspecting citizens of small countries on the Russian border. They always branded the freedom loving opposition as capitalists and communists and kept hammering home the Big Lie until the people being duped believed the Lie to be the truth.

This same approach is being used by opponents of the proposed charter. There is one big difference, however. I believe in the intelligence of the people of Owosso. They are too smart to be taken in by the red herrings thrown by the opponents of the charter now being studied by the citizens of Owosso. I believe that many people will go to the open meetings, hear the discussions and ask questions. Heckling by those who do not wish the meetings quiet enough so the truth can be heard will probably delay the discussion. (But you can't delay a good thing forever and I believe the voters of Owosso will vote for a good charter and a more efficient government.)

F. C. Brown

Observations by the Author

This controversy did not vary much from the others. More interest was aroused than was the case when the charter revision question had passed in the April 2, 1956 election. The additional interest can be attributed to the fact the

proposed council-manager charter had become a reality and was not to be considered as something to laugh about.

The City Commission took a more active part in it with Commissioner Walter Bennett exercising leadership. Mayor George Rubleman had a handbill made on the city's time, equipment, and paper. The handbill¹ was considered by many as not only untrue, but vicious and unfair. The handbill was not signed by anyone and the Mayor made the statement that it had not been made by the City when he was accused of it. The author knows through his own personal knowledge the Mayor was the man responsible for the handbill. The pressure to pinpoint responsibility of the handbill became great enough that an open forum letter by Mr. F. H. Gratton was published on March 9, 1957, which featured wording identical to the handbill. This experience was upsetting enough to the Mayor that Commissioner Bennett handled the controversy from that point on, except for a last minute public statement from Mayor Rubelman that he opposed the new charter.

Commissioner Bennett even paid for a special newspaper entitled Owosso Voter and had it circulated over the entire city. It featured well known anti-city manager headlines like, "Does Owosso Need A Dictator?" and "Must We Admit That We Are Not Able To Govern Ourselves?"

¹See Letter (handbill) No. 7 in Appendix.

The Election

The Candidates for City Council

J. Murray Acker, 66, candidate for councilman from the First Ward. He was chief clerk to the master mechanic of the Ann Arbor Railroad Company, and had been a resident of Owosso for thirty-seven years.

Robert V. Harris, 50, candidate for councilman from the First Ward. He was president of Harris Milling Company and had been a resident of Owosso for six years.

James L. Dingwall, 42, candidate for councilman from the Second Ward. He was executive vice-president of Owosso Federal Savings and Loan Association, former supervisor from the Second Ward, and had been a life-long resident of Owosso.

Louis F. Rubelman, 57, candidate for councilman from the Third Ward. He was a salesman at Robbins Furniture Company, supervisor from the Third Ward, and had been a life-long resident of Owosso. He was a brother of Mayor George Rubelman.

Kenneth E. Yerrick, 38, candidate for councilman from the Third Ward. He was treasurer and salesman at Economy Mills, a Charter Commissioner, and had been a resident of Owosso for twenty years.

Walter H. Ackerman, 54, candidate for councilman from the Fourth Ward. He was an optometrist and had been a resident of Owosso for fourteen years.

James Carl Partee, 25, candidate for councilman from the Fourth Ward. He was the owner of Partee Standard Service and had been a resident of Owosso for two and one-half years.

Chester A. Davis, 34, candidate for councilman from the Fifth Ward. He was a driver for Chevrolet Division of General Motors Corporation in Flint and had been a resident of Owosso for thirteen years.

Walter Pabst, 38, candidate for councilman from the Fifth Ward. He was co-owner of Pabst Brothers Hardware Store, a Charter Commissioner, and had been a resident of Owosso for eleven years.

R. J. Brown, M. D., 49, candidate for councilman-at-large. He was a surgeon, a Charter Commissioner, and had been a resident of Owosso for twenty-two years.

S. C. Dowling, 65, candidate for councilman-at-large. He was retired from Consumers Power Company, but continued active in civic affairs and had been a life-long resident of Owosso.

Mrs. Eleanor P. Glick, 29, candidate for councilman-at-large. She was a teacher at Brady Community School in Saginaw County, and had been a resident of Owosso for nine years.

