

BOARD MEMBERS:

TERRILL HILL
JEREMY DAVIS
TOM DOLAN
TERESA JACKSON
ALLEGRA KITCHENS
JAMES NORWOOD
TIFFANY PARKER FLANDERS
LEIGH RION
MATT SHULER
AUDREY WISE
ANNIE SVETLIK
MARGARET ELLINGTON (ALTERNATE)

MARCIA G. CARTY, CPA, CGFO

CITY MANAGER

JANE WEST, ESQ.

CITY ATTORNEY

KAREN HAYES, MMC

CITY CLERK



AGENDA

CHARTER REVIEW COMMITTEE MEETING

December 3, 2025 at 4:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- a. October 14, 2025
- b. October 29, 2025, Minutes

III. PUBLIC COMMENTS

IV. REGULAR BUSINESS

- a. Charter Review ballot language

V. ADJOURN

Persons with disabilities requiring accommodations in order to participate in this meeting should contact the City Clerk's Office at 386-329-0100 at least 24 hours in advance to request accommodations.

BOARD MEMBERS:
TERRILL HILL, CHAIR
ALLEGRA KITCHENS, VICE CHAIR
ANNIE DAVIS
JEREMY DAVIS
TOM DOLAN
TERESA JACKSON
JAMES NORWOOD
TIFFANY PARKER FLANDERS
LEIGH RION
MATT SHULER
AUDREY WISE
ANNIE SVETLIK, ALTERNATE
MARGARET ELLINGTON



MARCIA CARTY, CPA, CGFO
CITY MANAGER

JANE WEST, ESQ.
CITY ATTORNEY

KAREN HAYES, MMC
CITY CLERK

Minutes
Charter Review Committee Meeting
October 14, 2025

Board Members: Terrill Hill, Tom Dolan, Allegra Kitchens, James Norwood, Tiffany Parker Flanders, Matt Shuler, Audrey Wise, Annie Svetlik and Margaret Ellington. Leigh Rion, Teresa Jackson, and Jeremy Davis were absent.

Staff Present: City Attorney Jane West, and City Clerk Karen Hayes.

Approval Of Minutes
September 30, 2025, Minutes

Vote: Ms. Wise moved to approve September 30, 2025, minutes with a correction. Ms. Kitchens seconded the motion which passed unanimously.

Regular Business

Charter Review revision summary - Article V, Section 59 City Attorney

Vote: Mr. Shuler moved to accept the following phrasing for this section “the city commission shall appoint a city attorney who shall serve at the pleasure of the commission. And shall act as the legal advisor to the municipality , and all its officers and matters relating to their official duties. Mr. Norwood seconded the motion.

After discussion Mr. Shuler amended his motion to include the city attorney who may be removed by the commission by a majority vote. Mr. Norwood seconded the motion which passed unanimously.

Charter Review revision summary - Article V, Section 60 City Clerk

Vote: Ms. Kitchens moved to approve Article V, Section 60 as status quo. Ms. Svetlik seconded the motion which passed unanimously.

Next meeting is scheduled for October 28, 2025, at 4:00 p.m.

Adjourn

Ms. Kitchens moved to adjourn.

BOARD MEMBERS:
TERRILL HILL, CHAIR
ALLEGRA KITCHENS, VICE CHAIR
ANNIE DAVIS
JEREMY DAVIS
TOM DOLAN
TERESA JACKSON
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Minutes
Charter Review Committee Meeting
October 29, 2025

Board Members: Terrill Hill, Tom Dolan, Allegra Kitchens, James Norwood, Tiffany Parker Flanders, Matt Shuler, Audrey Wise, Annie Svetlik and Margaret Ellington. Leigh Rion, Teresa Jackson, and Jeremy Davis were absent.

Staff Present: City Attorney Jane West, and City Clerk Karen Hayes.

Regular Business

Charter Review revision summary - Article V, Section 61 Charter Review Committee

After discussion the committee composed new language for this section.

