

# Citizens Research Council of Michigan

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# Detroit City Charter Revision

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On November 2, 1993, as provided in the 1974 charter, voters of the City of Detroit will determine whether a charter commission will be established to revise the current charter. This series is being financed in part by grants from Community Foundation for Southeastern Michigan, Hudson-Webber Foundation, and Matilda R. Wilson Fund, and NBD Bank.

**REPORT 310-10**

**Tenth in a special series on Detroit City Charter Revision**

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## ELECTION OF CITY COUNCIL MEMBERS

### Introduction

The method of electing city council is a fundamental aspect of local home rule and a basic component of representative democracy. The city charter specifies the number of members of city council, the method of representation, and the term of office. Detroit has elected nine council members, at-large, in nonpartisan elections since 1918. The term of office has been four years since a charter amendment in 1951.

A major issue in revision of the Detroit City Charter is whether to continue to elect council members at-large or to elect them by district or by a mixed at-large and district system. Many residents feeling disenfranchised are advocating changing to a district system to improve city services. The current method of electing city council members could be modified by either a charter amendment or by charter revision.

### Election of Detroit City Council

There have been numerous changes in the legislative branch of Detroit city government since the early charters that have affected the size of the legislative body, the term of office, and the system of election.

**Early History** Detroit's first three charters (in 1802, 1815, and 1857) were written by the Michigan Legislature. In both the 1802 and 1815 charters the legislative body consisted of five member so called trustees, appointed by the

Governor on an at-large basis, serving a one-year term of office.

Significant changes in the selection and composition of the legislative branch were introduced in the 1857 charter. The legislative body was made elected, on a partisan ballot, for two-year terms. It also was increased in size to 20 members, called aldermen, with two elected from each of ten wards. As Detroit's population grew, the number of wards was periodically increased to 21 with 42 elected aldermen, in 1917.

Detroit's first home rule charter of 1918 was greatly influenced by the municipal reform movement of the era which advocated changes in municipal election procedures. Among the reforms advanced were changing from district to at-large elections and reducing the size of the city council. The 1918 charter reduced the number of council members from 42 to nine, changed the system of electing council members to at-large, and provided for nonpartisan elections.

**Charter Revision, 1970-73** While the 1974 charter made no change in the provision for electing city council, the 1970-73 charter commission gave extensive consideration to the composition and selection of city council. The issue of returning to district elections was central to this debate.

The proposed revised charter submitted to the

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voters in November 1972, had ballot issues on council election. The proposed charter was defeated; however, the voters gave the commission clear indication of their preferences on the separate questions. The voters, by a 67 percent majority, selected a nine-member city council elected at-large over a 15-member mixed council (eight from districts, seven at-large), and, by 63 percent, favored nonpartisan city elections. The commission incorporated these preferences in a second proposed charter which was approved in 1973.

### **Alternative Systems of Electing Council**

City council elections are at the very core of any democratic system of government. In concepts elections provide a communications process enabling the voters to transmit their values, attitudes and beliefs about how government should be managed and who should manage it. How council members are elected reflects how the voters prefer to be represented in the legislative body of the city.

There are three predominant systems of electing council members: at-large; district; and mixed, a combination of some members elected at-large and some by district.

**Election At-Large** The at-large system has generally allowed citizens to elect council members best qualified to represent the interests of the city as a whole. Further, each citizen is a constituent of nine council members, and can approach any or all of them with his/her concerns. The at-large system of electing council remains the preferred system of the National Civic League, a national association devoting attention to concerns and practices. In large cities, citizens may feel isolated and disconnected from city government without some geographic basis of representation on city council. A council member elected at-large may have less knowledge of local community problems and be less responsive to the constituent. Cities with significant differences in, or conflict among,

ethnic, racial or economic groups may wish to consider whether one of the alternative systems may achieve more equitable representation of the city's citizens.

A variation of the at-large system is nomination and election at-large with district residence requirements. A complaint frequently lodged against the at-large system is that a majority of the council may live in the same area of the city. This situation can give rise to questions concerning the equitable distribution of services with allegations that particular sections receive preferential treatment. This objection can be met while still maintaining a council elected at-large by creating districts of equal population with the voters of the city at-large nominating two candidates and electing one from each district.

**Single-Member District System** An alternative to the at-large system is the single-member district system. The growing recognition that membership on councils should represent all racial and ethnic groups more adequately has spurred increased use of the single-member district system. It is easier to elect minority council members from districts. In addition, district elections can open the way for more diversity among candidates because the costs of running a district campaign are less than those of running city-wide. As previously noted, citizens feel closer to district elected council members, whom they can hold responsible for addressing their community concerns.

The district system does have its drawbacks. An inherent problem is the danger that the pursuit of parochial concerns by district-elected members will result in inadequate care to city-wide concerns. The potential for "logrolling" or vote swapping is ever present. Some district council members will be more effective than others in "working the system" with the result that disproportionate benefits may be received by their districts.

**Mixed At-Large and Single-Member District System** The mixed system for a council with some members elected at-large and some elected by and from districts has become increasingly popular in recent years. One reason for this is the approval it has received from the U.S. Department of Justice as a method of electing the city council which complies with the requirements of the Voting Rights Act in cities where the at-large system has been challenged and where there is opposition to a pure single-member district system.

The mixed system combines the city-wide perspective of the at-large council members with the local concerns and accountability of district council members. It can allow minority groups (ethnic, racial and economic), who live in concentrated areas to influence and even determine the outcome of elections in their districts.

Problems can arise in this system when at-large council members consider their positions to be superior in importance to district members and are perceived as rivals to the mayor. It is essential that at-large and district council members have equal status with respect to offices and services, and that there be no difference in length of terms.