Outcome of the Election

On April 4, 1957, the City Commission proceeded to canvas the results of the vote cast at the Annual City Election held April 1, 1957, with the following results:

| For | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|--|-------------|-------------|-------------|-------------|-------------|-------|
| Commissioner, William H. Stickel | 651 | 577 | 460 | 440 | 495 | 2623 |
| Municipal Judge, Peter J. Marutiak | 773 | 642 | 514 | 500 | 561 | 2990 |
| Charter Yes | 540 | 334 | 155 | 171 | 198 | 1398 |
| No | 409 | 525 | 421 | 494 | 655 | 2704 |
| Councilman, 1st Ward J. Murray Acker | 452 | 271 | 201 | 198 | 211 | 1333 |
| Robert V. Harris | 354 | 237 | 174 | 152 | 184 | 1101 |
| Councilman, 2nd Ward James L. Dingwall | 679 | 577 | 313 | 314 | 348 | 2231 |
| Councilman, 3rd Ward Louis F. Rubelman | 337 | 266 | 273 | 183 | 230 | 1289 |
| Kenneth E. Yerrick | 378 | 258 | 224 | 181 | 184 | 1225 |
| Councilman, 4th Ward Walter H. Ackerman | 353 | 245 | 178 | 230 | 206 | 1212 |
| James C. Partee | 355 | 271 | 191 | 198 | 179 | 1194 |

| For | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|----------------------|-------------|-------------|-------------|-------------|-------------|-------|
| Councilman, 5th Ward | | | | | | |
| Chester A. Davis | 191 | 168 | 155 | 129 | 209 | 852 |
| Walter W. Pabst | 516 | 337 | 215 | 342 | 277 | 1687 |
| Councilman-at-Large | | | | | | |
| Richard J. Brown, MD | 524 | 351 | 246 | 238 | 254 | 1613 |
| S. C. Dowling | 625 | 413 | 267 | 285 | 317 | 1907 |
| Eleanor P. Glick | 220 | 174 | 169 | 159 | 178 | 900 |

Analysis

The number of registered voters on April 1, 1957, were as follows:

| 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|----------|----------|----------|----------|----------|-------|
| 1792 | 1869 | 1886 | 1643 | 1818 | 9008 |

The outcome of the April 4, 1957, election expressed in per cent of the registered voters for that ward was as follows:

| For Charter | 1st Ward | 2nd Ward | 3rd Ward | 4th Ward | 5th Ward | Total |
|--------------|-------------|-------------|-------------|-------------|-------------|-------|
| Yes | 30% | 18% | 8% | 10% | 11% | 16% |
| No | 23 | 28 | 33 | 30 | 36 | 30 |
| Total Voting | 53% | 46% | 41% | 40% | 47% | 46% |

Even though the weather was inclement, the voters turned out and the proposed charter was rejected by a two to one ratio. The number of voters that turned out to express their opinion was rather large for a spring election in Owosso. The proposal passed in only the First Ward and there were many who opposed it even there. The proposed charter was defeated very definitely in the Third, Fourth, and Fifth Wards, with ratios of three or four to one.

Three of the nine Charter Commissioners ran for the office of councilman and there were twelve candidates for that office. Comparing the total number of votes cast for each candidate, they placed in descending order as follows: Walter Pabst, third; Dr. R. J. Brown, fourth; and Kenneth Yerrick, seventh. Walter Pabst and Dr. R. J. Brown would have been elected as councilmen if the charter has been accepted. Kenneth Yerrick lost to Louis Rubelman who, as Third Ward Supervisor for many years, was a very strong opponent.

First impression would make this appear that the Charter Commissioners were still held in esteem by the public. While this could be true, three factors which made this a false conclusion were: there were many worthwhile potential candidates who did not run for office because they either did not want to appear they were in favor of the proposed charter, or did not think the charter had a chance of passage;

over one-third of the people voting on the charter proposal did not vote for councilmen and it was reasonable to assume many of them voted "no" on the charter proposal; the people voting "yes" on the charter proposal probably voted for the Charter Commissioners so the new charter would have strong support in its youth.

In the defeat of the city manager form of government, the voters of Owosso once again proved Jacksonian Principles¹ still govern their way of thinking, that is, no special qualifications or training is needed in a public office, other than being willing to serve, because one individual is as good as any other individual in a public office.

