



CITY OF IONIA
IONIA CITY COUNCIL
REGULAR MEETING MINUTES
7:00 PM, July 5, 2023
CITY HALL COUNCIL CHAMBERS

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Dan Balice called the regular meeting of the Ionia City Council to order at 7:02 PM, and led with the Pledge of Allegiance.

ROLL CALL

Roll call revealed a Quorum with Councilmembers John Milewski, Ryan Videtich, Tim Lee, Rich Starr, Tom Millard, Janice Gustafson, and Mayor Dan Balice present. Councilmember Gustafson made a motion, seconded by Councilmember Millard, to excuse the absences of Councilmembers Jeff Winters and Troy Waterman.

MOTION CARRIED BY VOICE VOTE

I. APPROVAL OF AGENDA

City Manager Garland requested the addition of Item VII-9: Revised Resolutions 2023-15 and 2023-16 for Clerk and Non-Partisan Election proposed City Charter Revisions to the agenda. Councilmember Starr made a motion to approve the agenda, as revised, and the motion was seconded by Councilmember Milewski.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
 NAYS: None

MOTION CARRIED

II. APPROVAL OF MINUTES – June 7, 2023, Regular Meeting

Councilmember Millard made a motion, seconded by Councilmember Starr, to approve the June 7, 2023, Regular Meeting Minutes as presented.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
 NAYS: None

MOTION CARRIED

III. PROCLAMATIONS

None.

IV. PUBLIC COMMENTS

None.

V. PUBLIC HEARINGS & ASSOCIATED ACTIONS

None.

VI. COMMUNICATIONS

(VI-1) 2022 Ionia County Economic Alliance (ICEA) Annual Report Presentation

ICEA Executive Director Ryan Wilson presented the 2022 ICEA Annual Report, as required by the City of Ionia for economic development activities undertaken on its behalf and in exchange for its annual contribution.

(VI-2) Application for Parade and Street Closure with Mobile Food Vending Unit—1st Thursday on the Bricks, August 3, 2023

Council reviewed an application submitted by Brick Street Studio and The Jewel Box for a 1st Thursday on the Bricks event to be held on August 3, 2023. The application requests closure of N. Steele Street from 4 PM to 8:30 PM to accommodate a mobile food vending unit (food truck) as part of the event. City Code requires that any food truck proposing to operate on public land or public right-of-way must first receive a special event food vending permit approved by the City Council.

The proposed food truck, the Copper Cup, has provided the required application materials to vend as part of the August 3, 2023 1st Thursday on the Bricks. City staff are reviewing the details and find approval of the requested street closure and food truck operation on city right-of-way to be appropriate at the discretion of the City Council, contingent upon final staff review.

Councilmember Millard made a motion, seconded by Councilmember Gustafson, to approve the application for parade and street closure with mobile food vending unit, for August 3, 2023 in conjunction with the 1st Thursday on the Bricks event, contingent upon final staff approval.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
 NAYS: None

MOTION CARRIED

VII. CITY MANAGER’S REPORT

(VII-1) Ionia County Economic Alliance Partnership

The City of Ionia has been a partner organization of the Ionia County Economic Alliance (ICEA) since 2011. The ICEA is a private, non-profit organization committed to promoting local economic development through the provision of local economic development services. ICEA collaborates with community leaders in Ionia County to ensure long-term job creation, investment and overall economic prosperity for the county.

ICEA is requesting a contribution of \$9,000 for this year’s services, the same as last year. A notable change implemented in 2021 was that the executive director position was increased from part-time to full-time. Past years’ contributions to ICEA have been as follows:

Year	Contribution
2022	\$9,000
2021	\$9,000
2020	\$8,954
2015 – 2019 (each year)	\$8,140
2011 – 2014 (each year)	\$7,400

Councilmember Milewski made a motion, seconded by Councilmember Millard, to approve Resolution 2023-12, authorizing a \$9,000 contribution to Ionia County Economic Alliance in exchange for economic development services.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
NAYS: None

MOTION CARRIED

Resolution No. 2023-12

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

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 5th day of July, 2023, at 7:00 p.m.

PRESENT: Milewski, Videtich, Lee, Starr, Millard, Gustafson, Balice

ABSENT: Winters, Waterman

The following preamble and resolution were offered by Councilmember Milewski and seconded by Councilmember Millard

**RESOLUTION TO APPROVE PARTNERSHIP WITH THE
IONIA COUNTY ECONOMIC ALLIANCE, A NONPROFIT ECONOMIC
DEVELOPMENT ORGANIZATION, IN CONSIDERATION OF ECONOMIC
DEVELOPMENT SERVICES AND OTHER VALUE AND BENEFITS TO BE
RECEIVED BY THE CITY**

WHEREAS, the City desires to confirm its partnership with the Ionia County Economic Alliance, the State-recognized economic development organization for Ionia County; and

WHEREAS, the City has been asked to remit \$9,000 for services to be received in FY 2023-2024; and

WHEREAS, in consideration of the City's contribution, the Ionia County Economic Alliance shall provide various services to and for the City relating to economic development, all of which will provide valuable benefit to the City in its performance of important governmental functions, including land use planning and zoning, analysis of anticipated property tax base and other City responsibilities; now

THEREFORE, BE IT RESOLVED:

1. The City Council approves and confirms the City's pledge of \$9,000 to the Ionia County Economic Alliance, payable in one installment during FY2023-2024, upon the terms and subject to the conditions of this resolution.
2. In consideration of the above-stated pledge, and the fulfillment thereof, the Ionia County Economic Alliance shall provide continuing services to the City with respect to economic development, including but not limited to, submission of the organization's annual report; other materials on its economic development activities, such as reports and studies that are furnished to its members and other written materials and information useful to the City in its governmental functions associated with economic development, including land use planning; future City needs with respect to residential land uses and commercial and other development; prediction of future City property tax base and the like. The Ionia County Economic Alliance

shall also assist the City, if possible, with other economic development services when reasonably requested.

3. The City's pledge and payment thereunder shall be conditional upon the above-stated benefits and services to be received from the Ionia County Economic Alliance.
4. The City Manager shall act for the City Council in the implementation of this resolution, together with other appropriate City officers and staff members.

