



Resolution No. 2014-186
August 7, 2014

Resolution to Amend the City Charter to provide that the City Clerk automatically serves as Acting City Manager during a vacancy or absence in the office of City Manager until otherwise designated by City Council

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, Section 21(1) of the Home Rule City Act (HRCA), MCL 117.21(1), 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 of the city voters for or against each proposition, and

WHEREAS, 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 shall be limited to 100 words, exclusive of caption, shall be a true and impartial statement of the purpose of the amendment, and shall not create prejudice for or against the proposed amendment,

NOW THEREFORE BE IT RESOLVED that Article IV, Section 4.02 of the Ypsilanti City Charter shall be amended as follows:

The City Clerk will serve as Acting City Manager during a vacancy or absence in the office of the City Manager until Council designates a different qualified person to perform the duties of the City Manager, whether permanently or on an interim basis.

For the purposes of this Section, "absence" means when the holder of an office is not present in office for an appreciable amount of time and is otherwise unable to fulfill the duties of said office. An absence may include incapacity, and extended illness, or when the office holder cannot otherwise be located during an emergency. Also for the purposes of this Section, "vacancy" means when an office is unoccupied. A vacancy may operate by death, resignation, or abandonment.

The current charter section(s) being altered by this amendment provides as follows:

4.02. Acting city manager.

The Council shall designate a qualified person to perform the duties of the City Manager during a vacancy or absence in the office. In the event of an emergency, the City Clerk will serve as Acting City Manager until the next Council meeting.