This Charter may be amended as provided by General Law. Commencing the first regular meeting on November 1, 2026, and every 10 years thereafter. The committee shall be composed of an odd number not more than 11 members plus one alternate. Each Commissioner shall appoint one (1) member, other members may be appointed by application, or recommendation. The Commission shall appoint an alternate. The Committee shall appoint the chair and vice-chair. To be eligible for the committee you must be a qualified elector, a Putnam County Resident, a city of Palatka business owner.

Vote: Ms. Kitchens moved to accept the suggested language. Mr. Shuler seconded the motion which passed unanimously. moved to accept the following phrasing for this section “the city commission shall appoint a city attorney who shall serve at the pleasure of the commission. And shall act as the legal advisor to the municipality , and all its officers and matters relating to their official duties. Mr. Norwood seconded the motion.

Charter Review revision summary - Article V, Section 62 Citizen referendum process

After discussion, the committee stated they would like to change the words “registered voter” to qualified electors throughout the document.

1. Citizen Referendum:

Vote: Ms. Kitchens moved to approve Article V, Section 62, number 1 as status quo. Ms. Ellington seconded the motion which passed unanimously.

2. Commencement of Proceedings

Vote: Ms. Kitchens moved to approve Article V, Section 62, number 2 as status quo. Mr. Norwood seconded the motion which passed unanimously.

3. Petitions

Vote: Mr. Norwood moved to approve section 3 a through d. Ms. Kitchens seconded the motion which passed unanimously.

4. Procedure after filling A through C

A: Certificate of Clerk:

Vote: Ms. Wise moved to approve section 4A with the added language to include registered mail and/or electronic mail. Mr. Shuler seconded the motion which passed unanimously.

B: Commission Review:

C: Court Review; New Petition:

Vote: Ms. Kitchens moved to approve section 4 B and C as written. Ms. Wise seconded the motion which passed unanimously.

5. Referendum Petitions; Suspension of Effect of Ordinance; 1 through 4:

Vote: Mr. Norwood moved approve section 5, 1 through 4. Ms. Kitchens seconded the motion which passed unanimously.

6. Actions on Petitions.

A. Action by the Commission:

Vote: Ms. Kitchens moved to approved section 6 A as written. Ms. Ellington seconded the motion which passed unanimously.

B. Submission to Voters of referred Ordinances.

Vote: Ms. Kitchens moved to accept section 6 B as written. Ms. Shuler seconded the motion. After discussion, Ms. Kitchens amended her motion, and Mr. Shuler amended his seconded motion.

Vote: Ms. Kitchens moved to approve her mended motion which removes “if no regular city election is to be held with in the period prescribed in this subsection, the commission shall provide for a special election, otherwise” and remove “within the prescribed period”. Mr. Shuler seconded the amended motion which passed unanimously.

C. Withdrawal of Petitions

Vote: Ms. Wise moved to approve section 6 C as written. Ms. Kitchens seconded the motion which passed unanimously.

7. Results of the election

A. Referendum

Vote: Ms. Wise moved to approve section 7 A as written. Ms. Kitchens seconded the motion which passed unanimously.

Next meeting is scheduled for December 3, 2025, at 4:00 p.m.

Adjourn

Ms. Kitchens moved to adjourn.

STAFF REPORT

DATE: December 3, 2025
TO: City of Palatka Charter Review Committee
FROM: City Staff

APPLICATION REQUEST

A city Charter serves as a governing document for a city, town, or village. The Charter establishes the city's organizational structure, highest laws, powers, privileges, and duties. The City of Palatka established a Charter Review Committee that reviewed the City Charter and will make the following recommendations to the City Commission for proposed amendments. A final review of the proposed ballot language is requested.

BACKGROUND

PROJECT ANALYSIS

Staff Recommendation

ATTACHMENTS

1.	CRC Ballot Language
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Overview

A city Charter serves as a governing document for a city, town, or village. The Charter establishes the city's organizational structure, highest laws, powers, privileges, and duties. The City of Palatka established a Charter Review Committee that reviewed the City Charter and will make the following recommendations to the City Commission for proposed amendments.