Upon a call of the roll, the vote was as follows:

AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, Balice

NAYS: None.

ABSENT: Winters, Waterman

RESOLUTION 2023-12 DECLARED ADOPTED.

(VII-2) Fishbeck Engineering Professional Services Agreement—Annual Rate Increase

The City of Ionia has a long-standing professional services agreement (PSA) with Fishbeck Engineering, dating back to 2002. The engineering services of Fishbeck are regularly used for nearly all Utilities Department projects, various engineering studies, long-term landfill monitoring, and most street reconstruction projects. Council reviewed the original Fishbeck PSA, which references that invoicing will take place on an hourly basis in accordance with Fishbeck's current hourly rate schedule.

Fishbeck typically updates its rate schedule each June; the latest proposed hourly rate schedule from Fishbeck was reviewed. The proposed schedule is effective until its next schedule update, which is anticipated in June 2024. The new schedule reflects a 4% discount from Fishbeck over normal rates due to our long-term relationship. The proposed increase from 2022 to 2023 is in most cases \$9 to \$10 more per hour and generally represents a 6.8% to 7% increase.

Chapter 212 of Part Two, Administrative Code of the Codified Ordinances of the City of Ionia excludes professional services from competitive bidding. However, it does not exclude such agreements from council approval in the event the resulting purchase will exceed \$10,000. Therefore, the 2023 Fishbeck hourly rate schedule is subject to City Council approval, which is consistent with the City's past practice.

Councilmember Starr made a motion, seconded by Councilmember Gustafson, to approve the Fishbeck Engineering hourly rate schedule effective June 10, 2023, with the 4% discount to the City as noted.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

(VII-3) Wastewater Treatment Plant Air Conditioning Project

Air cooling is required in various areas of the Wastewater Treatment Plant (WWTP). Most critical is the laboratory, where specific temperature ranges must be maintained to ensure the integrity of water samples for accurate testing. Due to the process involved in wastewater treatment, atmospheric conditions at the plant are difficult on the air conditioning system, leading to premature failure.

Quotes were recently solicited to install and start up a multi-zone cooling system per City specifications and the following pricing was obtained:

Contractor	Location	Quote
Wilson HCP	Ionia, Michigan	\$41,655
Home Experts HC&P	Ionia, Michigan	\$31,313
O'Mara PH&C	Ionia, Michigan	\$23,480

Quotes were closely reviewed for completeness and compliance with items as specified. The quote from Wilson was found to be complete with all specified items. Also included was a 7-year parts, 2-year labor warranty, plus complimentary maintenance on all new equipment one year from date of installation. The quote from Home Experts included one wall mount unit, which was outside specifications, no warranty information was provided, nor was complimentary maintenance after installation included. The quote from O'Mara included undersized units for the size of the various rooms, only included 5 zones, when 7 were specified, no warranty information was provided, nor was complimentary maintenance after installation included.

Based on the completeness, match to specifications, superior warranty guarantee and complimentary maintenance after the installation, Councilmember Millard made a motion, seconded by Councilmember Starr, to approve the quote of \$41,655 from Wilson HCP of Ionia, Michigan for the WWTP Air Conditioning Project.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

(VII-4) Policy No. 2-014 – Fred Meijer Grand River Valley Rail Trail – Pedestrian Bridge Light Display Policy

The City regularly receives requests for alternate lighting patterns on the pedestrian rail trail bridge (the Bridge). It is necessary to establish a policy through which the City will establish an approved light display schedule, as well as a process by which alternate lighting requests can be received and evaluated.

Draft Policy 2-014 proposes an approved light display schedule for the Bridge that focuses on federal and other widely recognized holidays, several established local community events that broadly appeal to and are celebrated by City of Ionia residents, and seasons of the year that are readily recognized by a traditional color pattern. The policy also establishes an application process for requesting an alternate Bridge light display, very similar in nature to that established for banners displayed on City light poles. It proposes alternative lighting requests be considered from non-profit or governmental units that wish to coordinate Bridge lighting with a community activity or event that is of significance and broadly appeals to the residents of Ionia. An application fee of \$50 per request is proposed. When an approved holiday or special event is not being observed with a specific color scheme, the default Bridge light display will be blue.

Councilmember Milewski made a motion, seconded by Councilmember Millard, to approve draft Policy 2-014 - Fred Meijer Grand River Valley Rail Trail – Pedestrian Bridge Light Display Policy as proposed.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

(VII-5) Policy 4-005 – Residential Anti-Displacement & Relocation Assistance Plan (RARAP)

The City of Ionia was recently awarded a Community Development Block Grant (CDBG) to assist funding the new City of Ionia dog park and the downtown sound system projects. Part of the requirements of that grant mandate the City implement various policies to comply with the Housing and Community Development Act of 1974. Through a recent review of policies, it was determined two are missing— a policy regarding residential Anti-Displacement and Relocation Assistance and a policy regarding the use of excessive force.

To address the first requirement, Policy 4-005 – Residential Anti-Displacement and Relocation Assistance Plan (RARAP) was drafted and proposed for addition to Section 4 Community Development of the City’s General Policy Manual. This policy applies to federally assisted (CDBG, UDAG or HOME) grant projects only. It should be noted that while the dog park and downtown sound system projects are CDBG-funded, they are neither housing projects, nor is the City causing any residential displacement as a result of the projects.

Councilmember Lee made a motion, seconded by Councilmember Gustafson, to approve Policy 4-005 – Residential Anti-Displacement and Relocation Assistance Plan (RARAP) for inclusion in Section 4 Community Development of the City’s General Policy Manual.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

(VII-6) Resolution 2023-13 Excessive Force Policy

The City of Ionia was recently awarded a Community Development Block Grant (CDBG) to assist funding the new City of Ionia dog park and the downtown sound system projects. Part of the requirements of that grant mandate the City implement various policies to comply with the Housing and Community Development Act of 1974. Through a recent review of policies, it was determined two are missing – a policy regarding residential Anti-Displacement and Relocation Assistance and a policy regarding the use of excessive force.

