



MEMORANDUM

TO: Members of the Troy City Council
 FROM: Michael W. Culpepper, Acting City Manager
 Lori Grigg Bluhm, City Attorney
 M. Aileen Bittner, City Clerk
 DATE: September 5, 2012
 SUBJECT: Procedure In Event of Successful Recall

As requested at the August 27, 2012 City Council meeting, we reviewed the State Statutes concerning recall elections, as well as City Charter provisions and the City Council Rules of Procedure. The following procedure is based on this research.

- **November 6, 2012:** City Election with Recall Question
- **November 7-11, 2012:** County Board of Canvassers certifies results and notifies City Clerk
 - If more persons voted No than Yes- no change
 - If more persons voted Yes than No- current Mayor Pro Tem is sworn in immediately as Acting Mayor to serve until new Mayor Pro Tem appointed
- **November 12, 2012:** Official Declaration of Vacancy & Annual Election of Mayor Pro Tem
 - Office of Mayor declared vacant by City Council
 - Council Rules of Procedure call for election of Mayor Pro Tem annually on specific rotating basis
 - New Mayor Pro Tem sworn in as Mayor Pro Tem and Acting Mayor
 - Acting Mayor serves until City Council appoints a new Mayor
- **On or before December 11, 2012:** City Council is required to appoint a Mayor within 30 days of the County Board of Canvassers certification. Appointed Mayor serves until 7:30 pm on November 11, 2013.
 - If a City Council member wishes to be appointed as Mayor, the Member must submit a letter of resignation of the City Council position to the City Clerk. City Council acts upon letters of resignation at the next City Council meeting. There are two meetings in the 30-day period: November 26 and December 3. Resigning will shorten the term of office if that Member's term expires later than November 11, 2013.
 - City Council declares a seat vacant upon acceptance of a letter of resignation (as set forth above). This vacancy is required to be filled by City Council appointment within 30 days of the vacancy.
 - Since no process for appointment is specified, there could be an application/interview process or any other process decided on by City Council. The only restrictions have to do with term limits and eligibility requirements.
 - Failure to appoint a Mayor within 30 days could be official misconduct
- **November 5, 2013:** Regular City Election for City Council and unexpired Mayor's term
- **November 11, 2013:** Newly elected Mayor and City Council are sworn in to office