The Charter Review Committee held its first meeting on March 26, 2024 to commence review of the Charter. On December XX, 2025, the Committee submitted a final report with recommendations to the City Commission. On January XX, 2026, following a public hearing, the City Commission accepted the final report and adopted an Ordinance to place the proposed charter amendments before the registered voters of Palatka on the general election ballot for November 3, 2026.

Charter Section	Title & Ballot Question	Purpose	Proposed Language
Part 1 – Create Preamble	CREATING A PREAMBLE TO THE CHARTER OF THE CITY OF PALAKTA Amending the charter by creating a preamble, stating the values, goals and purposes of the charter. This charter amendment does not create any new rights, duties, obligations, or prohibitions.	This Charter amendment would create a preamble to the charter. Many other municipalities have preambles, but the City of Palatka’s charter does not. While the preamble does not create any specific rights or duties, it provides a statement of who Palatka is and its goals.	<u>We the people of the City of Palatka, under the constitution and laws of the state of Florida, in order to secure the benefits of local self-government and to provide for an honest and accountable commission-manager government do hereby adopt this home rule charter and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we affirm the values of representative democracy, home rule and self-determination, professional management, strong political leadership, public engagement, diversity, justice, environmental stewardship, equality and inclusiveness.</u>
Part I, Article I, Sections 1-4	DELETING SECTIONS THAT ARE NO LONGER RELEVANT AND RENUMBERING	This Charter amendment will delete Sections 1-4 of Article I as they are no longer relevant as it related to abolishing the old municipality in 1923 and reestablishing a new municipality. The renumbering would renumber section 5 (boundaries) as section 2 – to remain boundaries.	Sec. 1. – Old municipality abolished. That the existing municipality of the City of Palatka, in the County of Putnam, State of Florida, be, and the same is hereby abolished. (Laws of Fla., ch. 9875(1923), § 1) Sec. 2. – New municipality established; right of perpetual succession, use of common seal. That all the inhabitants comprehended within the limits of the territory hereinafter described shall be and are hereby constituted a municipal corporation, as a body politic and corporate, under and by the name of the City of Palatka, and as such shall have perpetual succession and shall have and use a common seal and change the same as [at] its pleasure. (Laws of Fla., ch. 9875(1923), § 2) Sec. 3. – Vesting of choses in action, property, etc., of old municipality. That the title, rights and ownership of property, uncollected taxes, dues, claims, judgments, decrees and choses in action, held or owned by the municipality of Palatka shall pass to, and be vested in the municipal corporation organized under this act to succeed the municipality abolished. (Laws of Fla., ch. 9875(1923), § 4)

			Sec. 4. – Contracts, debts, etc., of old municipality. That no obligation or contract of the said municipality including bonds heretofore issued, shall be impaired or avoided by this act, but such debts and obligations shall pass to and be binding upon the new municipality hereby created. (Laws of Fla., ch. 9875(1923), § 5) Sec. 2. - Boundaries
Part I, Article I, Section 1	ADDING A SECTION DEFINING THE CITY'S POWERS	A charter should begin by defining the scope of the city's powers. It should address the context in which such powers operate, including the effect of state law and the desirability of cooperation with other localities.	<u>The city of Palatka shall have all powers possible for a city to have under the constitution and laws of Florida as fully and completely as though they were specifically enumerated in this charter. The powers of the city of Palatka under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted in this article. The city of Palatka may participate by contract or otherwise with any governmental entity of this state or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.</u>
Part I, Article II, Section 21	CLEANING UP LANGUAGE FOR CLARITY AND RELEVANCE	The current language sought to establish the election cycle starting from the year 1947. The proposal deletes irrelevant language and removes the language for when elected officials should take office because the time designated for assuming office is addressed in Section 24. It also	The form of government of the City of Palatka, provided for under this act, shall be known as the "commission-manager plan," and there is hereby created a city commission for said city, which shall consist of five (5) persons, who shall be elected at large, one of whom shall be mayor. Said commissioners and mayor shall hold office beginning on the first Monday in January next after their election as herein provided in the manner following: Elections shall occur in four-year, staggered terms that take place every two years. Elections for the mayor and commissioner groups 2 and 4 shall coincide with federal mid-term elections. Elections for commissioner groups 1 and 3 shall coincide with federal general elections. Terms for the mayor and all city commissioners shall be four (4) years. There are no restrictions on reelection to subsequent four-year terms.