To address the second requirement, Resolution 2023-13 directs the City Manager to work with the Public Safety Director to amend applicable public safety procedures such that a policy prohibiting the use of excessive force against non-violent civil rights demonstrators is implemented.

Councilmember Millard made a motion, seconded by Councilmember Gustafson, to approve Resolution 2023-13, which would adopt a policy prohibiting the use of excessive force against non-violent civil rights demonstrators.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

**CITY OF IONIA
COUNTY OF IONIA, MICHIGAN
EXCESSIVE FORCE POLICY**

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 5th day of July, 2023, at 6:00 p.m.

PRESENT: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

ABSENT: Winters, Waterman

The following preamble and resolution were offered by Councilmember Millard and seconded by Councilmember Gustafson:

Resolution 2023-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IONIA, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS

WHEREAS the Congress of the United States has passed the Armstrong/Walker “Excessive Force” Amendment (Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction; and

WHEREAS the City of Ionia has received a Michigan Community Development Block Grant and is required to comply with the Armstrong/Walker “Excessive Force” Amendment; and

WHEREAS the use of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future federal grants; now

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IONIA, MICHIGAN:

1. It is policy of the City that the use of excessive force is prohibited by local law enforcement agencies against individuals engaged in nonviolent civil rights demonstrations within the City.
2. The City will adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations.
3. The City Council directs the City Manager to work with the Public Safety Director to implement this Resolution by amending applicable public safety procedures.

Upon a call of the roll, the vote was as follows:

AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

ABSENT: Winters, Waterman

RESOLUTION No. 2023-13 DECLARED ADOPTED

(VII-7) Resolution 2023-14 – Grand Valley Metro Council (GVMC) – Amendment #41 to GVMC Articles of Incorporation

The City of Ionia is a member of the Grand Valley Metro Council (GVMC), a regional planning agency that provides information and resources to many communities in the Western Michigan region. Recently, at the request of the City of Hastings, The GVMC Board of Directors approved a motion to withdraw the City of Hastings from the organization. Amendment No. 41 to the GVMC Articles of Incorporation is required to officially remove Hastings as a member.

In addition to GVMC Board action, amendments to the Articles must be approved by the governing bodies of all local governmental units represented on the Council.

Councilmember Starr made a motion, seconded by Councilmember Lee, to approve Resolution 2023-14, authorizing Amendment No. 41 to the GVMC Articles of Incorporation.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
 NAYS: None

MOTION CARRIED

Resolution No. 2023-14

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

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 5th day of July 2023, at 7:00 p.m.

PRESENT: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

ABSENT: Winters, Waterman

The following preamble and resolution were offered by Councilmember Starr and seconded by Councilmember Lee:

**RESOLUTION TO APPROVE AMENDMENT NO. 41 IN
THE ARTICLES OF INCORPORATION OF
GRAND VALLEY METROPOLITAN COUNCIL**

WHEREAS, the members of Grand Valley Metropolitan Council ("Metro Council") have by majority vote approved Amendment No. 41 (Removal of City of Hastings) in the Articles of Incorporation of Grand Valley Metropolitan Council; which is stated as follows:

AMENDMENT NO. 41

To Remove the City of Hastings as a Member

1. The first paragraph of the Articles of Incorporation is hereby amended to read in its entirety as follows:

**ARTICLES OF INCORPORATION
GRAND VALLEY METROPOLITAN COUNCIL**

These Articles of Incorporation are adopted and executed by the incorporating units ("Units"), the City of Grand Rapids, the City of Kentwood, the City of East Grand Rapids, the City of Grandville, the City of Rockford, the City of Hudsonville, the City of Cedar Springs, Byron Township, Plainfield Township, Alpine Township, Gaines Township, Kent County, Grand Rapids Township,

Algoma Township, City of Coopersville, City of Greenville, City of Ionia, City of Walker, Courtland Township, City of Wayland, Village of Middleville, Tallmadge Township, Georgetown Township, Ottawa County, Caledonia Township, Cannon Township, Allendale Township, Cascade Township, Jamestown Township, the City of Wyoming, the City of Lowell, the City of Belding, Ada Township, the Village of Sand Lake, Lowell Township, Nelson Township, the Village of Sparta, and the Village of Caledonia for the purpose of constituting a Metropolitan Council pursuant to the provisions of Act No. 292 of the Michigan Public Acts of 1989 (the "Act").

and

WHEREAS, the amendments have now been submitted for approval by the legislative bodies of the local governmental units that belong to Metro Council; and

WHEREAS, the City Council of the City of Ionia, Michigan has considered Amendment No. 41 in the Articles of Incorporation of Metro Council.

NOW, THEREFORE, RESOLVED:

1. Amendment No. 41 in the Articles of Incorporation of Grand Valley Metropolitan Council is hereby APPROVED.

Upon a call of the roll, the vote was as follows:

AYES:	Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
NAYS:	None
ABSENT:	Winters, Waterman

RESOLUTION 2023-14 DECLARED ADOPTED

(VII-8) Introduction and First Reading – Ordinance No. 577 – Amend Chapter 440 – Parking

Chapter 440 – Parking contains various regulations for parking throughout the City of Ionia. Several amendments to this chapter are suggested to address recent issues that have arisen regarding parking or require adjustment to comport with state statute. The proposed changes have been prepared by the City Attorney and are shown on the attached, redlined Ordinance No. 577. The amendments are summarized by section:

Section 440.02 – Parking within the Downtown District

Aside from minor grammatical corrections, this section is amended to prohibit long-term storage of any vehicle or trailer within the Downtown District. Anything beyond 48 hours is defined as long-term storage.

Section 440.04 – Residential District Parking Regulations

Parking violations are defined in this Chapter as a civil infraction. As such, fines for civil infractions must be established by ordinance, not resolution as was previously stated in this section. Thus, reference to setting parking fines by resolution is deleted and proposed fines are now stated in Section 440.99 – Civil Infraction; Impounding, as detailed below.

