

City of Lansing Charter Commission

Regular Meeting Agenda



Tony Benavides Lansing City Council Chambers
Lansing City Hall, 10th floor
124 W. Michigan Avenue

July 16, 2024 at 6:30 PM

1. Call to Order

2. Roll Call

3. Public Comment

4. Minutes

A. July 2, 2024 Minutes

5. Officer Reports

A. Chair

B. Vice-Chair

C. Clerk

6. Unfinished Business

A. Community Meetings Plan

7. New Business

A. Article II

8. Commissioner Remarks

9. Public Comment

10. Adjournment

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

City of Lansing Charter Commission

Regular Meeting Minutes for July 2, 2024

Present: Commissioners Adams Simon, Anderson, Bauer, Boyd, Dowd, Jeffries, Lopez, Qawwee, Washington

Staff Present: Deputy Clerks Lemaster, Drever

Call to Order

The meeting was called to order by Chair Jeffries at 6:30 PM.

Roll Call

Deputy Clerk Lemaster called the roll of the commission. A quorum was present.

Adopt the Agenda

Moved by Commissioner Washington to adopt the agenda as presented.

Motion Carried.

Public Comment

Randy Dykhuis spoke about strategies for public engagement.

Norma Bauer spoke about the National Civic League recommendation for a city manager and the makeup of wards.

Valentina Hoskins spoke about receiving help for an ordinance violation.

Frederick McLoughlin spoke about the role of the City in economic development.

Don Dean spoke about listening to the public.

Approval of Minutes

Moved by Commissioner Bauer to approve the minutes.

Motion Carried.

Officer Reports

Chair

No report

Vice-Chair

Adams Simon spoke about strategies to revise the charter.

Clerk

Deputy Clerk Lemaster provided the budget update: The Commission has spent \$94,308.09 as of June 30th.

Unfinished Business

Community Meetings

The Commission discussed the update on Community Meetings.

Postcard

Moved by Vice-Chair Adams Simon to take the postcard design off the table.

Motion Carried.

Moved by Commissioner Qawwee to amend the postcard to include the proposed language from Vice Chair Adams Simon.

Moved by Commissioner Anderson to amend the motion to clarify the placement of the proposed from Vice-Chair Adams Simon to before the sentence “We want to hear from you!”

Motion Carried.

Motion Carried.

Moved by Commissioner Qawwee to spend \$20,000 on saturation mailing for the postcard.

Motion Carried 8-1.

Moved by Commissioner Lopez to approve the Comment Submission Form for publication.

Motion Carried.

Facebook Page

Moved by Commissioner Boyd to spend the cost to stream to Facebook, \$1200 for equipment and \$500/6 months for a subscription.

Motion Carried.

Returned Legal Counsel RFP

Moved by Commissioner Qawwee to set a special meeting at 5pm July 23rd to interview the legal counsel.

Motion Carried.

New Business

Rules Amendment for Public Comment

Moved by Commissioner Boyd to adopt the amendment.

Moved by Commissioner Anderson to amend the proposed rule amendment to increase the second Public Comment period from 2 minutes to 3 minutes.

Motion Carried

Motion Carried.

Commissioners Anderson and Dowd requested research into configuring virtual public participation.

Rules Amendment for Attendance Expectations

Moved by Commissioner Anderson to adopt the rules amendment.

Moved by Vice-Chair Adams Simon to table until Charter Commission legal counsel can review the amendment.

Motion Carried.

Article I Overview and Priorities

The Commissioners discussed sections of Article I of the City Charter that will need detailed review and revisions.

Commissioner Remarks

Commissioner Dowd spoke about interest in having a virtual public participation option.

Public Comment

Paula Simon spoke about public engagement.

Nicklas Zande spoke about updates to the City Charter regarding the makeup of City Council and elected positions.

Don Dean spoke re-addressed earlier comments about public comment times.

Fred McLaughlin spoke about zoning and development.

Mike Lynn spoke about experiences around the City.

Erica Lynn spoke about accessibility and strategies for public engagement.

Ryan Kost addressed a letter to the Commission about public engagement and expanding public comment to five minutes.

Norma Bauer spoke about the Commission's website.