**State Attempt to Amend Charter** There have been efforts at the state level to superimpose on the citizens of Detroit specific systems of representation on the city council in contravention of the concept of a home rule charter. This year, the Michigan Senate adopted a bill (SB 561) amending the City Home Rule Act that provides that in cities over 1,000,000 population (Detroit) “the at-large city council provided by charter is hereby abolished on January 1, 1994, and shall be replaced by a city council of nine members from single member neighborhood election dis-

tricts at regular municipal elections beginning with the 1993 municipal primary election.” This amendment also provides that a city council may amend the charter to comply with this section without voter approval. The bill has not been adopted by the House and is no longer timely because at-large city council elections are currently being held in Detroit. However, the action illustrates the tendency of the state Legislature to infringe on municipal local home rule powers.

### Comparison With Other Cities

The data on city council organization found on page 4 clearly shows that most large U.S. cities use district or mixed elections while most Michigan cities use at-large elections. Among the largest U.S. cities, only three elect council members at-large, nine elect council members by district, and eight by mixed at-large and district systems. In Michigan, 14 of the 20 largest cities elect city council members at-large, four by district, and two by mixed systems.

Among the 20 largest U.S. cities, most councils range in size from seven to 19 members. City councils in New York and Chicago are unusually large with 51 members. Among the large Michigan cities council size is generally smaller, ranging from seven to 11 members with 14 cities having seven-member city councils.

Four-year terms for council members are used in most of the major U.S. cities (15 of 20) and in Michigan (16 of 20). The others use two-year terms with the exception of Troy, which uses three-year terms. Staggered terms are used in seven of the largest U.S. cities and in 13 of the large Michigan cities. Nonpartisan elections are used in most large U.S. cities (14 of 20) and in all of the large Michigan cities, except Ann Arbor.

**COMPARISON OF CITY COUNCILS -- THE LARGEST U.S. AND MICHIGAN CITIES**

<b>City</b>	<b>Form of Government</b>	<b>Partisan/Nonpartisan</b>	<b>Electoral System</b>	<b>Size of Council</b>	<b>Term Length</b>	<b>Staggered/Simultaneous</b>
<b>U.S. Cities:</b>						
New York	M-C	Partisan	District	51	4	Simultaneous
Los Angeles	M-C	Nonpartisan	District	15	4	Staggered
Chicago	M-C	Partisan	District	51**	4	Simultaneous
Houston	M-C	Nonpartisan	Mixed(9/5)*	15**	2	Simultaneous
Philadelphia	M-C	Partisan	Mixed(7/10)*	17	4	Simultaneous
San Diego	C-M	Nonpartisan	District	9**	4	Staggered
Detroit	M-C	Nonpartisan	At-large	9	4	Simultaneous
Dallas	C-M	Nonpartisan	Mixed(1/14)*	15**	2	Simultaneous
San Antonio	C-M	Nonpartisan	District	11**	2	Simultaneous
Phoenix	C-M	Nonpartisan	District	9**	2	Staggered
San Jose	C-M	Nonpartisan	District	10**	4	Staggered
Baltimore	M-C	Partisan	District	19	4	Simultaneous
Indianapolis	M-C	Partisan	Mixed(2/5)*	7	4	Simultaneous
San Francisco	M-C	Nonpartisan	At-large	11	4	Staggered
Jacksonville	M-C	Nonpartisan	Mixed(5/14)*	19	4	Simultaneous
Columbus	M-C	Nonpartisan	At-large	7	4	Staggered
Milwaukee	M-C	Nonpartisan	District	16	4	Simultaneous
Memphis	M-C	Nonpartisan	Mixed(7/6)*	13	4	Simultaneous
Washington D.C.	M-C	Partisan	Mixed(5/8)*	13	4	Staggered
Boston	M-C	Nonpartisan	Mixed(4/9)*	13	2	Simultaneous
<b>Michigan Cities:</b>						
Detroit	M-C	Nonpartisan	At-large	9	4	Simultaneous
Grand Rapids	C-M	Nonpartisan	District	7**	4	Staggered
Warren	M-C	Nonpartisan	At-large	9	4	Simultaneous
Flint	M-C	Nonpartisan	District	9	4	Staggered
Lansing	M-C	Nonpartisan	Mixed(4/4)*	8	4	Staggered
Sterling Heights	C-M	Nonpartisan	At-large	7**	2	Simultaneous
Ann Arbor	C-M	Partisan	District	11**	2	Staggered
Livonia	M-C	Nonpartisan	At-large	7	4	Staggered
Dearborn	M-C	Nonpartisan	At-large	7	4	Simultaneous
Westland	M-C	Nonpartisan	At-large	7	4	Staggered
Kalamazoo	C-M	Nonpartisan	At-large	7**	2	Simultaneous
Southfield	C-M	Nonpartisan	At-large	7	4	Staggered
Farmington Hills	C-M	Nonpartisan	At-large	7**	4	Staggered
Troy	C-M	Nonpartisan	At-large	7**	3	Staggered
Pontiac	M-C	Nonpartisan	District	7	4	Simultaneous
Taylor	M-C	Nonpartisan	At-large	7	4	Simultaneous
Saginaw	C-M	Nonpartisan	At-large	9**	4	Staggered
St. Clair Shores	C-M	Nonpartisan	At-large	7**	4	Staggered
Royal Oak	C-M	Nonpartisan	At-large	7**	4	Staggered
Wyoming	C-M	Nonpartisan	Mixed(3/3)*	7**	4	Staggered

(1) M-C means Mayor-Council; C-M means Council-Manager

\* Mixed refers to those city councils composed of both members elected at-large and from single-member districts, the number of members elected are shown in parenthesis (at-large/by district).

\*\* Mayor is member of council

Source: The Municipal Year Book, 1993, International City Management Association; direct inquiry by Citizens Research Council.