

**CITY COUNCIL
CITY OF IONIA
IONIA COUNTY, MICHIGAN**

Council Member Starr, seconded by Council Member Lee moved the adoption of the following resolution:

RESOLUTION NO. 2023-15

**A RESOLUTION TO APPROVE AND SUBMIT THE QUESTION OF WHETHER TO
AMEND SECTIONS 2.08 AND 4.03 OF THE CITY OF IONIA CHARTER TO
DESIGNATE THE CITY CLERK AS AN APPOINTED OFFICER**

WHEREAS, Act No. 279 of the Public Acts of 1909, as amended (“Act 279”) provides that a home rule city may amend its charter in accordance with the provisions of Act 279; and

WHEREAS, the City Council has undertaken a review of certain elective officers, practices, and procedures; and

WHEREAS, following such review, the City Council believes it is desirable to seek voter approval to change the way the City Clerk is chosen, from being an elected officer to an appointed officer; and

WHEREAS, the City Council believes that changing the way the City Clerk is chosen will enhance the pool of candidates available to serve the City and result in a greater likelihood of finding qualified individuals for this position; and

WHEREAS, the City Council believes it is in the best interest of the City to amend the City Charter to authorize appointment, rather than election, of the City Clerk beginning in January of 2026; and

WHEREAS, Section 21 of Act 279 requires the form of the proposed City Charter amendment, which shall appear on the ballot, be determined by resolution of the legislative body.

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The City Council, by not less than a 3/5 vote of its members, proposes that Sections 2.08 and 4.03 of the City Charter be amended to read, respectively, as follows:

Section 2.08. City Clerk.

There shall be an official of the City appointed in the manner set forth in this Charter who shall have the title of and be City Clerk. The City Council shall appoint the City Clerk on the basis of education, ability, training, and experience. The City Clerk shall give notice of Council meetings to its members and the public, keep the journal of the Council’s proceedings and perform such other duties as are assigned by this Charter or by the Council or by State law. The City Council shall appoint a City Clerk, upon the termination of the term of the City Clerk duly elected at the

2021 odd-year November election, or upon a vacancy in that office, whichever occurs first.

Section 4.03. Offices and Agencies.

(a) City Attorney. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Attorney who shall serve as chief legal adviser to the Council, the City Manager, and all City departments, offices and agencies, shall represent the City in all legal proceedings and shall perform any other duties prescribed by this Charter or by ordinance.

(b) Treasurer. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Treasurer who shall be responsible for all monies and funds received and disbursed by all City departments, offices and agencies, shall countersign all checks and vouchers, invest City funds pursuant to law and sound investment practices and shall perform any other duties prescribed by law, this City Charter or ordinance.

(c) Assessor. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Assessor who shall perform the duties of assessor in accordance with State statute.

(d) Board of Review. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Board of Review, who shall perform the duties of a board of review in accordance with State statute.

(e) Clerk. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Clerk who shall be responsible for providing notice of Council meetings to its members and the public, keeping the journal of the Council's proceedings, and performing such other duties as are assigned by this Charter, by the Council or by State law.

2. Existing provisions of the City Charter that would be altered or abrogated by such proposal, if adopted, now read as follows:

Section 2.08. City Clerk.

There shall be an official of the City elected from the City at large who shall have the title of and be City Clerk. At the first election under this Charter, said official shall be elected for a term of two years. In the second election under this Charter said official shall be elected for a term of four years and shall thereafter be elected for a four-year term. The term of said official shall begin on the first day of January following his or her election. Only registered voters of the City of Ionia shall be eligible to hold the office of City Clerk. The City Clerk shall give notice of Council meetings to its members and the public, keep the journal of its proceedings and perform such other duties as are assigned by this Charter or by the Council or by State law.

Section 4.03. Offices and Agencies.

(a) City Attorney. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Attorney who shall serve as chief legal adviser to the Council, the City Manager, and all City departments, offices and agencies, shall represent the City in all legal proceedings and shall perform any other duties prescribed by this Charter or by ordinance.

(b) Treasurer. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Treasurer who shall be responsible for all monies and funds received and disbursed by all City departments, offices and agencies, shall countersign all checks and vouchers,

invest City funds pursuant to law and sound investment practices and shall perform any other duties prescribed by law, this City Charter or ordinance.