Jay West spoke about the importance of diverse and qualified City leaders and the upcoming Community Meeting on August 20th.

Adjournment

Chair Jeffries adjourned the meeting at 8:13 PM

To: Chairperson Jeffries

From: Emery Drever, Deputy City Clerk

Re: Virtual Public Participation

The Clerk's office is working with CityTV to configure a Virtual Public Participation option during regular Charter Commission meetings. We will have it available for the July 30th meeting as requested.

In a process similar to virtual participation for City Council, members of the public wishing to participate must register 30 minutes prior to the start of the meeting.

The hyperlink to register will be part of the agenda and part of the email notification message that the public can sign up to join.

This pre-meeting registration is recommended for a few reasons: security of the virtual room, preemptive technology troubleshooting and advice so the public participating can make their comments with ease, and coordination between CityTV and Clerk staff without disrupting the proceedings.

This half hour allows us to cater to this need from the public with current staffing levels, meaning no additional cost would be incurred by the Commission. We are happy to assess the effectiveness of this process once it is in practice to make it more accessible.

Members of the public are welcome to submit in person public comment during the Charter Commission's meetings. They may also write in via email, chartercommission@lansingmi.gov, or the Comment Submission Form <https://mi-lansing-cityoflansing.app.transform.civicplus.com/forms/42080>.

Drever, Emery

From: Layna Anderson <laynaroseanderson@gmail.com>
Sent: Tuesday, July 2, 2024 3:51 PM
To: Chartercommission
Cc: Clerk, City
Subject: [EXTERNAL] Virtual participation in charter commission meetings

Lansing Charter Commission,

I would very much like to attend the meeting in-person tonight to participate in public comment and share some ideas as you start to review the charter, however, unfortunately, I am recovering from Covid and need to stay home for the safety of others.

I know I'm not the first person to encourage online participation capabilities for charter commission meetings, but so far, this commission still has not enabled two-way virtual communication during meetings, despite it being requested by several people. The meetings are available to watch online, but it's like watching TV – there's no way to participate in public comment. And that's frustrating, because participating in local government should be easy and accessible to all residents.

It's not always possible for someone to be at city hall on a Tuesday evening. Whether due to childcare concerns, transportation trouble, health issues, or any other reason. Lansing residents deserve to have a say on what they'd like to see in a new city charter, and by not allowing for virtual participation in these public charter commission meetings, you're creating yet another barrier between residents and municipal government, and possibly missing out on some valuable input.

Thank you for your consideration.

Layna Anderson
First ward Lansing resident

From: Leslie A. <kitchenwitch64@yahoo.com>
Sent: Tuesday, July 2, 2024 4:36 PM
To: Chartercommission
Subject: [EXTERNAL] July 2, 2024

Below is some advice that we hope you'll take heed on.

Ordinances that need looking into:

NOISE

*Dog barking

LPD will only show when reported as a noise violation, ICAC will only show if it's neglect. Between the two they pass the buck and we are left unheard and ignored while nuisance neighbors/renters let the dogs howl 24/7.

*Noise ordinances in general are only enforceable if LPD hears the violation— that's right! Our citizen calls/reports/ even videos we've taken do not count unless LPD witnesses it.

TRASH

There needs to be something in place for repeated code violations, right now a scumlord can have over 70 trash violations a year and just continue w/ slaps on the wrists while neighborhoods continue to suffer.

 VACANT LOTS FILLED W/ cars—zero zoning enforcements and waaay too many violations.

 LPD is entirely too hands off, they react and respond (poorly) to crime instead of protecting and serve.

We are a populace who are beyond exhausted from being ignored for the last 10 years. To see these meetings and watch 2/3 of you have no idea what we want is appalling, and disrespectful to the position to which some of you were elected, others were handed this position. Brian Jefferies, I implore you as the chair-person to use "Point of order" from Robert's Rules when conducting these meetings as your commission is out of control, mainly Liz Boyd, who is also your most out of touch commissioner w/ Lansing's average citizen. To witness her seek out fights to pick w/ constituents on social media is complete and utter bullshit. She recently joined a FB group called "Politics in Lansing" a MONTH after the election. Not before, not months or years ago, but AFTER the election and for what? To sling quips at Jesse LaSorda and Anita Toke about how she has "....no intention of resigning 😊" and telling neighborhood groups, "Not sure I received an invitation to your meeting but for the record, I'm not sure that's my role as a charter commissioner."