Comparison With Previous Elections

At the April 6, 1956 Annual City Election, 28 per cent of the registered voters expressed their opinion as to the desirability of a charter revision with 18 per cent voting "yes" and 10 per cent voting "no." At the same election 25 per cent of the registered voters expressed their preference as to a manager form of government with 14 per cent voting "yes" and 11 per cent voting "no."

This was in direct contrast with the outcome of the April 8, 1954 Annual City Election where 29 per cent, or

¹For a brief, concise description of Jacksonian Principles see Adrian, op. cit., p. 50.

approximately the same percentage of registered voters, expressed their opinion as to the desirability of a charter revision. The vote was 12 per cent "yes" and 17 per cent "no" for charter revision. The 1956 election revealed an increase in "yes" votes and a decrease in "no" votes in every ward as compared to the 1954 election, even though the same approximate percentage of registered voters expressed their opinion as to a charter revision. Another contrasting feature was the proposal for charter revision passing in every ward in the 1956 election, whereas it failed to pass in all but the First Ward in the 1954 election.

When the voters went to the polls on April 1, 1957, they showed they still viewed the proposal as they had in 1954. The proposal failed in every ward but the First Ward. Very little additional support for the proposed charter was found except in the First Ward. In the Third Ward fewer people voted "yes" for the proposed charter than voted "yes" for manager form of government in the 1956 election. Except for the First Ward, all wards had less people in favor of the proposed charter in 1957 than had been in favor of a charter revision in 1956. The opposition in direct contrast with this showed a very large increase in their numbers. The opposition doubled in strength in the First and Second Wards and more than tripled their strength in the Third, Fourth, and Fifth Wards.

Here we see the image of resurrected grassroots democracy, as described by Robert C. Wood in Suburbia,¹ which "commits the citizen, theoretically at least, to do-it-yourself brand of politics, in which as many issues as possible, simple and complex, require his personal sanction, and the acceptable elected official is the amateur."

General Observations by Interested Participants

Mayor George Rubelman made the following statement immediately following the election:

"With the size of the vote, it appears to me that the people have very definitely expressed their views. Now that the election is over, I hope that the difference of opinion will be resolved and that every effort will be made to work for the best interests of all the people in the city."

The Owosso Argus Press which had supported the proposed charter stated in an editorial:

The charter matter should rest in peace for the time being at least. There is some idea it should be revived at an early election but a 2 to 1 adverse vote would indicate that the proponents of the idea have a job to change enough of that no vote to be effective. It is impossible to modify the charter, as written, without going through the entire charter process again.

The chances are that a vote in the near future on the same charter would only result in the same result as occurred last Monday. The people of Owosso have indicated that at least 2 to 1 of those voting last Monday

¹Robert C. Wood, Suburbia (Boston: Houghton Mifflin Company, 1958), p. 157.

were more satisfied with the government they now have in Owosso than with the proposed new government. Those in Owosso, who firmly believe the city needs a more responsive and efficient government, must still recognize the fact the majority of the voters disagree with that idea.

Mr. L. Paul Ball, a leader for charter revision, offered congratulations to the City Commission at a City Commission meeting for defeating the proposed charter.

"You gave us a damn good licking," he said, "but keep in training because we'll be back to see you in about another year."

Mr. Ball also said that changes should be made in the proposition and a lot of campaign mistakes were made by the pro-charter group.

CHAPTER VI

CONCLUSION

Political History Since the Second Attempt

Approximately six weeks after the April 4, 1957 election, the final audit of the account for the Charter Revision, which had a budget of \$5,000, showed the following summary of expenses:

| | |
|------------------------------------|----------------|
| Legal fees paid to George Sidwell. | . \$3,943.64 |
| Cost of printing proposed | |
| charter in <u>Argus Press</u> | 793.63 |
| James Miner | 234.00 |
| Miscellaneous | 9.31 |
| Total | \$4,980.58 |

This cost was within the \$5,000 estimated cost made by the Charter Revision Committee in its campaign and was within the budget as set up by the City in its appropriations.

