

AGENDA REPORT

TO: Mayor & City Commission
FROM: Ken Hibl, City Manager
DATE: November 4, 2009
RE: Election of Mayor



For the Agenda of November 9, 2009

Background. The Charter of the City of Clare (*extract att'd*) stipulates that the Clare City Commission shall elect a member of the commission to serve as the City's mayor at the first meeting following the scheduled November election. The commission is asked to take the necessary steps to elect the city's mayor by nominating and electing a commissioner to serve in this capacity.

Issues & Questions Specified. Should the Clare City Commission elect the City's mayor?

Alternatives.

1. Elect the City's mayor.
2. Do not elect the City's mayor.
3. Set the matter aside for consideration at a later-scheduled commission meeting.

Financial Impact. N/A

Recommendation. I recommend that the Clare City Commission elect a member of the City Commission to serve as the Mayor of Clare by adoption of Resolution 2009-113 (*copy att'd*).

Attachments.

1. Extract of Charter.
2. Resolution 2009-113.

RESOLUTION 2009-113

A RESOLUTION OF THE CLARE CITY COMMISSION ELECTING A CITY MAYOR.

WHEREAS, the Charter of the City of Clare stipulates that the City Commission shall, on an annual basis following the November election, elect one of its members to serve as the City's Mayor; and

WHEREAS, the City Commission has, in public session at a scheduled meeting of the Clare City Commission, acted to comply with the City Charter by conducting said election.

NOW THEREFORE BE IT RESOLVED THAT the City Commission has elected Commissioner _____ to serve as the Mayor of the City of Clare, the term of said office to be effective this date through November 8, 2010, unless otherwise extended or terminated by the City Commission.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____ and supported by Commissioner _____. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 9th day of November 2009.

Diane Schmidt, City Clerk

Section 3.5. Election of mayor.

The city commission shall, at its first meeting following each regular city election, elect one of its members to serve as mayor for a term expiring at the first commission meeting following the next regular city election.

Section 3.6. Duties of mayor.

(a) Insofar as required by law, and for all ceremonial purposes, the mayor shall be recognized as the head of the city. He shall have an equal voice and vote in the proceedings of the commission, but shall have no veto power. He shall be the presiding officer of the commission.

(b) He shall be a conservator of the peace, and may exercise within the city the powers conferred upon sheriffs to suppress disorder, and shall have the power to command the assistance of all ablebodied citizens to aid in the enforcement of the ordinances of the city, and to suppress riot and disorderly conduct.

(c) He shall authenticate by his signature such instruments as the commission, this charter, or the laws of the State of Michigan or of the United States shall require.

(d) He shall exercise only such powers as the state laws, this charter, or the commission shall specifically confer upon or require of him.

Section 3.7. Mayor pro tem.

The city commission may designate a mayor pro tem to perform the duties of the mayor when, because of absence from the city, disability, or otherwise, the mayor is temporarily unable to perform the duties of his office.

Section 3.8. City manager.

The commission shall appoint a city manager for an indefinite period, and shall fix his compensation. He shall serve at the pleasure of the commission. The city manager shall be the chief administrative officer of the city government. He shall be selected on the basis of his executive and administrative qualifications, with special reference to his training and experience and without regard to his political or religious preferences. If he is not a resident of the City of Clare at the time of his appointment, he shall become a resident thereof within 90 days after his appointment, and shall so remain throughout his tenure of office.

Section 3.9. Functions and duties of city manager.

The functions and duties of the city manager shall be:

- (a) To see that all laws and ordinances are enforced;
- (b) To appoint, with the consent of the commission, the heads of the several city departments whose appointment is not otherwise specified herein; and to remove such department heads without the consent of the commission;