Excuse you? What on earth is so hard about using your new-found chamber-bankrolled powers FOR GOOD and do the actual job FOR WHICH YOU SIGNED UP? ! What a disgrace to the commission.

ALL: Most of your livelihoods won't change however the results of this commission shake out, but the working impoverished of Lansing citizens will, and we know a city flourishes when its least vulnerable are cared for securely.

When we know better, can do better.

Please: DO BETTER, for the greater good for ALL of us.

Sincerely,
Leslie Arnell she/her
Bancroft Valley Neighborhood Association

Sent from my iPad

Drever, Emery

From: Julie Vandenboom <julievandenboom@hotmail.com>
Sent: Wednesday, July 3, 2024 10:44 AM
To: Chartercommission
Cc: ross4lansing@gmail.com; klahn.samuel@gmail.com; lowry4lansing@gmail.com; jlasorda59@gmail.com; activadvocate@gmail.com
Subject: [EXTERNAL] Commissioner Lopez's idea for a volunteer lit drop corps

I like the idea. Imagine, charter commissioners and other volunteers going out to explain to folks what's going on with the city charter and to hear the residents' ideas. I'd gladly lace up my sneakers and walk a few turfs alongside a commissioner. Think we can make it happen?

Julie Vandenboom

Drever, Emery

From: Norma Bauer <activadvocate@gmail.com>
Sent: Wednesday, July 3, 2024 11:57 AM
To: Julie Vandenboom
Cc: Chartercommission; ross4lansing@gmail.com; Samuel Klahn; lowry4lansing@gmail.com; jlasorda59@gmail.com
Subject: RE: [EXTERNAL] Commissioner Lopez's idea for a volunteer lit drop corps

Yes, and since he comes from a strong relation-based, latinx/hispanic cultures, I suppose his intention was not simply a lip drop in English print to our very diversified neighborhoods but to engage with the occupants and explain the volunteers' take on how and why this charter review affects them even if they're not citizens, even if they're not voters, even if they don't speak English. The charter review affects on House people as well as those who sit and talk with each other in the northeast corner of Reutter Park many days and evenings--people who tend to be unhoused or inadequately or safely housed and how the city charter affects them as well as everyone else. Hint, if you stop there, bring healthy snacks that people can enjoy even if their toothless mouths make it hard to enjoy. Hi protein drinks go very well especially on weekends when free meal places are not offering balanced meals.

On Wed, Jul 3, 2024, 10:43 AM Julie Vandenboom <julievandenboom@hotmail.com> wrote:

I like the idea. Imagine, charter commissioners and other volunteers going out to explain to folks what's going on with the city charter and to hear the residents' ideas. I'd gladly lace up my sneakers and walk a few turfs alongside a commissioner. Think we can make it happen?

Julie Vandenboom

Drever, Emery

From: Nancy Mahlow <nmahlow2012@gmail.com>
Sent: Friday, July 5, 2024 11:41 PM
To: Chartercommission; Jeffries, Brian
Cc: Ethan Schmitt
Subject: [EXTERNAL] Eastside Neighborhood Organization Meeting

After making several contacts to find a location for the Charter Commission to attend our next Eastside Neighborhood Organization meeting, we finally have a location large enough to hold everyone.

Since we do not meet in July and August (as many groups take the summer off) our next meeting will be in September. Normally we meet on Wednesdays but due to the Farmer's Market we had to move it to Tuesday.

The Allen Neighborhood Center
Tuesday, September 3, 2024
6 - 8:30 p.m.

If you have any questions please feel free to contact me. Enjoy and have a wonderful day!

