

**THE VILLAGE OF DEXTER  
CITY CHARTER COMMISSION  
MINUTES OF THE WEDNESDAY, FEBRUARY 12, 2014 MEETING**

**A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:30PM by Chairman Hansen at the Copeland Board Room located at 7714 Ann Arbor Street in Dexter, Michigan.

- B. ROLL CALL:** Phil Arbour, Jack Donaldson, John Hansen, Phil Mekas (arrived at 6:44 PM), Mary-Ellen Miller, Thom Phillips (arrived at 6:32 PM), Michael Raatz and James Smith. Excused absence Matt Kowalski.

Also present: Courtney Nicholls, Assistant Village Manager; Carol Jones, Village Clerk; Tom Ryan, City Charter Commission Attorney; Lawrence Kestenbaum, Washtenaw County Clerk; Nancy Hedberg, Scio Township Clerk; Mary Dee Heller, Webster Township Clerk; and Donna Fisher, former Village Clerk and current Village Trustee.

**C. APPROVAL OF THE AGENDA**

Motion James Smith; support Phil Arbour to approve the agenda as presented. Unanimous voice vote approval with Kowalski absent.

**D. APPROVAL OF THE MINUTES**

1. Regular Meeting – February 5, 2014

Motion James Smith; support Jack Donaldson to approve the minutes with the following correction:

Page 2, #1 under Second Readings – the first line should read, *Prior to the Second Readings of the Administrative Services and the Financial Management sections, ....*

Unanimous voice vote approval with Kowalski absent.

**E. PREARRANGED PARTICIPATION**

None

**F. PUBLIC HEARINGS**

None

## G. CHARTER CONSTRUCTION – SECOND READINGS

None

## H. CHARTER CONSTRUCTION – FIRST READING

### 1. Discussion of: Elections

Motion James Smith; support Michael Raatz to work from the City of Caro Charter document.

Unanimous voice vote approval with Kowalski absent.

Motion Michael Raatz; support [James Smith](#) to approve the first reading of Section 1 – Qualifications of Electors

The residents of the city having the qualifications of electors in the State of Michigan who are registered in the city shall be electors in the city.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Jack Donaldson to approve the first reading of Section 2 – Procedure.

The election of the mayor and six council persons shall be on a non-partisan basis. The general election statutes shall apply to and control all procedures relating to city elections, including qualification of electors, establishment of precincts, verification of petitions, registration of voters and voting hours. The City Clerk shall give public notice of each city election in the same manner as required by law for the giving of public notice of general elections in the state.

Unanimous voice vote approval with Kowalski absent.

Motion Jack Donaldson; support Mary-Ellen Miller to approve the first reading of Section 3 – Precincts.

The election precincts of the city shall remain, as they existed on the effective date of this charter unless altered by the Elections Commission in accordance with the laws of the State of Michigan.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Thom Phillips to approve the first reading of Section 4 – Date of Regular city Elections.

A non-partisan regular city election shall be held on the first Tuesday following the first Monday of November of even numbered years.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Arbour; support Michael Raatz to approve the first reading of Section 5 – Special Election Dates.

Unless otherwise specified by this charter, special city elections shall be called by resolution of the council in accordance with state law. Any resolution calling a special election shall set forth the purpose of such election. There shall be no more than two (2) special elections in one (1) calendar year, unless otherwise permitted or required by law.

Unanimous voice vote approval with Kowalski absent.

Motion Jack Donaldson; support Phil Mekas to approve the first reading of Section 6 – Notice.

Notice of the time and place of holding any city election and of the officers to be elected and the questions to be voted upon shall be given by the City Clerk as provided in the state election law for the giving of notice by city clerks.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Thom Phillips to approve the first reading of Section 7 – Voting Hours.

The polls of all elections shall be opened and closed in accordance with the election laws of the State of Michigan for the opening and closing of polls at state elections.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Mekas; support Phil Arbour to approve the first reading of Section 8 – Nominations – Generally.

The method of nominations for all candidates for city elections shall be by petition as set forth in the Michigan Election Law, Act 116 of PA 1954 as amended.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Jack Donaldson to approve the first reading of Section 9 – Nominations – Form of Petition.

The form of petition shall substantially as that designated by the Secretary of State for the nomination of non-partisan officers. The City Clerk shall provide and maintain a supply of official petition forms.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Phil Mekas to approve the first reading of Section 10 – Nominations - Approval of Petitions.

Motion James Smith; support Thom Phillips to have a minimum of 20 and not more than 30 signatures on the nomination petition.

Ayes: John Hansen, Phil Mekas, Thom Phillips and James Smith

Nays: Phil Arbour, Jack Donaldson, Mary-Ellen Miller and Michael Raatz

Absent: Matt Kowalski

Motion fails

Motion Jack Donaldson; support Thom Phillips to have a minimum of 20 signatures on the nomination petition.

Ayes: Jack Donaldson, Phil Mekas, Thom Phillips and James Smith

Nays: Phil Arbour, John Hansen, Mary-Ellen Miller and Michael Raatz

Absent: Matt Kowalski

Motion fails

Motion Phil Arbour; support Thom Phillips to have a minimum to 15 and maximum of 25 on the nomination petition.