One of the main arguments in favor of the proposed city charter that failed to pass April 1, 1957, was that it provided civil service for city employees. A resolution was passed on April 16, 1957 by the City Commission which approved the creation of a Civil Service System for city employees and established a committee to assist in the drafting of the system. The fireman demanded Act 78 of the Public Acts of Michigan, 1935, as Amended. They were refused and

the firemen circulated petitions to have it put before the voters. James Miner led a group in fighting the passage of the charter amendment. Two of many arguments against its adoption were: the Owosso fire department would then be governed by the state legislature, and the cost of running the fire department would increase \$50,000 a year. The proposal was defeated in all wards in the November 6, 1958 election, with 2,983 voting "no" and 1,649 voting "yes."

Civil service actually was a dead issue from the start because the City Commission opposed it unofficially and only one meeting was held by the Civil Service Committee.

Commissioner Walter Bennett, who led the successful fight against the proposed charter was defeated at the April 10, 1958 election by Ray E. Gellatly. The vote was Ray E. Gellatly 1,128 to Walter H. Bennett 898. Walter Bennett was defeated in all wards except the Third Ward in which his home is located.

Louis Rubelman, who was one of the directors of the Civic Research Council, the group which sponsored the first attempt for charter revisions, was elected the Mayor of Owosso on April 6, 1959. Mayor Louis Rubelman, former supervisor from the Third Ward, former candidate for councilman from the Third Ward, succeeded his brother, former Mayor George Rubelman, who died in office.

Commissioner William Stickel retired at the end of his term on April 11, 1960, and eleven candidates ran in the

primary election for his office. John Ward and Charles Grace were the successful candidates and competed for the office in the annual election held on April 4, 1960.

Mr. Charles R. Grace, President of the Civic Research Council and leader of the unsuccessful first attempt to revise the charter, was defeated. The vote was Charles R. Grace 1,191 and John A. Ward 1,408. Three factors which hinder any attempt to interpret the results were: John Ward made a vigorous campaign for the position while Charles Grace did not; the Fifth Ward, which had always been anti-city manager, was the only ward where Charles Grace received more votes than John Ward; and John Ward received more votes than Charles Grace in the First Ward, which had always been pro-city manager.

General Conclusions

The results of the 1957 election as compared to the 1956 election indicated that, when the whole promotion was considered, the sponsors of the proposed charter failed in their public relations. They gained some support from the First Ward, but not from the other wards even with large sums of money spent for newspaper advertising, which was paid for by private individuals.

It was the author's interpretation of the public sentiment at the time of the election, that the money spent for advertising did not educate the public as hoped, but only

gave the impression that someone stood to gain something if the charter was accepted. Personal contact was lacking in the promotion and no attempt was made to make this a community project.

The chief arguments against the new charter proposed during the second attempt were three: it might result in increased costs and taxes; the manner in which the members of the council were to be selected was undesirable; the county supervisors from the city would not be elected, but would be city officers acting ex-officio.

The resignation of two popular members of the Charter Commission during the drafting of the charter for a reason that appears could have been delayed was unfortunate.

Wealth appeared to actually be a handicap to the promotion of the charter, and much effort appeared to be directed haphazardly.

There was plenty of business talent available and it appeared that the complete promotion should have been well organized. Three probable reasons for the lack of organization were: the business men were kept busy with their own business problems, the business men found themselves in the strange situation of seeking cooperation from unpaid friends with varied viewpoints which required compromising, and they lacked experience in the promotion of political support.

The political leader not only needs help in winning support for the policies, but needs help in formulating

policies that will have a reasonable chance for successful acceptance. It was clear the Charter Commissioners needed the wisdom of a veteran politician in addition to George Sidwell, the legal specialist they retained, when they formulated the new charter. The election of the councilmen and the county supervisor should have been left to each ward. The result of their attempt for a more perfect document (in the author's opinion) was to have their proposed charter rejected by the voters.

APPENDIX

The following direct quote excerpts are from letters published in the open forum of the Owosso Argus Press.

LETTER NO. 1

As part of his first charge he says: "To avoid having the persons who make the assessments review them, a disinterested board of taxpayers should constitute the Board of Review." For his information the assessor does not review his own assessments. These reviews are conducted by the five ward supervisors--John Howe, James Dingwall, Jr., Louis Rubelman, Edward Washburn and James Shippee, three of whom are members of the Owosso Civic Research Council.