--

Nancy Mahlow
nmahlow2012@gmail.com
517-372-3249

Drever, Emery

From: Mitch Rice <ricem1957@gmail.com>
Sent: Monday, July 8, 2024 2:00 PM
To: Chartercommission
Subject: [EXTERNAL] Charter Commission input
Attachments: Charter Commission Input 2024.pdf

attached is input for the Charter Commission;

Mitch Rice
2nd ward resident

Charter Commission Input

From Mitch Rice 7-8-2024

1. Training for Elected Officials and Appointed Officials examples: from MML and MSU extension. Likely boards: Planning Commission, BZA, Economic Development, Housing, Public Safety.
It is critical to have appropriate initial and ongoing training for boards and commissions for appointed citizens to understand their responsibilities, rules and guidelines for effective functioning. Have firsthand knowledge and experience about this need since I have served on two municipal BZAs over 20 years.
2. No at-large seats only wards
For improved access and responsiveness of elected council members, eliminating at-large council seats would be a positive change for citizens and council members.
3. Add Chief Administrator to be accountable to both Mayor and City Council
As a middle ground for the strong mayor and city manager forms of government, adding a position of Chief Administrator to the executive branch should improve access and reduce politics in Lansing. At this time, I do not have recommendations for charter language to possibly create a position that balances the power and accountability for both the mayor and the council but would hope the Charter Commission could find help from municipal experts for this.
4. Add sexual orientation to protected class for non-discrimination
This should occur since in 2024 it is an accepted classification.
5. Remove felony conviction history as a restriction from being an elected official. Having served time for a criminal conviction is not a reasonable restriction for serving Lansing. Many formerly incarcerated are no longer a negative risk for community and may bring helpful history and perspective to an elected position. Voters have the final say in who leads but not having an opportunity to be a candidate based on a felony history is a continuous discriminatory practice and punishment.

6. Look at budget process and required input from City Council.

Language in the charter that increases the planning and early input into the City Budget between the executive and city council would increase cooperation and reduce surprises in budget vision and goals.

Drever, Emery

From: Jeffries, Brian
Sent: Monday, July 15, 2024 11:46 AM
To: Bob Worthy
Cc: Chartercommission
Subject: RE: Revision of section 5-102-12 of the city charter

Good morning Bob:

Thanks for reaching out.

I have copied all Commission Members on this email to ensure that they are aware of your concerns and recommendations. I will also have a copy of your email added as a written public comment to our records. Be advised that you are also welcome to attend a Charter Commission meeting to express your views. Our meeting dates and times can be found on our website at www.lansingmi.gov/1233/Charter-Commission.

Thanks again,

Brian

From: Bob Worthy <bob@worthycompany.com>
Sent: Saturday, July 13, 2024 11:36 AM
To: Jeffries, Brian <Brian.Jeffries@lansingmi.gov>
Subject: [EXTERNAL] Revision of section 5-102-12 of the city charter

Brian:

I am a Board of water and light commissioner for Delta Township. I was born in Lansing and have lived in Lansing or Delta Township all my life. After the massive ice storm in 2013 the city charter was changed to add three non-voting commissioners for Delta, East Lansing and the other outlying areas served by the board. This addition obviously was a hurried political decision to avoid blowback from the outlying areas. I think it is long past time to correct this hasty charter revision and make the outlying commissioners full voting members. I would also make all three commissioners serve three year terms as one of the commissioners servers only a one year term, and it takes at least a year to see how the Board functions to be able to make intelligent decisions and give sound advice. I feel US and world history shows us that anytime you have a system where you discriminate based on sex, race or land ownership it is certain to fail. The Board itself is based on concepts of inclusion and non-discrimination, yet they discriminate based in where one lives for their commissioners status. The argument for the status quo seems to be that the three commissioners in questions do not live in Lansing and it is a city utility. But the Board actually produces income for the city which will change under my proposal. The Board has extended service to these areas to create economies of scale, which translate into reduced rates for the city ratepayers. The Board has made us interested parties, and, as such, we deserve a voice in the management of the utility. Further, one of the Boards largest power generating facilities is located in Delta Township which further fortifies our position as an interested party. I would be more than happy to meet with your commission when it is convenient for you to see me.

Best regards,

Please feel free to reach out to me with any questions of need for further information.

Bob Worthy
517-204-6430
bob@worthycompany.com

To: Lansing City Charter Commission

From: Emery Drever, Deputy City Clerk

Wednesday, July 10, 2024.