Section 440.10 – Odd/Even Parking

For this section, the amount of time parking is prohibited during the winter months of December through March on odd-even days is expanded from 7:00 a.m. – 10 a.m. to 7:00 a.m. to 12:00 p.m. This additional two hours will provide the Department of Public Works with more time to remove snow from the streets.

Section 440.99 – Civil Infraction; Impounding

As noted above, parking violations are civil infractions and thus, the fines must be established by ordinance. This section is amended to include fines with a modest increase proposed, from \$10/\$20/\$30 to \$15/\$30/\$40 for the initial fine, after three days unpaid and after 30 days unpaid, respectively.

Additional language was added to make it clear that a vehicle parked in violation of this Chapter is a nuisance that can be abated by towing/impounding the vehicle. Thus, the Public Safety Department can issue tickets under this Chapter, rather than Chapter 676.03 Abandoned Motor Vehicles. Furthermore, towing can occur at the discretion of the City under Chapter 440 after a parking civil infraction is issued, without further notice and as may be needed to abate the nuisance (i.e., to allow the timely snow plowing of a street without risk of damage to the City plow truck or illegally parked vehicle.)

Finally, a new paragraph was added to this section, replacing the former penalty for six or more unpaid parking tickets. Instead of requesting that a driver’s license not be renewed by the state in this case (for which there is no enabling legislation), this section states a vehicle with six or more unpaid tickets, if parked on public property or public right-of-way, can be impounded until the tickets are paid in full, plus the costs of impounding, storage, etc.

Councilmember Milewski made a motion, seconded by Councilmember Millard to approve the introduction and conduct a first reading of Ordinance No. 577, an ordinance to amend various section of Chapter 440 of the City Code and to schedule a Public Hearing regarding the proposed ordinance for **7:00 PM, Wednesday, August 2, 2023 at Ionia City Hall.**

Roll Call Vote: AYES: Millard
 NAYS: Milewski, Videtich, Lee, Starr, Gustafson, and Balice

MOTION FAILED

Councilmember Starr suggested an amendment to “Section 440.02--Parking within the Downtown District” from 48 hours to 72 hours. He then made a motion to approve the introduction, with the amended hours (“Anything beyond 72 hours is defined as long-term storage.”) and to conduct a first reading of Ordinance No. 577, an ordinance to amend various section of Chapter 440 of the City Code and to schedule a Public Hearing regarding the proposed ordinance for **7:00 PM, Wednesday, August 2, 2023 at Ionia City Hall.**

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice
 NAYS: None

MOTION CARRIED

CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 577

AN ORDINANCE TO: AMEND PART FOUR, CHAPTER 440, SECTION 440.02 ENTITLED “PARKING WITHIN THE DOWNTOWN DISTRICT; AMEND PART FOUR, CHAPTER 440, SECTION 440.04 ENTITLED “RESIDENTIAL DISTRICT PARKING REGULATIONS”; AMEND PART FOUR, CHAPTER 440, SECTION 440.10 ENTITLED “ODD/EVEN PARKING”; AND AMEND PART FOUR, CHAPTER 440, SECTION 440.99 ENTITLED “PENALTY; IMPOUNDING” OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA

The City of Ionia Ordains:

Section 1: Amendment

That Part Four, Chapter 440, Section 440.02 of the Codified Ordinances of the City of Ionia is amended to read as follows:

440.02 PARKING WITHIN THE DOWNTOWN DISTRICT.

Enforcement. The enforcement of parking regulations in the Downtown District shall ~~generally~~ be in accordance with the following ~~parameters:~~

(a) Parking ~~may~~ will be enforced in the downtown area beginning at 8:00 a.m. and ending at 5:00 p.m., Monday through Saturday.

(b) Parking hours in the Downtown District will not be enforced on holidays or Sundays as otherwise specified in this chapter.

(c) Enforcement shall include the following:

- (1) Washington Street;
- (2) Main Street;
- (3) Adams Street;
- (4) Steele Street;
- (5) Kidd Street;
- (6) Depot Street;
- (7) Hudson Street;
- (8) Library Street; and
- (9) Public parking lots located with the Downtown District.

(d) Parking enforcement shall be made by the Director of Public Safety or his or her designee(s).

~~(e) No person shall cause or permit any vehicle, truck, or trailer, whether it is operable or inoperable, to be abandoned within the Downtown District. "Abandonment" as used in this subsection, means being parked on public property for a continuous period in excess of forty-eight hours in the same location.~~

Section 2: Amendment

That Part Four, Chapter 440, Section 440.04 of the Codified Ordinances of the City of Ionia is amended to read as follows:

440.04 RESIDENTIAL DISTRICT PARKING REGULATIONS.

~~—(a)—~~When signs prohibiting or limiting parking to a specific time period are erected in proximity to a space marked for parking in any Residential District, no person shall park a vehicle in that space if parking is prohibited or if parking is limited, park in excess of the time period as established by the official signs in that area.

~~—(b)—~~ ~~The City Council shall, by resolution, establish time limits and fines for the various parking areas within the City.~~

Section 3: Amendment

That Part Four, Chapter 440, Section 440.10 of the Codified Ordinances of the City of Ionia is amended to read as follows:

440.10 ODD/EVEN PARKING.

Except when necessary to avoid a conflict with other traffic, or in compliance with law, or at the direction of a public safety officer or traffic control device, no person shall park a vehicle on or along the side of any street, within the City, with odd building numbers on an even numbered date of the month, or the side of any street in the City with even building numbers on an odd-numbered date of the month, during the months of December thru March, inclusive, and between the hours of 7:00 a.m. and ~~10:00 a.m.~~12:00 p.m., provided that this section shall not apply to that portion of any street marked or posted, on either or both sides, with permanent parking prohibitions.

Section 4: Amendment

That Part Four, Chapter 440, Section 440.99 of the Codified Ordinances of the City of Ionia is amended to read as follows:

~~440.99 PENALTY~~440.99 CIVIL INFRACTION; IMPOUNDING.