Attorney Pierpont charges--"The present charter makes no provision for competitive bidding on contracts for supplies, construction and services." The truth is that Section 8 of Chapter 8 of our present charter provides that the city cannot enter into agreement, obligation or contract for any amount over \$1000 without authority of the Commission.

Mr. Pierpont says: "The present city charter permits the three commissioners to buy separately for their departments instead of all city purchasing being handled by one office more efficiently and economically." The truth is that each department can purchase small items necessary for their individual needs but all bills have to be okeyed by the City Commission at open meetings.

Mr. Pierpont says: "There is no charter provision for an independent, unbiased audit of the city's accounts by a certified public accountant." My answer is this:

Section 14, Chapter 8, of our present city charter reads: "During the month of July in each year the Commission shall cause to be made and completed a full and complete audit of all books and accounts of the City, the same to be made by a competent expert accountant, and shall, not later than the first day of September of each year, publish a detailed summarized statement of such audit in a newspaper of the City of Owosso, showing the transactions of each department for the preceding twelve months."

That's what our charter says our City Commission SHALL do and that's what we do.

Mr. Pierpont says: "Our charter makes no provision for public inspection of a complete audit of the city's books." My answer is that all of our audits are published in full in

the Owosso Argus-Press and the fundamental law is that, aside from that, any citizen has a right to inspect the city's books at any time.

Mr. Pierpont says we do not have civil service. But we do have a pension plan, a plan long enjoyed by our city employees and which they do not care to be abandoned. This pension plan was adopted as part of the city charter in 1945 by the voters of the city.

Mr. Pierpont says: "Our charter has no provision for regulation of house trailers." For his information--and a fact that was officially printed in the Argus-Press on two different dates--Owosso passed an ordinance on March 29, 1953 barring the future placing of house trailers in the city after a specified date. Since then, trailers already established, have now lessened to one third of the number at the time this ordinance was passed.

Mr. Pierpont says our city charter at present "provides no adequate health program." For his information the present health program of Shiawassee county, which embraces Owosso, is operated under a county health program set up by Michigan state law.

Mr. Pierpont says: "The charter fails to provide for airport acquisition, operation, etc." For Mr. Pierpont's information we have an airport now functioning outside of Owosso on East Main street that was established by authority of Section 6, Chapter 15 of our present city charter.

And in this connection may I say that this present airport was built up to high perfection under such Airport Commissioners as the late and lovable Jim Jackson, Sid Dowling and J. Evans Campbell. When Mr. Jackson met his untimely end, I put Mr. Ball in his position. These men did wonderful work, as have their successors, Harold Meiers, vice president of Universal; Bill Himburg of Indian Trails Bus and George Rubelman, our building inspector.

When Mr. Pierpont comes to his criticisms of our local court as not properly cared for by our city charter he should as a lawyer, know that this court was established by a special act of the legislature and that its judicial procedure is governed under state law.

He should know that, not because he is a lawyer, but because he was once our municipal judge. If the court setup was not what he wanted at that time, why this late date to complain about a state regulation--and blaming the same on a city charter.

Mr. Pierpont says, "Our charter makes no provision safeguarding parking meter receipts for the use originally intended, viz: providing off-street parking." The truth is we have an ordinance which states that after deducting from the gross proceeds, the cost of maintenance, collection and enforcement the balance shall be deposited in a special fund for the purpose of acquiring and maintaining parking lots.

And last but not least, Mr. Pierpont says: "Our charter fails to provide for publication of ordinances, codes, regulations and amendments thereto."

This last one should be of great wonderment to the business office of the Argus-Press for the truth of the matter is that all that Mr. Pierpont here mentions are printed in the Argus-Press as minutes of the meetings of the City Commission and are printed within 10 days after such meetings.

LETTER NO. 2

In view of the statements made by Mayor Moore in connection with my previous statement in reference to deficiencies in our present charter, I am obliged to reply thereto in order that his unfounded statements can be corrected. I, too, will discuss the comments in order.

1. Section 34 of Chapter 18 of the Charter makes the City Assessor a member of the Board of Review and so he participates in the review of the assessments previously made by him and votes thereon.

2. There is no provision in the charter for competitive bids. The provisions of Section 8, Chapter 8 of the charter, quoted by the Mayor, makes no provision for competitive bidding for city business--it provides only for expenditures approved by the Commission.