Re: Community Meetings Schedule

Following action from the Commission committing to four community meetings, the following meetings have been scheduled for the Charter Commission:

- 1. Tuesday, August 20th, 6:30 PM**
 - a. Alfreda Schmidt Southside Community Center
 - b. In partnership with Churchill Downs Neighborhood Association
- 2. Wednesday, August 28th, 6:30 PM**
 - a. Letts Community Center
 - b. In partnership with Westside Neighborhood Association
- 3. Tuesday, September 3rd, 6 PM**
 - a. Allen Neighborhood Center
 - b. In partnership with Eastside Neighborhood Organization
- 4. Saturday, September 7th, 11 AM**
 - a. Unitarian Universalist Church of Greater Lansing
 - b. In partnership with East Sycamore Park Neighborhood Watch

Following action from the Commission, a postcard will be sent using postal saturation advertising this information.

GET INVOLVED IN LANSING'S FUTURE!



The Lansing Charter Commission is reviewing our city's charter, the document that outlines how our local government works.

The Lansing City Charter is the founding document that outlines the structure and operations of the City of Lansing, establishing the framework for its government including Powers of the City, Structure of government, the Election Process, Rights and Responsibilities of Citizens, Fiscal Management, and the Amendment Process.

We want to hear from you!



Attend a meeting
or listening
session



Submit a
Comment
Submission Form



Provide
public comment



Email the
Commission:

chartercommission@lansingmi.gov



Visit lansingmi.gov/1233/charter-commission for more information

Lansing City Charter Commission
124 W. Michigan Ave. 9th Floor
Lansing, MI 48933



Upcoming Charter Commission Listening Tour

1

ALFREDA SCHMIDT SOUTHSIDE COMMUNITY CENTER

Tuesday, August 20th, 6:30 PM

2

LETTS COMMUNITY CENTER

Wednesday, August 28th, 6:30 PM

3

ALLEN NEIGHBORHOOD CENTER

Tuesday, September 3rd, 6 PM

4

UNITARIAN UNIVERSALIST CHURCH

Saturday, September 7th, 11 AM

John Doe or current resident
123 Street Name
Lansing, MI ZIPCODE

Lansing City Charter

Article 2: Officers and Elections

Table of Contents

- **Chapter 1. OFFICERS 2**
- 2-101 Elective Officers 2
- 2-102 Qualifications For Elective Office 2
- 2-103 Ineligibility For Office 2
- 2-104 Compensation Of Officers 2
- 2-105 Bonds Of Officers 3
- 2-106 Oath Of Office 3
- **Chapter 2. ELECTION OF OFFICERS 3**
- 2-201 Time Of Elections 3
- 2-202 Non-Partisan Ballot 3
- 2-203 Wards 3
- 2-204 Method Of Nomination 3
- 2-205 Election Commission 3
- 2-206 State Law To Apply 3
- **Chapter 3 VACANCIES 3**
- 2-301 Absence From Office 3
- 2-302 Forfeiture And Removal For Cause 3
- 2-303 Filling Vacancies 4
- 2-304 Temporary Absence Of Mayor 4
- **Chapter 4. BALLOT ISSUES 4**
- 2-401 Recall 4
- 2-402 Initiative And Referendum 4
- 2-403 Petitions For Initiative And Referendum 4
- 2-404 Suspension Of Referred Ordinance 4
- 2-405 Council Action On Petitions 4
- 2-406 Special Elections 5
- 2-407 Submission By Council 5
- 2-408 Determining Result Of Election 5
- 2-409 Amendment, Repeal And Reenactment 5
- 2-410 Charter Revision Question 5
- 2-411 Charter Amendments 5

Chapter 1. OFFICERS (2)

2-101 Elective Officers

- .1 The elective officers shall be the Mayor, eight members of the City Council and the City Clerk.
- .2 Each officer shall have a term of four years terminating at 12 Noon on January first and shall serve until the election and qualification of a successor.
- .3 The terms of office of the Council Members shall be staggered so that two City Council Members elected from wards shall stand for elections every two years and two City Council Members elected at large shall stand for election every two years.

2-102 Qualifications For Elective Office

Every city official holding elective office shall be a registered elector in the City of Lansing and shall have been a resident of the city for one year prior to taking office. A ward Council Member shall be a resident of the ward from which elected or chosen.

