



## Resolution Proposing City Charter Amendments to Eliminate Calendar Requirements for Commission Regular Meetings and for the Commencement of Terms of Office

At the regular meeting of the City Commission of the City of Marquette, County of Marquette, State of Michigan, held on the 29<sup>th</sup> day of April 2024, at 6:00 o'clock p.m., prevailing Eastern Time.

PRESENT: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_.

**WHEREAS**, Marquette City Charter Sec. 13-7 requires that “Every ten years the city commission shall appoint a charter study group. The charter study group shall review this charter and make recommendations for changes in this charter. The charter study group shall make its recommendations within one year after appointment”; and

**WHEREAS**, at the December 19, 2022 regular meeting, the City Commission appointed the City Manager, City Attorney, and City Clerk to the charter study group; and

**WHEREAS**, at the City Commission’s September 11, 2023 regular meeting, the charter study group provided recommendations for several amendments to the City Charter; and

**WHEREAS**, Section 21 of the Home Rule City Act, MCL 117.21, as amended, provides that the legislative body of a city may propose, by a vote of 3/5 of its members, an amendment to an existing city charter; and

**WHEREAS**, Section 21 details the procedure for submitting proposed charter amendments to the electors of the city for approval; and

**WHEREAS**, it is necessary to amend Section 2-6 of Chapter 2 and Section 4-5 of Chapter 4 of the City Charter to provide for the recommended changes;

### **NOW THEREFORE BE IT RESOLVED THAT:**

1. The City Commission hereby proposes that Section 2-6 of Chapter 2 of the Charter of the City of Marquette, shall be amended as follows:

Sec. 2-6. – Regular meetings.

The city commission shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month. ~~A regular meeting shall be held at 7:00 p.m. at the then prevailing local time on the Monday next following each regular city election.~~

2. The City Commission hereby proposes that Section 4-5(d) of Chapter 4 of the City Charter shall be amended as follows:

Sec. 4-5. – Elected offices.

(d) The term of office of each elected officer shall commence at ~~7:00 p.m. on the Monday following the regular city election at which the officer is elected.~~ **THE FIRST REGULAR MEETING FOLLOWING A REGULAR CITY ELECTION.**

3. The provisions of the existing Chapter 2 and Chapter 4 of the City Charter to be altered or abrogated by the proposed amendment, if adopted, now reads as set forth in Exhibit A attached hereto.
4. The proposed amendment of Chapter 2 and Chapter 4 of the City Charter shall be submitted to the electors in the following form:

**PROPOSED AMENDMENT OF SECTION 2-6 OF CHAPTER 2 AND SECTION 4-5 OF  
CHAPTER 4 OF THE CITY CHARTER OF THE CITY OF MARQUETTE.**

Shall Section 2-6 of Chapter 2 and Section 4-5 of Chapter 4 of the Marquette City Charter be amended to remove the requirement that the City Commission hold a meeting at 7 p.m. on the Monday following each regular city election, and to stipulate that the commencement of each new commissioner's term begins at the first regular meeting following the election?

5. Copies of the proposed amendment shall be transmitted to the Governor of the State of Michigan for her approval, as required by law.
6. Copies of the proposed amendment shall be transmitted to the Attorney General of the State of Michigan for her approval, as required by law.
7. The proposed amendment shall be, and the same is hereby ordered to be, submitted to a vote of the qualified electors of the City of Marquette at an election to be held in the city on Tuesday, November 5, 2024. The ballot wording of the proposed amendment is hereby certified to the City Clerk and to the Marquette County Clerk. The City Clerk is hereby authorized and directed to file this order and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission by no later than 4:00 p.m. prevailing Eastern Time on August 13, 2024.
8. The City Clerk and the County Clerk are hereby authorized and directed to (a) post and publish notice of election required Michigan Election Law, MCL 168.1 et seq., as amended; and (b) have prepared and printed, as provided by Michigan Election Law, ballots for submitting the proposal at the election, which ballots shall contain the proposal appearing herein, or the proposition shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.
9. The proposed amendment shall be published in full together with the existing City Charter provisions which would be altered or abrogated thereby as part of the notice of election.

10. The canvass and determination of votes of the proposed amendment shall be made in accordance with the laws of the State of Michigan and the City Charter of the City of Marquette.

11. This resolution shall have immediate effect.

12. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution be and the same hereby are rescinded.

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
Kyle Whitney, City Clerk

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the City Commission of the City of Marquette, County of Marquette, State of Michigan, at a regular meeting held on April 29, 2024, and that the meeting was conducted and public notice of meeting was given pursuant to the Michigan Open Meetings Act (MCL 15.261 et seq), and that the minutes of the meeting were kept and will be or have been made available as required by the act.

\_\_\_\_\_  
Kyle Whitney, City Clerk

## **EXHIBIT A**

### **PROVISIONS OF EXISTING CHAPTER 2 AND CHAPTER 4 OF THE CITY CHARTER TO BE ALTERED OR ABROGATED BY PROPOSED CHARTER AMENDMENT**

#### Chapter 2 – CITY COMMISSION

##### Sec. 2-6. – Regular meetings.

The city commission shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month.

#### Chapter 4 – ELECTIONS

##### Sec. 4-5 – Elected Offices.

(a) The elective officers of the city shall be seven city commissioners and five members of the board of light and power, nominated and elected at large by the qualified and registered electors of the city.

(b) Each city commissioner shall be elected for a term of three years. No city commissioner shall serve more than two consecutive terms in office, except that a city commissioner appointed to fill a vacated office may, at the expiration of the appointed term of office, seek election to not more than two consecutive terms of office. A city commissioner who has served two consecutive terms in office may not hold city elective office until at least two years shall have elapsed after the end of the city commissioner's term of office and the new term of office does not begin until two years have elapsed.

(c) Members of the board of light and power shall be elected for terms of three years. No member of the board of light and power may serve more than two consecutive terms in office except that a board member appointed to fill a vacated office may, at the expiration of the appointive term of office, seek election to not more than two consecutive terms of office. A board member who has served two consecutive terms in office may not hold city elective office until at least two years shall have elapsed after the end of the member's term of office.

(d) The term of office of each elected officer shall commence at the first meeting following a regular city election.