3. Even though all bills are "okayed" by the Commission there is still no charter provision providing for a centralized purchasing system for all city needs.

4. Section 14, Chapter 8 as quoted by the Mayor does not provide for audit by a certified public accountant.

5. As pointed out by the Mayor a "summarized" statement is published instead of a completely detailed audit. My point was, as is true of all my comments, that our present charter doesn't require publication and availability of a complete detailed audit.

6. The Mayor didn't refute my statement that our charter has no provision for civil service for city employees. There is a lot of difference between that and the pension plan he referred to. Both are necessary.

7. The Mayor didn't refute my statement that our charter has no provision for trailer regulation. Although there is an ordinance of which we know, there is nothing in the charter about trailers.

8. Again he didn't refute my statement that our charter has no provision for an adequate health program. The state and county program is not mentioned in our charter.

9. True, we have an airport, but the Mayor didn't deny that our charter has no provision for regulating and maintaining one.

10. I am fully informed as to the legislative creation of our local justice court under state law. Since it was created by the legislature it is not a part of our charter. A new charter provision could set up a modern municipal court empowered to dispose of many cases which now result in countless appeals at added expense. We need local court rules.

As for my failure to bring about the suggested changes during my tenure as justice the Mayors with whom I served in 1929-37 did not favor changes during those years of depression.

11. Again the Mayor fails to refute my statement that the charter contains no safeguard or provision for using parking meter money. Of course, we have an ordinance but not a charter provision.

12. The Mayor misunderstood my reference to publication of ordinances, codes, etc. Where can you procure an up-to-date copy of the city ordinances, building code etc.? Is the public expected to cut them out of the Argus-Press and make a scrap book? Modern city charters provide for such publication.

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LETTER NO. 3

At each panel meeting of the Committee for Charter Revision, someone in the audience asks, "What's wrong with the City Charter? Why does it need to be studied?"

The answer as I see it is this:

1. The charter is 43 years old.
2. Parts of it are antiquated.
3. It is not streamlined.
4. It needs new paragraphs to cover things not mentioned in the present charter.

One of these is Insurance. There is no provision which makes it mandatory to insure valuable city property. That cost the taxpayers money recently. Another is a provision for recreation. We should recognize in the charter that we need a planned recreation program which can depend on a regular income.

The amount doesn't need to be prohibitive but it should be voted into the charter by the voters and it should not be necessary for the commissioners to by-pass the charter and pass ordinances right and left as they did in connection with the parking meter funds.

Here is how they handled the recreation money problem from 1947-1953:

1947--Ordinance No. 85 said all parking meter money had to be spent for parking facilities.

1950--Amendment passed to divert some money from parking facilities to recreation. We are told that the swimming pool committee was told that they would get the money for their project.

1953--Ordinance No. 110 "an ordinance to amend section 15 of an ordinance adopted June 16, 1947, as amended July 31, 1950 of an ordinance entitled "an ordinance"--but why copy all this stuff--what the commission did was to say the money could not be used for recreation.

Mr. Rubelman explained to me that we can't pass another ordinance to use the money for a swimming pool fund or any form of recreation because it wasn't legal to do it in 1950.

Why don't we study the charter? Let's vote "yes" for Charter Revision.

LETTER NO. 4

If the Directors of the Owosso Civic Research Council and their shareholders have anything to offer the citizens of Owosso that is better than what we have now, let us know who these directors and shareholders are so that we may evaluate their position and interests.

I am sure that the people of Owosso and all the readers of the Argus-Press who believe in fair play will agree with me that the Mayor of the City--which I am--should be above criticism by any group content to hide behind the mysterious organization known up to now as only--the "Owosso Civic Research Council."

I was asked certain questions in the article on the front page of the Friday edition of the Argus-Press, likewise so in the advertisement, which appeared on the page that usually carries the voice of the people in the "Open Forum." My answer at this time: Not only do I have the information this group desires, but I also have the information requested by the voters of Owosso which will be released later.

And at this time I say this: If, as and when I--and the rest of the people of Owosso--know the identity of the people actually behind this so-called--Owosso Civic Research Council, then only will I be more than pleased to answer any questions this present unidentified group may ask.

However, I can say this with great sincerity: I know I am and I am sure the people of Owosso are, greatly indebted to the master minds who thought up and paid for the advertisement referred to. For by its very nature it brings home to the people of this City what they are confronted with at this coming election.