Unanimous voice vote approval with Kowalski absent.

The City Clerk shall accept only nomination petitions which conform with the forms provided and maintained by the City Clerk, in accordance with the state deadline before the election and which, considered together, contain the required number of valid signatures of a minimum of 15 and maximum of 25 registered electors for candidates having those qualifications required for the respective elective city offices by this charter. Petitions shall be accepted only when accompanied by an Affidavit of Identity as required by Michigan Election Laws as amended. The City Clerk shall within two (2) business days examine the petitions and investigate the validity and genuineness of signatures submitted and, after the last day specified for receiving and filing nominating petitions, shall certify to the Election Commission the name and post office address of each candidate whose petitions meet the requirements set forth in the election act. The City Clerk shall immediately notify the candidates in writing of the City Clerk's determination. Objections to the City Clerk's determination shall be filed by sworn complaint with the County Clerk or as otherwise provided by state law.

Unanimous voice vote approval as amended with Kowalski absent.

Motion Jack Donaldson, support James Smith to approve the first reading of Section 11(a) – Nominations – Candidate to Run for Only One Office (from Chelsea Charter).

The City Clerk shall not accept nominating petitions for the election of any candidate for more than one office. However, if a candidate withdraws their petitions for election to any elective office prior to the last day for filing petitions, the candidate may thereafter file petitions for another office prior to the last day for filing petitions. Unanimous voice vote approval with Kowalski absent.

(Side Resolution – During the second reading of the Election Section there will be a discussion of a City Council trustee with an unexpired term running for mayor.)

Motion Jack Donaldson; support James Smith to approve the first reading of Section 11 – Nominations – Withdrawal of Candidate.

After the filing of a nomination petition by or on behalf of a proposed candidate for a city office, such candidate shall not be permitted to withdraw unless a written notice of withdrawal is served on the City Clerk not later than 4:00 o'clock, local time, in the afternoon of the third day after the last day for filing petitions as provided in this charter, unless the third day falls on Saturday, Sunday or city holiday, in which case the notice of withdrawal may be served on the clerk up to 4:00 o'clock, local time, in the afternoon of the next regular business day following said Saturday, Sunday or city holiday.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Phil Mekas to approve the first reading of Section 12 - Public Inspection of Petitions.

All nomination petitions filed shall be open to public inspection in the office of the City Clerk.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Jack Donaldson to approve the first reading of Section 13 – Election Commission Created; Composition; Duties; and Compensation.

An Election Commission is hereby created, consisting of the City Clerk, a member of the City Council, and one qualified registered elector, both to be appointed by City Council. The City Attorney shall serve as an ex-officio member. The council shall determine compensation, if any, of the members of the Election Commission. The City Clerk shall be the chairperson and two (2) members of such board shall constitute a quorum. The commission shall appoint the Board of Election Inspectors for each precinct and have charge of all activities and duties required of it by statute and this charter relating to the conduct of elections in the city. The compensation of the election personnel shall be determined, in advance, by the council. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed.

Unanimous voice vote approval with Kowalski absent.

Motion Phil Mekas; support Phil Arbour to approve the first reading of Section 14 – Form of Ballot.

The form, printing and numbering of ballots or the preparation of the voting machines used in any city election shall conform to that prescribed by statute, except that no party designation or emblem shall appear.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Michael Raatz to approve the first reading of Section 15 – Custody and Safekeeping of Registered Lists and Supplies.

The City Clerk shall be responsible for the custody and safekeeping of all registration lists and supplies.

Unanimous voice vote approval with Kowalski absent.

Motion James Smith; support Phil Arbour to approve the first reading of Section 16 – Absentee Ballots.

The electors of the city shall be entitled to vote by absentee ballots at any city election as provided by statute.

Unanimous voice vote approval with Kowalski absent.

Motion Jack Donaldson; support Phil Mekas to approve the first reading of Section 17 – Determination of Election Ending in a Tie Vote.

If, at any city election, there shall be no choice between candidates by reason of two (2) or more persons having received an equal number of votes, then the Washtenaw County Board of Canvassers shall name a date for the appearance of such persons for the purpose of determining the election of such candidates by lot as provided by statute.

Unanimous voice vote approval with Kowalski absent.

**I. OTHER ITEMS AS REQUESTED BY COMMISSIONERS**

Chairman Hansen spoke of the invite to attend a Rotary meeting but the date has been changed to May 8.

**J. AGENDA PREPARATION FOR THE NEXT MEETING**

Next meeting – continue work on the Elections Section

**K. NON-ARRANGED PARTICIPATION**

Washtenaw County Clerk, Lawrence Kestenbaum thanked the Commissioners for being invited to the meeting and was happy to help out in the charter process.

**L. ADJOURNMENT**

Motion Michael Raatz; support Phil Mekas to adjourn at 8:30 PM.

Unanimous voice vote approval with Kowalski absent.

Respectfully submitted,

Carol J. Jones  
Clerk, Village of Dexter

Approved for Filing: February 19, 2014