

**RESOLUTION NO. 2023-176-R**

**A RESOLUTION CANVASSING AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF MADISON, ALABAMA, ON TUESDAY, MAY 9, 2023, REGARDING A PROPOSED CHANGE TO THE COUNCIL MANAGER FORM OF GOVERNMENT**

**WHEREAS**, pursuant to Alabama Code Section 11-43A-3, the Madison County Judge of Probate called a Special Election to be conducted on May 9, 2023, for the qualified voters of the City of Madison to consider a ballot measure to transition from a Council-Mayor form of government to a Council- Manager form of government; and

**WHEREAS**, the Madison County Judge of Probate called said Special Election upon certifying that a petition from at least ten percent (10%) of the number of registered voters in the last City election had signed the petition to request the Special Election in compliance with Alabama Code Section 11-43A-1.1; and

**WHEREAS**, on March 13, 2023, the Council approved ballot language for the purpose of submitting to the qualified electors of the City to determine their will with respect to the following proposition:

Shall the council-manager form of government as provided by the Council-Manager Act of 1982 be adopted for the City of Madison consisting of seven members as follows: One member shall be the mayor elected at-large, who shall be a voting member of the Council, and six members shall be council members elected from single-member districts?

**WHEREAS**, notice of the said election was posted in three public places in the City and was published on March 15, 2023, in the *Madison County Record*, a newspaper published in Madison County and having general circulation in the City, Alabama Press Association-Speakin Out News, a weekly county wide newspaper, and in the *Athens News Courier*, a newspaper having general circulation in Limestone County, Alabama, including in the portion of the City of Madison located in Limestone County, and was posted in three (3) public places in the City of Madison on same said date in the form of the said notice, which date of publication was more than thirty days before the date of the said election, and having been on or before the second Tuesday of the second month next preceding the month in which the said election was held; and

**WHEREAS**, the election was held on the May 9<sup>th</sup>, 2023 between the hours of 7:00 a.m., and 7:00 p.m., being the legal hours provided by law for the holding of the election, and the ballots used in the election were in all respects in the forms therefor set out in Resolution Number 2023-049-R, and the officials who conducted the said election have

duly made and duly filed with the Council their respective reports, returns, and certificates; and

**WHEREAS**, the Council is required by law to canvass the returns of said election not later than noon on the Wednesday immediately following the election, and declare the results thereof, and at a meeting of the Council held at the hour of 12:00 noon on May 16, 2023 the Council has duly canvassed the said returns and ascertained the results of the said election with respect to the said proposition;

**NOW, THEREFORE, BE IT RESOLVED** and declared by the City Council of the City of Madison, as follows:

- (1) The recitations contained in the foregoing preambles are hereby found and declared to be true and are hereby adopted as a part of this resolution;
- (2) The Special Election was duly called, notice thereof was duly given, and the said election was duly held and the ballots used thereat were in all respects as provided by law;
- (3) At the Special Election on said proposition, the canvass of the returns indicated the following:

Council District	For the Proposed Change in Government	Against the Proposed Change in Government
1	217	617
2	165	402
3	151	452
4	136	468
5	338	861
6	252	812
7	293	1054
Limestone 2	48	184
Limestone 4	227	567
Absentee Ballots	32	142
<b>TOTALS</b>	1859	5559
Provisional Ballots		
<b>TOTALS</b>		

- (4) A majority of the qualified electors of the City voting in the election voted against the transition to a Council Manager form of government as enumerated in the Alabama Council-Manager Act of 1982.

**BE IT FURTHER RESOLVED** that this resolution shall comprise the canvass and declaration by the Council of the results of the aforesaid election and shall be recorded in the minutes of the proceedings of the City.

**READ, PASSED, AND ADOPTED** this 16th day of May 2023.

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*Ranae Bartlett, City Council President*  
**City of Madison, Alabama**

**[S E A L]**

**ATTEST:**

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*Lisa D. Thomas, City Clerk-Treasurer*  
**City of Madison, Alabama**

**APPROVED** on this \_\_\_\_ day of May 2023.

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*Paul Finley, Mayor*  
**City of Madison, Alabama**