

VILLAGE OF BEAR LAKE
Resolution No. ___ of 2017

A RESOLUTION TO APPROVE THE BALLOT LANGUAGE FOR A PROPOSAL CONCERNING WHETHER ORDINANCE NO. 1 OF 2017, AN ORDINANCE TO PROVIDE FOR THE APPOINTMENT OF THE VILLAGE CLERK AND THE VILLAGE TREASURER, SHOULD BE ADOPTED AND GO INTO EFFECT AND TO SUBMIT THE PROPOSAL TO THE ELECTORATE AT THE MAY 8, 2018 REGULAR ELECTION

At a regular meeting of the Bear Lake Village Council held in the Village Hall located at 12376 Virginia Street, Bear Lake, Michigan, 49614 on December 13, 2017 at 7:00 p.m.

Recitals

- A. Pursuant to MCL 62.1(3) the Village Council enacted Ordinance No. 1 of 2017, an ordinance to provide for the appointment of the Village Clerk and Village Treasurer, on October 18, 2017.
- B. Pursuant to MCL 62.1(4) the ordinance and a notice of the delayed effect of the ordinance were published in the *Manistee News Advocate*, a newspaper of general circulation within the Village, on October 27, 2017.
- C. Pursuant to MCL 62.1(4) a petition seeking a referendum on whether Ordinance No. 1 of 2017 should be adopted and go into effect was filed with the Village Clerk on November 29, 2017.
- D. The Bear Lake Township Clerk, since election records are maintained by the Township, has determined that the petition has 10% or more valid signatures of the electors of the Village of Bear Lake.
- E. Therefore, because the ordinance involves the Village Clerk, the Village Council, pursuant to MCL 62.1(4), must prepare ballot language for the proposal and submit the proposal to the electors at the next general or special election.
- F. Section 2(h) of the Michigan election law, MCL 168.2(h), defines “general election” in the following terms:
 - “General election” or “general November election” means the election held on the November regular election date in an even numbered year.
- G. Section 641(3) of the Michigan election law, MCL 168.641(3), provides that a special election shall be held on a regular election date.

- H. Under Section 641(1) of the Michigan election law, MCL 168.641(1), the next regular election date is the first Tuesday after the first Monday in May, or May 8, 2018.
- I. Therefore, because next general or special election will be held on May 8, 2018, the Bear Lake Village Council finds it appropriate to submit this proposal to the electorate at the May 8, 2018 regular election.

Resolution

NOW, THEREFORE, THE BEAR LAKE VILLAGE COUNCIL HEREBY RESOLVES that:

- 1. The following proposal, the language of which is hereby prepared and approved by the Bear Lake Village Council and certified to the Bear Lake Village Clerk, shall be submitted to the electors of the Village of Bear Lake for a vote at the May 8, 2018 regular election:

Proposal to Approve Ordinance No. 1 of 2017

Shall Ordinance No. 1 of 2017, which provides for the appointment of the village clerk and village treasurer, and which was enacted by the Bear Lake Village Council October 18, 2017, be approved and take effect?

- Yes
- No

- 2. The Village Clerk be directed to have the appropriate ballots prepared, or submit the proposal to the County Clerk as required by law, and to take whatever other action is legally required to place this proposal in the May 8, 2018 regular election.

YES: _____

NO: _____

RESOLUTION DECLARED ADOPTED.

By: _____
Jeff Bair

Its: President

I, the undersigned, the Clerk of the Village of Bear Lake, Manistee County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by said municipality of Manistee County at its regular meeting held on December 13, 2017, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: _____

Cindi McPherson, Clerk