Chapter 1. OFFICERS (2) [CTD]

2-103 Ineligibility For Office

- .1 Any person who has been convicted of either a violation of the election laws of this City, this State or the United States of America or a violation of a public trust or any felony shall not be eligible to hold any City office for a period of 20 years from the date of the conviction.
- .2 No person who is in default to the City shall be eligible to hold any City office.
- .3 A person who holds or has held any elective City office shall not be eligible for appointment to a nonelective office or employment for which compensation is paid by or through any agency of the City until the person has been out of office for one year.

Chapter 1. OFFICERS (2-3) [CTD]

2-104 Compensation Of Officers

- .1 The City shall, by ordinance, determine the compensation or the procedure for determining the compensation of all officers and employees of the City.
- .2 The elected officers compensation commission previously created by ordinance may continue to determine the compensation of all elected officials after the effective date of this Charter. The compensation commission ordinance shall be amended to provide a procedure for calling the compensation commission together at a time to be determined by the City Council.
- .3 The City may, by ordinance, at any time alter any procedure for determining compensation of any officers or employees.

Chapter 1. OFFICERS (3) [CTD]

2-105 Bonds Of Officers

- .1 All officers and employees who receive, distribute or are responsible for City funds, shall be bonded in the sum determined by the City Council.
- .2 The City Council may require bonds from other officers and employees.
- .3 All bonds shall be approved by the City Attorney and filed with the City Clerk.

2-106 Oath Of Office

Every elective officer and every appointee before entering on official duties shall take and subscribe the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State and that I will faithfully discharge the office of _____, according to the best of my ability," and shall file that oath, duly certified by the officer before whom it was taken, in the office of the City Clerk.

Chapter 2. ELECTION OF OFFICERS (3)

2-201 Time Of Elections

The primary and general elections for all City offices shall be at the time provided by State law.

2-202 Non-Partisan Ballot

The Clerk shall prepare ballots which shall conform to the provisions of law. No party vignette or emblem or other designation shall appear on the ballot in regard to City officers.

Chapter 2. ELECTION OF OFFICERS (3) [CTD]

2-203 Wards

- .1 The City of Lansing shall be divided into four wards, from each of which a member of the City Council shall be nominated and elected.
- .2 Each ward shall have the same boundaries as shall exist on the effective date of this Charter until changed in accord with law.
- .3 The Election Commission shall revise the boundaries of the wards within 60 days after the figures from the Federal decennial census becomes available. New ward boundaries created within 120 days of a City primary election shall become effective after the general election.
- .4 The Election Commission shall, to the greatest extent possible, establish wards that are compact, contiguous and of equal population.

Chapter 2. ELECTION OF OFFICERS (3) [CTD]

2-204 Method Of Nomination

.1 The method of nomination for all elective offices in the City shall be by petition, or by a candidate submitting a filing fee. A primary election shall be held on those occasions when the number of persons submitting valid nominating petitions or filing fees exceeds twice the number of positions to be filled in the office.

.2 Nominating petitions submitted by candidates for offices to be filled by voters of a ward shall be signed by at least one hundred (100), but no more than one hundred fifty (150), of the persons registered to vote in the ward in which the election is to be held.

.3 Nominating petitions submitted by candidates for offices to, be filled by the voters of the City at large shall be signed by at least four hundred (400), but no more than six hundred (600), of the registered electors of the City.

.4 In lieu of submitting nominating petitions, a candidate may nominate himself or herself for City office by submitting a filing fee of one hundred dollars (\$100.00). The filing fee shall be nonrefundable.

.5 The City Clerk shall assist members of the public by providing information regarding the requirements for candidacy, and in the preparation of petitions.

.6 Neither nominating petitions, nor filing fees shall be accepted unless accompanied by an affidavit sworn to or affirmed by the candidate, stating that the candidate possesses the legal qualifications for the office and requesting that the candidate's name be printed on the ballot.

Chapter 2. ELECTION OF OFFICERS (3) [CTD]

2-205 Election Commission

- .1 The conduct of City elections shall be the responsibility of the Election Commission consisting of the City Clerk, the City Attorney and the Assessor. The City Clerk shall preside.
- .2 The Election Commission shall prescribe the procedures to be followed in the conduct of City elections in accord with state law.