(c) Assessor. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Assessor who shall perform the duties of assessor in accordance with State statute.

(d) Board of Review. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Board of Review, who shall perform the duties of a board of review in accordance with State statute.

3. If adopted, the proposed changes would be as follows:

Section 2.08. City Clerk.

There shall be an official of the City appointed in the manner set forth in this Charter who shall have the title of and be City Clerk. The City Council shall appoint the City Clerk on the basis of education, ability, training, and experience. The City Clerk shall give notice of Council meetings to its members and the public, keep the journal of the Council's proceedings and perform such other duties as are assigned by this Charter or by the Council or by State law. The City Council shall appoint a City Clerk, upon the termination of the term of the City Clerk duly elected at the 2021 odd-year November election, or upon a vacancy in that office, whichever occurs first.

Section 4.03. Offices and Agencies.

(a) City Attorney. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Attorney who shall serve as chief legal adviser to the Council, the City Manager, and all City departments, offices and agencies, shall represent the City in all legal proceedings and shall perform any other duties prescribed by this Charter or by ordinance.

(b) Treasurer. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Treasurer who shall be responsible for all monies and funds received and disbursed by all City departments, offices and agencies, shall countersign all checks and vouchers, invest City funds pursuant to law and sound investment practices and shall perform any other duties prescribed by law, this City Charter or ordinance.

(c) Assessor. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a City Assessor who shall perform the duties of assessor in accordance with State statute.

(d) Board of Review. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Board of Review, who shall perform the duties of a board of review in accordance with State statute.

(e) Clerk. The Mayor shall appoint and the City Council shall confirm by a majority vote of its total membership a Clerk who shall be responsible for providing notice of Council meetings to its members and the public, keeping the journal of the Council's proceedings, and performing such other duties as are assigned by this Charter, by the Council or by State law.

4. The City Attorney shall submit a certified copy of this resolution to the Governor of the State of Michigan for approval or disapproval of this amendment, and to the Attorney General, for review and approval of the ballot language, and is further authorized to make non-substantive changes to the proposed ballot language to meet all legal requirements.

5. The foregoing charter amendment shall be submitted to the electors for their adoption or rejection at a regular election to be held on November 7, 2023. The City Clerk and City Attorney are authorized to take all actions necessary to format the ballot proposal in a manner consistent with the Governor and Attorney General's review and to schedule and conduct the election including, without limitation, certifying the ballot proposal in accordance with state law.

6. The City Clerk shall give notice of such election as required by law. The notice shall include the proposed amendment to the City Charter in full with the existing Charter provisions that would be altered or abrogated. The Clerk shall also post the amendment as required by law.

7. The proposed Charter amendment shall be placed upon the ballot in the following form, with a provision for voting "yes" or "no" for its adoption:

CHARTER AMENDMENT PROPOSAL TO CHANGE THE CITY CLERK FROM AN ELECTED TO APPOINTED OFFICER OF THE CITY OF IONIA.

Shall Sections 2.08 and 4.03 of the City of Ionia Charter be amended to provide that the City Clerk will be an administrative officer of the City, to be appointed by the Mayor and City Council as are other administrative officers of the City (such as the City Attorney and Treasurer), rather than elected by the voters, which amendment would take effect upon the termination of the term of the City Clerk duly elected at the 2021 odd-year November election, or upon a vacancy in that office, whichever occurs first?

8. This Resolution No. 2023-15 shall supersede and replace Resolution No. 2023-10, which previous resolution was adopted by the City Council on June 7, 2023; a certified copy of this Resolution No. 2023-15 shall be submitted to the Governor and Attorney General of the State of Michigan in place of Resolution No. 2023-10 in accordance with Act 279.

YEAS: Milewski, Starr, Millard, Videtich, Gustafson, Lee, and Balice.

NAYS: None.

ABSENT: Waterman and Winters.

RESOLUTION NO. 2023-15 ADOPTED.


Mary Patrick, City Clerk

I, Mary Patrick, the Clerk of the City of Ionia, hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council of the City of Ionia at a regular meeting held on July 5, 2023.


Mary Patrick, City Clerk