(a) Civil Infraction. Whoever violates any of the provisions of this ~~chapter~~ Chapter shall be liable for a civil infraction ~~under Public Acts 510 and 511 of 1978, as amended. Adjudication of liability for a violation of this chapter shall be pursuant to Sections R 28.1101 through R 28.1110 of the Michigan Administrative Code as of August 1, 1979, as amended, and Michigan law pertaining to civil infractions., for which the fines shall be as follows:~~

- ~~(1) \$15.00 if said fine is paid within 3 calendar days of issuance of the citation; or~~
- ~~(b) Violations. Whoever parks in a parking zone in violation of this chapter shall pay fees and penalties provided for in subsection (c) hereof at the Ionia City Hall, 114 N. Kidd Street, Ionia, Michigan.~~
- ~~(c) Violation Schedule. The following penalties are hereby established for violations of this chapter:~~

Violation	Fine	After 3 days	After 30 days	
Violation	Fine	After 3 days	After 3 days	After 30 days
30 minute parking	—\$ 10.00	—\$ 20.00	—\$ 20.00	—\$ 30.00
Two-hour parking	—\$ 10.00	—\$ 20.00	—\$ 20.00	—\$ 30.00
No parking zone	—\$ 10.00	—\$ 20.00	—\$ 20.00	—\$ 30.00
Obstructing traffic lane	—\$ 10.00	—\$ 20.00	—\$ 20.00	—\$ 30.00
Blocking drive	—\$ 10.00	—\$ 20.00	—\$ 20.00	—\$ 30.00

Odd/even	—\$ 10.00	—\$ 20.00	—\$ 30.00
Not within parking lines	—\$ 10.00	—\$ 20.00	—\$ 30.00
Parking in alley	—\$ 10.00	—\$ 20.00	—\$ 30.00
Parked in the front yard or on or over a sidewalk	—\$ 10.00	—\$ 20.00	—\$ 30.00
Prohibited zones:(1) Within 15 feet of a fire hydrant(2) Within intersection(3) Within 15 feet of an intersection, unless otherwise signed	—\$ 10.00	—\$ 20.00	—\$ 30.00
Parking for prohibited purpose:(1) Working or repairing vehicle in road	—\$ 10.00	—\$ 20.00	—\$ 30.00
Facing traffic	—\$ 10.00	—\$ 20.00	—\$ 30.00
Loading zone violation	—\$ 10.00	—\$ 20.00	—\$ 30.00

~~—(d) Driver's License Suspension. If the owner or operator of a vehicle which has been ticketed accumulates six or more unpaid traffic tickets, the Director of Public Safety or his or her designee shall petition the 64-A District Court Judge or Magistrate to issue an order prohibiting the violator from renewing his or her operator's license in the State of Michigan. Such suspension shall remain in effect until all unpaid violations are paid.~~

~~_____ (2) \$30.00 if said fine is paid between 4 calendar days and 30 calendar days of the issuance of the citation; or~~

~~_____ (3) \$45.00 if said fine is paid later than 30 calendar days of the issuance of the citation.~~

(b) Impoundment. A vehicle parked in violation of this Chapter is hereby declared to be a nuisance that may be abated by any person authorized by this Code to enforce this Chapter by removing or causing said vehicle to be removed to the vehicle pound. The owner or operator of any vehicle that has been removed to the vehicle pound may have said vehicle released by paying all parking violation penalties presently outstanding against the vehicle, and all levies and costs of towing and storage and other impoundment expenses to the City of Ionia, or the City of Ionia's towing contractor, if applicable.

(c) Impoundment of Vehicles for Failure to Pay Civil Infractions Under This Chapter. If a vehicle is unattended and the registered owner of the vehicle has six (6) or more unpaid and outstanding civil infraction violations, all of which have been issued for a violation of this Chapter, any person authorized by this Code to enforce this Chapter may cause said vehicle to be removed to the vehicle pound. The owner or operator of any vehicle that has been removed to the vehicle pound may have said vehicle released by paying all parking violation penalties presently outstanding against the vehicle, and all levies and costs of towing and storage and other impoundment expenses to the City of Ionia, or the City of Ionia's towing contractor, if applicable. There shall be no impoundment under this subsection from any private property.

Section 5: Repealer

That all ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 6: Publication and Effective Date

The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect upon its, or a summary thereof as permitted by law, publication in the Daily News, a newspaper of general circulation in the City unless otherwise provided by law.

CITY OF IONIA

Dated:

By: Mary Patrick, City Clerk

(VII-9) Revised Resolutions 2023-15 and 2023-16 for Clerk and Non-Partisan Election Proposed City Charter Revisions

At the June 7, 2023, Council meeting, City Council approved Resolutions 2023-10 and 2023-11, initiating a process to propose revisions to the Ionia City Charter regarding the position of city clerk and local elections to make them exclusively a non-partisan process. Both resolutions include ballot questions for voter decision at the November 2023 regular election.

Following the June Council meeting, these resolutions were forwarded to Governor Whitmer’s office for review. The Governor’s office has requested several changes to the proposed, revised City Charter language; these changes are shown in Resolutions 2023-15 and 2023-16.

Upon review, Councilmember Starr made a motion, seconded by Councilmember Lee, to approve Resolutions 2023-15 and 2023-16, which are revised versions of Resolutions 2023-10 and 2023-11, respectively. These resolutions will submit the question of whether to amend the Ionia City Charter to change the position of city clerk from elected to appointed and to make all elective offices of the City nonpartisan.

Roll Call Vote: AYES: Milewski, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

MOTION CARRIED

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

Councilmember Starr made a motion, seconded by Councilmember Lee, to adopt 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 elected from the City at large appointed in the manner set forth in this Charter 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 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 ~~its~~ 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, Videtich, Lee, Starr, Millard, Gustafson, and Balice

NAYS: None

ABSENT: Winters, Waterman

RESOLUTION 2023-15 DECLARED ADOPTED

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

Councilmember Starr made a motion, seconded by Councilmember Lee, to adopt the following resolution:

RESOLUTION NO. 2023-16

**A RESOLUTION TO APPROVE AND SUBMIT
THE QUESTION OF WHETHER TO AMEND SECTIONS 6.01 AND 6.02 OF THE
CITY OF IONIA CHARTER TO MAKE CITY ELECTIVE OFFICES NONPARTISAN**

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 desirable to seek voter approval to make nonpartisan, the election of officers in the City; and

WHEREAS, the City Council believes that reducing partisanship in local City elections may increase the number of people willing to participate in City government and better reflect the local nature of City elections; and

WHEREAS, the City Council believes that it is in the best interest of the City to amend the City Charter to make all elective offices in the City nonpartisan beginning with the even-numbered year election in 2026; and

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

NOW, THEREFORE, IT IS RESOLVED THAT:

9. The City Council, by not less than a 3/5 vote of its members, proposes that Sections 6.01 and 6.02 of the City Charter be amended to read, respectively, as follows:

Section 6.01. Regular and Special Elections.