2-206 State Law To Apply

The general election laws of the state as supplemented by the provisions of this Charter and relevant ordinances shall apply to the qualifications and registration of voters, the filing for office by candidates, and the conduct and canvass of City elections.

Chapter 3 VACANCIES (3)

2-301 Absence From Office

Whenever an elective officer of the City has failed to perform the duties of the office for 60 consecutive days or more, the Council shall vote to excuse or not to excuse the inability at each Council meeting until the officer resumes the duties of the office. If the Council does not excuse the inability at any meeting, after the 60 days have lapsed, the office shall be forfeited at the close of the meeting.

Chapter 3 VACANCIES (3-4) [CTD]

2-302 Forfeiture And Removal For Cause

.1 The City Council shall declare the forfeiture of the office of any elective officer or appointee and may remove for cause any person appointed to an office for a fixed term. In every case there shall be a public hearing before the City Council with notice published in the same manner as notices of proposed ordinances. A Council member charged with conduct constituting grounds for forfeiture may not participate in the resolution of the charge.

.2 The position of an elective City officer or an appointee shall be forfeited if he or she:

(a) lacks at any time any qualifications required by this Charter.

(b) is convicted of a felony while holding the office or appointment.

(c) violates a provision of this Charter punishable by forfeiture.

.3 Decisions made by the City Council under this section are not review able by the Mayor but are subject to judicial review in a hearing de novo. Any resident of the City may petition an appropriate court to require the City Council to hold a public hearing on the forfeiture of an office if the City Council has unreasonably refused to proceed.

Chapter 3 VACANCIES (4) [CTD]

2-303 Filling Vacancies

.1 Whenever a vacancy occurs in the office of Mayor, the President of the City Council shall fill the office until January first following the earliest November general election at which a successor can be elected to fill the office for the rest of the term. If the Council President should decline to serve as Mayor, after receiving notice of the vacancy, the Council by a majority of Council members serving shall select one of its members to fill the office of Mayor.

.2 Whenever a vacancy exists in the office of the City Clerk or member of the City Council, the Council, by a majority vote of members serving, shall appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected to fill the office for the rest of the term.

Chapter 3 VACANCIES (4) [CTD]

2-304 Temporary Absence Of Mayor

.1 During the temporary absence of the Mayor from the City or the inability of the Mayor to perform the duties of the office, the President of the City Council shall be considered the temporary Mayor of the City for the purpose of performing statutory duties of the office.

.2 Whenever the City Council, by a vote of two-thirds of the members serving, declares that the temporary absence of the Mayor from the City or the inability of the Mayor to perform the duties of the office has created a need for administrative leadership and direction, the City Council may request the President of the City Council to assume the fulltime obligations of leadership under 4-102 for as long as the Council deems necessary or until the elected Mayor resumes the office whichever is the first to occur.

.3 If the President at any time declines to serve as Acting Mayor, the Council may designate another of its members to serve as Acting Mayor.

.4 Any appointment or removals by an Acting Mayor are subject to confirmation by the permanent Mayor.

.5 The Acting Mayor shall possess the veto power provided in this Charter but shall not vote while Acting Mayor.

Chapter 4. BALLOT ISSUES (4)

2-401 Recall Any official holding an elective office may be recalled and the vacancy created be filled in the manner provided by law.

2-402 Initiative And Referendum The people reserve to themselves the power to propose ordinances and to enact and reject ordinances, called the initiative, and the power to approve or reject ordinances enacted by the City Council, called the referendum.

Chapter 4. BALLOT ISSUES (4) [CTD]

2-403 Petitions For Initiative And Referendum

.1 Initiative and referendum petitions must be signed by a number of City electors equivalent to at least 5 percent of registered electors of the City.

.2 Petitions shall set forth in full the measure to be initiated or referred. The circulators may submit the petitions to the City Attorney for approval as to form before circulating, but they are not required to do so.

.3 Signers of petitions shall be registered electors of the City. Each shall sign his or her name indelibly and shall indicate his or her residence and the date of signing. Each petition shall contain a sworn affidavit of the circulator stating that each signature is, to the knowledge of the circulator, the genuine signature of a registered elector and the person whose name it purports to be; and that it was affixed in the presence of the circulator.

