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CITY OF
EAST GRAND RAPIDS

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SHEA CHARLES
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Lori Parmenter, City Clerk
DATE: October 1, 2025

RE: Right of Referendum – Gaslight Investors
Information Only

During the September 21st City Commission meeting City Attorney John Huff opined that approval of a revised Gaslight Investors concept plan is an administrative action by the City Commission and not a legislative one. In 2004 when the Jade Pig PUD was approved, it rezoned the properties from MFR and C-1 to PUD which was a legislative action and was subject to the right of referendum.

Mr. Huff and I have discussed the process if there is an effort to gather petition signatures for a right of referendum following a vote in favor of the revised concept plan. The City Charter Section 8 allows for the right of referendum (section attached) and describes the process of collecting petition signatures and the Clerk's role. In the event a petition is submitted and is found to have the required signatures the Clerk must submit it to the City Commission. Section 8.5 says the City Commission must take action on the petition within 30 days. Part (b) lays out three actions the Commission can take 1) repeal the ordinance, 2) place the question on the ballot, or 3) determine that proposal is not legally appropriate for the referendum process.

Mr. Huff has opined amended concept plan approval the is not subject to the right of referendum as the property is already zoned PUD. The Charter is clear if a petition is being pursued the City must allow it to move forward. A decision by the City Commission on whether the amended PUD concept plan is subject to the right of referendum cannot be made until a petition is submitted and certified by the Clerk.

REVIEWED & APPROVED FOR SUBMISSION:

Shea Charles, City Manager