(a) A regular City election shall be conducted on the first Tuesday after the first Monday of November in each even-numbered year. The registration of voters, the preparation of ballots or machines, and the conduct of elections in the City of Ionia shall be in accordance with this Charter and the State election laws and shall be under the general supervision of the City Clerk. Special elections, but not more than two in any one year unless otherwise authorized by law, shall be held when called by resolution of the City Council, or when required by this Charter or general law. [Pursuant to MCL 168.642a and City Council Resolution No. 2023-07, beginning in 2026 the City will hold its regular City election on the first Tuesday after the first Monday in November of even-numbered years.]

(b) The election of all city officers shall be on a nonpartisan basis. The general election laws of the state shall apply to and control, as near as may be, all procedures relating to registration and city elections except as such general laws relate to political parties or partisan procedure and except as otherwise provided in this Charter.

Section 6.02. Nominations and Petitions.

(a) The method of nomination for all candidates for city elections shall be by petition. Petitions for each candidate shall be signed by at least 25 registered electors of the city. No person shall sign more than one petition for any one office. Where the signature of any individual appears on more petitions than he or she is permitted to sign, the signatures bearing the most recent date shall be invalidated. Nominating petitions shall be filed with the city clerk.

(b) The city clerk shall publish notice of the last day permitted for filing nominating petitions and of the number of persons to be elected to each office in the manner and time provided by law.

(c) The form of petition shall be substantially as that required by law for the nomination of nonpartisan officers. The clerk shall maintain and provide a supply of petition forms.

(d) Petitions for the office of council member will be circulated in the ward for which such candidate's name will be placed on the ballot.

(e) The city clerk shall accept only nominating petitions that conform with the forms maintained by the city and that considered together, contain the required number of valid signatures for candidates having those qualifications required by this Charter for the respective elective city offices. When a petition is filed by a person other than the person whose name appears as the candidate, it shall only be accepted if accompanied by the written consent of the candidate. The clerk shall notify, in writing, any candidate whose petition does not meet Charter requirements. A failure to notify any candidate shall not preclude a final determination that the petition does not meet these requirements.

(f) Within three days after the last date for filing petitions, the clerk shall determine the sufficiency and propriety of each nominating petition and whether the candidate has the qualifications required for the respective elective city office and shall write his or her determinations on the face of the petition and notify, in writing, the candidate of his or her determination.

(g) The names of candidates for the respective elective city offices who file sufficient and proper nominating petitions shall be certified by the clerk to be placed upon the ballot for the regular city election.

(h) After the filing of a nominating petition for city office, a candidate shall not be permitted to withdraw unless a written notice of withdrawal is served on the clerk, not later than 4:00 p.m. of the third business day after the last day for filing petitions.

(i) All nominating petitions filed with the clerk shall be open to public inspection during regular business hours.

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

Section 6.01. Regular and Special Elections; Party Candidates.

(a) A regular City election shall be conducted on the first Tuesday after the first Monday of November in each odd numbered year. The registration of voters, the preparation of ballots or machines, and the conduct of elections in the City of Ionia shall be in accordance with this Charter and the State election laws and shall be under the general supervision of the City Clerk. Special elections, but not more than two in any one year unless otherwise authorized by law, shall be held when called by resolution of the City Council, or when required by this Charter or general law.

(b) Political parties will file a slate of candidates with the City Clerk by 4:00 p.m. on the first Tuesday after the first Monday in August of odd numbered years.

(c) Party candidates will be selected at a convention held on the first Monday of August, under rules adopted by the parties in accordance with State statute and due process of law.

Section 6.02. Candidates Without Political Party Affiliation.

(a) Qualifying Petition; Filing; Filing Fee in Lieu of Petition Prohibited; Qualifications.

(1) For the purpose of this article, "qualifying petition" means a nominating petition required of and filed by a person to qualify to appear on an election ballot as a candidate for office without political party affiliation.

(2) A person may file a qualifying petition for a partisan office. A filing fee shall not be tendered instead of a qualifying petition.

(3) A person filing a qualifying petition shall meet the qualifications prescribed by law to hold the office.

(b) Qualifying Petition; Form, Size and Contents; Circulation.

(1) The form, size and contents of a qualifying petition shall be prescribed by the City Clerk and in substantially the same form as provided in M.C.L.A. 168.590h.

(2) A qualifying petition for a Citywide office may be circulated on a Citywide basis.

(3) A qualifying petition for the office of a Council member will be circulated in the ward for which such candidate's name will be placed on the ballot.

(c) Qualifying Petition; Signatures; Time.

(1) Subject to the requirements prescribed in subsections [6.02](#) (b)(2) and (3) a qualifying petition for an office shall be signed by a number of qualified and registered electors of the district that is represented by the office being sought by the candidate equal to not less than 2% of the total number of votes cast for all candidates for that office at the last election in which that office was elected. In any case, at least 25 signatures shall be submitted.

(2) All signatures on a qualifying petition shall be obtained not more than 180 days immediately before the date of filing under subsection [6.02](#) (d)

(3) As part of the minimum number of required signatures under this section, a qualifying petition for a Citywide office will not have more than 50% of the required number of signatures from any one ward.

(d) Qualifying Petition; Filing; Time; Filing Notice of Withdrawal.

(1) A qualifying petition for an office will be filed with the City Clerk.

