

CITY OF HOUGHTON RESOLUTION 2025-1987

RESOLUTION RESCINDING RESOLUTION 2024-1947 AND 2025-1975, AND APPROVING CHARTER AMENDMENT NUMBER 3, AND THE BALLOT LANGUAGE FOR CHARTER AMENDMENT NUMBER 3

A Resolution of the City of Houghton Council to rescind Resolution 2024-1947, adopted on September 25, 2024, and 2025-1975, adopted on April 9, 2025, and to amend the City of Houghton Charter Section 2.6 Filling Vacancies.

Section 11.13 of the Charter and Section 21(1) of the Home Rule City Act (HRCA), MCL 117.21(1), authorizes the 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;

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 of the city voters for or against each proposition, and

Section 21(2) of the HRCA, MCL 117.21(2), 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 Houghton City Council resolves that:

1. The following amendment to the City Charter shall, upon approval of the Governor, be submitted to the Electors of the City in accordance with the Home Rule Cities Act of the State of Michigan.

Amendment to the City of Houghton Charter Section 2.6. Filling Vacancies:

If any vacancy occurs in the office of ~~councilmen, except by recall as provided in the general law pertaining thereto, councilor~~ the council shall appoint within ~~thirty (30- sixty (60)~~ days an eligible person to fill such vacancy until the next regular city election at which time the vacancy shall be filled as provided for in section 2.5. If an appointment is not made within ~~thirty (30- sixty (60)~~ days after the vacancy occurs, then the election authorities shall call a special election to fill the vacancy, to be held ~~no sooner than ninety (90) days nor later than 120 days, following the occurrence of the vacancy and to be otherwise governed at the next regular election date authorized~~ by the ~~provisions in chapter III, state.~~ No vacancy

occurring within ~~sixty (60)~~ninety (90) days preceding the next regular city ~~elections~~election need to be filled until that election is held.

Notwithstanding the requirement in section 2.13 that a quorum consist of four members, if at any time the membership of the council becomes less than four, the remaining members may by majority action appoint additional members to raise the membership to four.

A vacancy shall be deemed to occur upon the death, resignation, recall, or forfeiture of office resulting from (1) disqualification on grounds as prescribed in this Charter or by law, (2) violation of any express prohibition of this Charter, (3) conviction of a crime involving moral turpitude, or (4) unexcused absences from three consecutive meetings of the council.

2. If approved by the voters, Section 2.6 shall read as follows:

Section 2.6. Filling Vacancies

If any vacancy occurs in the office of councilor the council shall appoint within sixty (60) days an eligible person to fill such vacancy until the next regular city election at which time the vacancy shall be filled as provided for in section 2.5. If an appointment is not made within sixty (60) days after the vacancy occurs, then the election authorities shall call a special election to fill the vacancy, to be held at the next regular election date authorized by the state. No vacancy occurring within ninety (90) days preceding the next regular city election need be filled until that election is held.

Notwithstanding the requirement in section 2.13 that a quorum consist of four members, if at any time the membership of the council becomes less than four, the remaining members may by majority action appoint additional members to raise the membership to four.

A vacancy shall be deemed to occur upon the death, resignation, recall, or forfeiture of office resulting from (1) disqualification on grounds as prescribed in this Charter or by law, (2) violation of any express prohibition of this Charter, (3) conviction of a crime involving moral turpitude, or (4) unexcused absences from three consecutive meetings of the council.

3. The following language be placed upon the ballot at the November 2025 election in accordance with the Home Rule Cities Act:

CHARTER AMENDMENT PROPOSAL NO. 3

Amendment to the City of Houghton Charter Section 2.6 Filling Vacancies

It is proposed that this section be amended to change the appointment period from 30 to 60 days for the city council to fill a vacancy in the office of a city council member, but if a vacancy is not filled within 60 days, to require that the election authorities call a special election to fill the vacancy at the next regular state election date; while permitting vacancies occurring within 90 days of the next regular city election to be filled at that election.

Shall the amendment as proposed be adopted?

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 117.22) 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 117.21).

5. The proposed amendment shall be submitted to the qualified electors of the City of Houghton at an election to be held in the City in November 2025, 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 amended as required by law.

Yes: All


No: None

Abstain: None

Absent: None

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and compared copy of a resolution duly adopted by the City Council of the City of Houghton, County of Houghton, Michigan at a regular meeting held on.



Amy Zawada, Clerk