.4 Signatures obtained more than 90 days before the petition is filed with the Clerk shall not be counted.

.5 The City Clerk shall, within 15 days, canvass the signatures and shall present the petition, if found sufficient and proper, to the City Council at its next regular meeting.

.6 If the City Clerk determines the petition lacks sufficient signatures or is otherwise improper, the City Clerk shall forthwith notify the person filing such petition by regular mail of the deficiency and 10 days shall be allowed for filing supplemental petition papers.

Chapter 4. BALLOT ISSUES (4) [CTD]

2-404 Suspension Of Referred Ordinance

A referendum petition must be filed with the City Clerk within 30 days after the enactment of an ordinance. The filing of a referendum petition containing signatures equal to the required amount will delay or suspend the operation of the ordinance until the City Clerk has made a report that the petition does not contain a sufficient number of valid signatures or, if the City Clerk finds the petition to be sufficient, until final determination by the voters.

Chapter 4. BALLOT ISSUES (4-5) [CTD]

2-405 Council Action On Petitions

.1 Upon receiving an initiative or referendum petition from the City Clerk, the City Council shall within 30 days either:

(a) if it is an initiative petition

(1) adopt the ordinance as submitted in the petition, or

(2) direct the submission of the proposal to the electors; or

(b) if it is a referendum petition,

(1) repeal the ordinance to which the petition refers, or

(2) direct the submission of the proposal to the electors.

.2 Submission to the voters shall take place at the next regular election, or at a special election held prior to the next regular election.

Chapter 4. BALLOT ISSUES (5) [CTD]

2-406 Special Elections

.1 Special City elections shall be held when called by resolution of the City Council at least 50 days in advance of the election, or when required by this Charter or state law. Any resolution calling a special election shall set forth the purpose of such election.

.2 Special elections to fill vacancies shall be called at least 90 days before the general election. A special primary election shall be held at least 25 days before the special general election.

.3 Any election to fill a vacancy in an elective City office shall be held on election day in November and shall be preceded by a primary election. No general election to fill a vacancy may be held unless the vacancy occurred at least six months prior to the general election.

.4 Whenever a vacancy in the office of Mayor, City Clerk or City Council exists for 30 days and the City Council has failed to fill the vacancy, the Election Commission shall schedule a special election to fill the vacancies at the earliest possible time. The date of the election shall not be subject to the provisions of Section 2-406.3.

Chapter 4. BALLOT ISSUES (5) [CTD]

2-407 Submission By Council

The City Council may, on its own motion, by a vote of five City Council members, submit to the voters any proposed ordinances or any proposal for the repeal or amendment of an ordinance in the manner and with the effect in this Chapter for submission of proposals initiated by petition.

2-408 Determining Result Of Election

.1 Except as otherwise required by law, the result of any initiative or referendum election shall be determined by a majority of the voters voting on the question.

.2 If two or more inconsistent initiative or referendum measures are submitted to the voters at the same election, the measure receiving the highest number of affirmative votes shall prevail to the extent of their inconsistency.

Chapter 4. BALLOT ISSUES (5) [CTD]

2-409 Amendment, Repeal And Reenactment

.1 An ordinance adopted by the voters through initiative proceedings may not be amended or repealed by the City Council for a period of two years after the date of the election at which it was adopted.

.2 An ordinance nullified by the voters through referendum proceedings may not be re-enacted by the City Council for a period of two years after the election at which it was nullified.

2-410 Charter Revision Question

The question of whether there shall be a general revision of the City Charter shall be submitted to the voters of the City of Lansing at the November general election held in 1987 and every 12 years thereafter and may be submitted at other times in the manner provided by law.

Chapter 4. BALLOT ISSUES (5) [CTD]

2-411 Charter Amendments

.1 This Charter may be amended by a majority vote of the electors in the manner provided by statute.

.2 Petitions for Charter amendments may be submitted to the City Attorney for approval as to form in the same manner as petitions for initiative and referendum.

.3 If two or more amendments adopted at the election have inconsistent provisions, the amendment receiving the largest affirmative vote shall prevail to the extent of their inconsistency.