

RESOLUTION NO. 20-24

**CITY OF ST. CLAIR
ST. CLAIR COUNTY, MICHIGAN**

**A RESOLUTION APPROVING CHARTER AMENDMENT NO. 1 AND
THE BALLOT LANGUAGE FOR CHARTER AMENDMENT NO. 1.**

WHEREAS, Section 21(1) of the Home Rule City Act, MCL Section 117.21(1), (“the statute”) authorizes a city council to adopt a resolution proposing to amend the city charter by a three-fifths vote of its members-elect, and the resolution proposing to amend the city charter must set forth the exact wording of the proposed amendment to be submitted to the city voters for approval at a regular or special election; and

WHEREAS, the resolution must set forth the ballot language for the proposed charter amendment—with each proposal being limited to a single subject, and if the subject of a proposal includes more than one related proposition, each proposition shall be separately stated as a ballot proposal to afford an opportunity for a separate vote for the city voters for or against each proposition; and

WHEREAS, the statute requires that the ballot language for the submission to the city voters of each proposed amendment, including any separate statement of purpose, shall be limited to 100 words, exclusive of caption; shall be a fair and impartial statement of the purpose of the amendment; and shall not create prejudice for or against the proposed amendment;

The St. Clair City Council resolves that:

CHARTER AMENDMENT PROPOSAL NO. 1

1. The St. Clair City Charter shall be amended as follows:

Section 2.01. - Composition, eligibility, election and terms.

(b) *Eligibility*. Only registered voters of the city shall be eligible to be a candidate for and hold the office of councilmember. Effective at 12:00 p.m. January 1, 2023, Candidates shall be *bona fide* residents of their wards and must maintain their principal residence within their ward throughout their tenure in office. Elected councilmembers who are placed in a new ward as a result of the reapportionment described in Section 2.01(c) shall be allowed to conclude the term from the ward from which they were elected, and such an occurrence shall not constitute a forfeiture of office as that term is defined in Section 2.09(b)(1).

2. The current charter section being altered by this amendment provides as follows:

Section 2.01. - Composition, eligibility, election and terms.

(b) *Eligibility*. Only registered voters of the city shall be eligible to be a candidate for and hold the office of councilmember.

3. The ballot language of the proposed amendment shall be as follows:

Shall Section 2.01(b) of the St. Clair City Charter be amended to require that effective at 12:00 p.m. January 1, 2023 a ward representative to City Council be at all times a resident of the ward he or she represents, provided that, should any ward representative be placed in a new ward by the reapportionment process described in Section 2.01(c), said representative shall be allowed to finish his or her then-current term?

Yes_____ No_____

4. The City Clerk shall transmit a certified copy of this resolution to the Governor of the State of Michigan for approval of the proposed amendment (MCL Section 117.21) and transmit a certified copy of this resolution to the Attorney General of the State of Michigan for approval of the proposed ballot language for the proposed amendment (MCL Section 117.21).

5. The proposed amendment shall be submitted to the qualified electors of the City of St. Clair at the general election to be held in the City on November 2, 2021, and the City Clerk is directed to give notice of the election and notice of registration in a manner prescribed by law and to do all things and to provide all supplies necessary to submit the Charter amendment to a vote of the electors as required by law.

6. The proposed charter amendment shall be published in full, together with the existing charter provision to be amended as required by law.

RESOLUTION DECLARED ADOPTED.

Bill Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 21st day of December, 2020. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Members Present: Cedar, Ellery, Kindsvater, Kuffa, LaPorte, McCartney, Watt
Members Absent: None

It was moved by Member Cedar and supported by Member Kindsvater to adopt the Resolution.

Members Voting Yes: McCartney, Watt, Ellery, Kindsvater, Kuffa, LaPorte, Cedar
Members Voting No: None

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

Annette Sturdy, City Clerk
City of St. Clair, Michigan