This group is attempting to sell to the people of Owosso a bill of goods--be it good, bad, or indifferent--yet they hide behind a curtain of obscurity. What can any fair-minded person think of such tactics?

In a way I am pleased that this advertisement, directed at me by this group, was published. For now and at last, the people of Owosso may become awakened to what this proposed charter is all about, who is behind it, what are their motives, and how the electors should react at the coming election.

LETTER NO. 5

At no time have I expressed any personal consideration one way or the other.

What I have done and will continue to do is to insist that the people of Owosso be given all the facts and not any one-sided viewpoints calculated to express the sentiments of any favored few.

All citizens of Owosso should be openly advised of what may be the actual goal of this charter revision campaign.

I have never found in any unit of government that the ultimate goal for what is best for the general public can at all times be stated by any minority group.

That is why I insist that all phases of this proposal for a charter revision not only be reviewed for what it suggests, but as to the interests of those who propose it.

LETTER NO. 6

One point on which the people of Owosso should be enlightened is the recently placed stress on such published statements as "Our present charter is antiquated, outmoded, and inefficient and it is time to do something about it."

The truth is that as late as 1937 our city charter was reprinted with all the amendments. Even since that time our charter has been amended to bring it up to date and in keeping with the modern trend.

Then how does it come at this time that it is "antiquated, outmoded and inefficient"? That just isn't so.

The Constitution of the United States was enacted September 17, 1787. For years it has served as the backbone of the greatest country on the face of the globe--the home of free people.

Is the Constitution of the United States "antiquated, outmoded, and inefficient"? Certainly not. It has been, like our city charter, amended from time to time to keep up with modern progress, but no American has ever dared to suggest that it be revised in its entirety.

If there is any one point or section in our city charter that needs correction to keep up with modern trends, the same legal machinery exists today as has existed when we made the necessary amendments. Amendments in costs are a far cry from the costs of a total revision as is being suggested.

No matter how hard the proponents of this charter revision try to duck the real issue the fact is that there are few places you can go in the city where it is not suggested that the revision is calculated to provide for a city manager for Owosso.

I feel the people of Owosso should be told now, before election day, just what it is about our charter that is presently "antiquated, outmoded, and inefficient." Just where is it that it is all or any of these things?

What sections of the present charter does this minority group want done away with? What sections do they want changed? What new sections do they want in a "revised charter?"

Let me suggest as the duly elected Mayor of Owosso that all the facts about this proposed charter revision be given the people--and let the people, on the basis of the facts and not on vague statements of questionable conclusions, be the best judges.

LETTER (HANDBILL) NO. 7

1. Question: What about cost, if charter is adopted?

Answer: We can only answer by comparing with other cities of the size of Owosso that have a City Manager, viz: Oak Park, Michigan, City Manager's office alone which includes the City Manager, his Assistant and a stenographer, the cost is \$28,125.00 (taken from their Annual Report to their taxpayers).

2. Question: Who can we talk to about our taxes if we have a grievance and seek adjustment?

Answer: To five people who are appointed by the Council for five year terms.

3. Question: Who is the Board of Review?

Answer: Five people appointed from the City at large, not necessarily from each ward and could conceivably all come from ONE ward.

4. Question: Why can't we as Wards, elect our own Supervisor and he be the one to look out for the interests of our ward?

Answer: The Charter Commission felt that more intelligent people would be appointed than the people of a ward would elect.

5. Question: Why couldn't each ward elect their own Councilman instead of having him elected by the City at large?

Answer: This is a political move designed to make sure that no ward has a Councilman that would not take orders from the "Boss." Somewhat of a "Rubber Stamp" idea.

6. Question: Could an employee criticize the conduct of the City Manager to the City Council?

Answer: Only if he gets permission from the City Manager.

7. Question: Can employees now meet with and express their opinion to a City Commissioner or the Commission as a whole, without permission from anyone?

Answer: Very definitely, and they do. Remember, this is still the government of the people, by and for the people.

8. Question: Why all this rush to get this charter approved without giving the people time to understand it better?

Answer: Once understood, its chances of passing might not be so good.

9. Question: Is that a good thing?

Answer: No, it usually is done to accomplish selfish motives.

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