(2) A qualifying petition for an office elected at the general November election shall be filed not later than 4:00 p.m. on the first Monday of August of odd numbered years. A qualifying petition for an official elected at an election other than the general November election shall be filed not later than the deadline established by statute for filing a partisan petition or certificate of nomination for the office or at least 90 days before that election, whichever is later. [NOTE: The Charter language pertaining to filing nominating petitions for the regular city election is superseded by Michigan Election Law MCL 168.644e as amended under PA 44 of 2010 and PA 276 of 2012. The candidate nomination petition filing deadline is 4:00 p.m., 15th Tuesday prior to odd-year November election.]

(3) A candidate who files a qualifying petition shall not be permitted to withdraw his or her candidacy unless a written notice of withdrawal is filed with the City Clerk. The notice shall be filed not later than 4:00 p.m. of the third day after the last day for filing a qualifying petition.

(e) Providing Blank Qualifying Petition Forms. Upon request, the City Clerk shall provide blank qualifying petition forms to a person who wishes to appear as a candidate on a ballot in

the Clerk's jurisdiction as a candidate without political party affiliation. The City Clerk is the only officer required to supply qualifying petition forms for circulation.

(f) Applicability of Certain Provisions; Canvass; Hearing; Certification.

(1) The City Clerk shall canvass a qualifying petition filed with the City Clerk and shall make an official declaration of the sufficiency or insufficiency of the qualifying petition at least 60 days before the election.

(2) A filing officer who receives a qualifying petition from a candidate who has met the requirements of this Charter shall certify to the proper board or boards of election commissioners the candidate's name, post office address, and office sought not later than 60 days before the election.

(g) Person Filing Qualifying Petition; Restrictions; Selecting Single Office to Which Candidacy Restricted; Failure to Make Selection.

(1) A person who files a qualifying petition shall not file a filing fee, and shall not be nominated as a candidate by a political party convention, caucus or committee for an office to be elected at the election for which the person has filed a qualifying petition.

(2) A person who files a qualifying petition for more than one office which offices are incompatible and the terms of which offices run concurrently or overlap shall select the one office to which his or her candidacy is restricted not later than 4:00 p.m. of the third day after the last day for filing a qualifying petition. Failure to make this selection disqualifies the person as a candidate for the offices for which qualifying petitions were filed and the petitions shall not be canvassed.

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

Section 6.01. Regular and Special Elections; ~~Party Candidates.~~

(a) A regular City election shall be conducted on the first Tuesday after the first Monday of November in each ~~odd~~-even-numbered year. The registration of voters, the preparation of ballots or machines, and the conduct of elections in the City of Ionia shall be in accordance with this Charter and the State election laws and shall be under the general supervision of the City Clerk. Special elections, but not more than two in any one year unless otherwise authorized by law, shall be held when called by resolution of the City Council, or when required by this Charter or general law. [Pursuant to MCL 168.642a and City Council Resolution No. 2023-07, beginning in 2026 the City will hold its regular City election on the first Tuesday after the first Monday in November of even-numbered years.]

(b) The election of all city officers shall be on a nonpartisan basis. The general election laws of the state shall apply to and control, as near as may be, all procedures relating to registration and city elections except as such general laws relate to political parties or partisan procedure and except as otherwise provided in this Charter.

~~—(b) Political parties will file a slate of candidates with the City Clerk by 4:00 p.m. on the first Tuesday after the first Monday in August of odd numbered years.~~

~~—(c) Party candidates will be selected at a convention held on the first Monday of August, under rules adopted by the parties in accordance with State statute and due process of law.~~

Section 6.02. Candidates Without Political Party Affiliation. Nominations and Petitions.

(a) The method of nomination for all candidates for city elections shall be by petition. Petitions for each candidate shall be signed by at least 25 registered electors of the city. No person shall sign more than one petition for any one office. Where the signature of any individual appears on more petitions than he or she is permitted to sign, the signatures bearing the most recent date shall be invalidated. Nominating petitions shall be filed with the city clerk.

~~— (a) Qualifying Petition; Filing; Filing Fee in Lieu of Petition Prohibited; Qualifications.~~

~~— (1) For the purpose of this article, "qualifying petition" means a nominating petition required of and filed by a person to qualify to appear on an election ballot as a candidate for office without political party affiliation.~~

~~— (2) A person may file a qualifying petition for a partisan office. A filing fee shall not be tendered instead of a qualifying petition.~~

(b) The city clerk shall publish notice of the last day permitted for filing nominating petitions and of the number of persons to be elected to each office in the manner and time provided by law.

(c) The form of petition shall be substantially as that required by law for the nomination of nonpartisan officers. The clerk shall maintain and provide a supply of petition forms.

~~— (3) A person filing a qualifying petition shall meet the qualifications prescribed by law to hold the office.~~

~~— (b) Qualifying Petition; Form, Size and Contents; Circulation.~~

~~— (1) The form, size and contents of a qualifying petition shall be prescribed by the City Clerk and in substantially the same form as provided in M.C.L.A. 168.590h.~~

~~— (2) A qualifying petition for a Citywide office may be circulated on a Citywide basis.~~

~~— (3) A qualifying petition for the office of a Council~~ (d) Petitions for the office of council member will be circulated in the ward for which such candidate's name will be placed on the ballot.

~~— (c) Qualifying Petition; Signatures; Time.~~

~~— (1) Subject to the requirements prescribed in subsections 6.02 (b)(2) and (3) a qualifying petition for an office shall be signed by a number of qualified and registered electors of the district that is represented by the office being sought by the candidate equal to not less than 2% of the total number of votes cast for all candidates for that office at the last election in which that office was elected. In any case, at least 25 signatures shall be submitted.~~

~~— (2) All signatures on a qualifying petition shall be obtained not more than 180 days immediately before the date of filing under subsection 6.02 (d)~~

~~— (3) As part of the minimum number of required signatures under this section, a qualifying petition for a Citywide office will not have more than 50% of the required number of signatures from any one ward.~~

~~— (d) Qualifying Petition; Filing; Time; Filing Notice of Withdrawal.~~

~~— (1) A qualifying petition for an office will be filed with the City Clerk.~~

~~— (2) A qualifying petition for an office elected at the general November election shall be filed not later than 4:00 p.m. on the first Monday of August of odd numbered years. A qualifying petition for an official elected at an election other than the general November election shall be filed not later than the deadline established by statute for filing a partisan petition or certificate of nomination for the office or at least 90 days before that election, whichever is~~

later. [NOTE: The Charter language pertaining to filing nominating petitions for the regular city election is superseded by Michigan Election Law MCL 168.644e as amended under PA 44 of 2010 and PA 276 of 2012. The candidate nomination petition filing deadline is 4:00 p.m., 15th Tuesday prior to odd-year November election.]

