

LAW OFFICE OF
RICHARD D. BISIO

P.O. Box 1303
Clarkston, MI 48347

313 402-8306
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July 2, 2024

By Hand Delivery

Ms. Catherine Ashley, City Clerk
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Re: Petition for charter amendment

Dear Ms. Ashley:

Enclosed are 8 petitions containing 54 signatures. This is an initiatory petition seeking to amend the city charter of the City of the Village of Clarkston, to be submitted to the electors at the November 5, 2024, election. This is submitted to you under the Home Rule City Act and the Michigan Election Law. Please advise me when you anticipate you will be able to complete the canvass of the petitions and certify the sufficiency of the petition under MCL 117.25(3).

These petitions are submitted to you well in advance of the July 30, 2024, deadline for submitting such petitions under MCL 168.646a(2) and in sufficient time for you to complete your canvass and certify ballot language to the county clerk by the August 13, 2024, deadline under MCL 168.646a(2). Please note that the Michigan Court of Appeals previously rejected the city's argument that additional requirements under the Michigan Election Law can act to delay certification of the ballot language. *Clarkston Cares 2022 v Jennifer Speagle, Clerk of the City of the Village of Clarkston*, case no. 362670 (Sept. 1, 2022). The court also noted in its opinion that the city's reliance on the 45-day period for canvassing petitions under MCL 117.25(3) should not be used to evade the requirements of the Election Law for placing an initiative petition on the ballot. I trust that you will complete your canvass in sufficient time to meet the August 13 certification deadline, as there are a small number of signatures for review. The petition proponents stand ready to enforce your obligations so that this initiative appears on the November 5 ballot by way of an appropriate mandamus action.

Ms. Catherine Ashley

July 2, 2024

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If there are any questions, please contact me.

Sincerely,

LAW OFFICE OF RICHARD D. BISIO

A handwritten signature in black ink, appearing to read "Richard Bisio". The signature is written in a cursive style with a large, stylized initial "R".

Richard Bisio

cc: Thomas Ryan, City Attorney (w/o encl)
Jonathan Smith, City Manager (w/o encl)