(e) The city clerk shall accept only nominating petitions that conform with the forms maintained by the city and that considered together, contain the required number of valid signatures for candidates having those qualifications required by this Charter for the respective elective city offices. When a petition is filed by a person other than the person whose name appears as the candidate, it shall only be accepted if accompanied by the written consent of the candidate. The clerk shall notify, in writing, any candidate whose petition does not meet Charter requirements. A failure to notify any candidate shall not preclude a final determination that the petition does not meet these requirements.

(f) Within three days after the last date for filing petitions, the clerk shall determine the sufficiency and propriety of each nominating petition and whether the candidate has the qualifications required for the respective elective city office and shall write his or her determinations on the face of the petition and notify, in writing, the candidate of his or her determination.

(g) The names of candidates for the respective elective city offices who file sufficient and proper nominating petitions shall be certified by the clerk to be placed upon the ballot for the regular city election.

~~— (3) A candidate who files a qualifying petition~~ (h) After the filing of a nominating petition for city office, a candidate shall not be permitted to withdraw his or her candidacy unless a written notice of withdrawal is filed with the City Clerk. The notice shall be filed served on the clerk, not later than 4:00 p.m. of the third business day after the last day for filing a qualifying petition.

(i) All nominating petitions filed with the clerk shall be open to public inspection during regular business hours.

~~— (e) Providing Blank Qualifying Petition Forms. Upon request, the City Clerk shall provide blank qualifying petition forms to a person who wishes to appear as a candidate on a ballot in the Clerk's jurisdiction as a candidate without political party affiliation. The City Clerk is the only officer required to supply qualifying petition forms for circulation.~~

~~— (f) Applicability of Certain Provisions; Canvass; Hearing; Certification.~~

~~— (1) The City Clerk shall canvass a qualifying petition filed with the City Clerk and shall make an official declaration of the sufficiency or insufficiency of the qualifying petition at least 60 days before the election.~~

~~— (2) A filing officer who receives a qualifying petition from a candidate who has met the requirements of this Charter shall certify to the proper board or boards of election commissioners the candidate's name, post office address, and office sought not later than 60 days before the election.~~

~~— (g) Person Filing Qualifying Petition; Restrictions; Selecting Single Office to Which Candidacy Restricted; Failure to Make Selection.~~

~~—(1) A person who files a qualifying petition shall not file a filing fee, and shall not be nominated as a candidate by a political party convention, caucus or committee for an office to be elected at the election for which the person has filed a qualifying petition.~~

~~—(2) A person who files a qualifying petition for more than one office which offices are incompatible and the terms of which offices run concurrently or overlap shall select the one office to which his or her candidacy is restricted not later than 4:00 p.m. of the third day after the last day for filing a qualifying petition. Failure to make this selection disqualifies the person as a candidate for the offices for which qualifying petitions were filed and the petitions shall not be canvassed.~~

12. 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.

13. 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.

14. 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.

15. 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 DESIGNATE ALL ELECTIVE CITY OFFICES AS NONPARTISAN.

Shall Sections 6.01 and 6.02 of the City of Ionia Charter be amended to provide that all elective offices for the City shall be nonpartisan beginning with the regular City election in November 2026?

16. This Resolution No. 2023-16 shall supersede and replace Resolution No. 2023-11, which previous resolution was adopted by the City Council on June 7, 2023; a certified copy of this Resolution No. 2023-16 shall be submitted to the Governor and Attorney General of the State of Michigan in place of Resolution No. 2023-11 in accordance with Act 279.

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

NAYS: None

ABSENT: Winters, Waterman

RESOLUTION 2023-16 DECLARED ADOPTED

APPOINTMENTS

None.

VIII. CITY DEPARTMENT REPORTS & MINUTES FROM BOARDS & COMMISSIONS

Reports provided to Council.

IX. CITY COUNCILMEMBER COMMENTS/GOOD OF THE ORDER

Precia Garland: The one bid received for the dog park project was over budget by \$200,000. The project will be rebid in late winter/early spring. The specifications for the speaker bids are being prepared.

Mayor Balice: (1) The official transition to the University of Michigan Health-Sparrow is complete. (2) Plans for the Ionia Free Fair are progressing nicely. Improvements were made, bathrooms repaired, and two grandstand shows will take place. (3) The Lamplight Grill is now closed. Much appreciation goes to Rich Thompson for the great job he did for many years. Sends his well wishes to Mr. Thompson upon his much-deserved retirement. Has hopes that someone will move into the space.

Janice Gustafson: She will miss the Lamplight, and sends good wishes to Rich Thompson upon his retirement.

Tom Millard: (1) Has been involved with the Ionia fireworks display for over 20 years. Due to the rain this year, the speakers couldn't be set out since they are not waterproof. Many thanks to the efforts of DDA Director Linda Curtis for raising the funds for the fireworks. (3) The Ionia Free Fair Parade already has 75 entries, with more expected.

John Milewski: (1) Ionia Free Fair parade will begin at 11:00 AM this year. The Fair Queen pageant will be held July 13th. (2) July 25 is the deadline for anyone wishing to appear on the November ballot to run for a city office.

X. CLOSED SESSION

None

XI. ADJOURNMENT

Councilmember Starr made a motion to adjourn, seconded by Councilmember Videtich.

MOTION CARRIED BY VOICE VOTE. The meeting was adjourned at 8:45 PM.

Submitted by:

Mary Patrick, Ionia City Clerk