		codifies the fact that Palatka does not have term limits.	
Part I, Article II, Section 22	ESTABLISH TIME FRAME FOR COMMISSIONER'S RESIDENCY REQUIREMENT AND REMOVE LANGUAGE REGARDING THE CITY RUNNING ITS OWN ELECTIONS	The revision clarifies how long a commissioner must be residents of the City of Palatka and deletes language that made reference to the City of Palatka running its own elections	Section 22 – Commissioner – Residency requirements; bond; who is judge of election and qualifications. Members of the city commission shall be residents of the City of Palatka <u>for six months prior to the election</u>, and shall have the qualifications of electors. <u>The mayor and commissioners must maintain their residency within the city throughout their term.</u> The mayor and each of the commissioners shall furnish a surety bond in such sum as shall be prescribed by ordinance, but not less than five thousand dollars (\$5,000.00), payable to the City of Palatka, said bond to be approved by the city attorney. <u>The bond premium shall be paid out of the City's General Revenue fund.</u> The city commission shall be judge of the election and qualification of its own members.
Part I, Article II, Section 23	REQUIRING PHYSICAL ATTENDANCE AT MEETINGS	This Charter amendment requires the physical attendance of a majority of the members elected to the city commission.	Section 23 – Same – Majority constitutes quorum; number for adjournment; compelling <u>physical</u> attendance of members; vote required for adoption of ordinances, resolutions, entrance on journal. <u>"The physical attendance of a majority of the members of all members elected to the city commission shall constitute a quorum but a less number may adjourn from time to time to compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. Members elected to the city commission may attend virtually if a majority is physically in attendance notwithstanding a state of emergency having been declared by the Governor of the State of Florida. An affirmative vote of three commissioners who are physically present shall be necessary to adopt any ordinance or resolution and the passage of all ordinances and resolutions shall be taken by an affirmative response or a negative response and entered unto the journal."</u>
Part I, Article II, Section 24	REVISES THE TIMING OF TAKING OFFICE	The time frame between an election and being sworn into office was	At 7:30 p.m., on the first Monday in January next after each annual municipal election, the city commission shall meet at the usual place for holding the meetings of the legislative body of the city, at which time the newly elected

		deemed too long. This revision puts Palatka in conformance with Putnam County Commissioners getting sworn into office.	commissioners shall assume the duties of office. This meeting may be held at an alternate meeting place as prescribed by ordinance. If the first Monday in January falls on New Year's Day, this meeting shall be held on the second Monday in January. Thereafter the city commission shall meet at such time as shall be prescribed by ordinance or resolution, except that it shall meet regularly not more than once each week. Section 24 – Same – Newly elected, time designated for assuming office; regular meetings. <u>The newly elected mayor and commissioners shall be sworn in and assume office on the first regular or special city commission meeting following certification of their election results.</u>
Part I, Article II, Section 25	DELETES THE WORD SAME	This amendment deletes the word “same” in the section heading, as it is not the same as the previous heading.	Section 25 – Same – Filling vacancies on commission other than those resulting from recall.
Part I, Article II, Section 26	ADDS THE ROLE OF VICE-MAYOR, UPDATES LANGUAGE AND CORRECTS ERROR	This amendment adds the role of Vice-Mayor, updates the section pertaining to the Mayor’s power by revising to include less gender-specific language.	Sec. 26. - Mayor, Vice-Mayor, power and authority. The mayor shall preside at all meetings of the commission and perform such duties as shall be consistent with his the mayor’s office, and he the mayor shall have the same power and authority as other commissioners and a voice and a vote in the proceedings of the commission, but no vote veto power. He The mayor shall use the title of mayor in any case in which the execution of legal instruments of writing or other necessity arising under the provisions of this act or the general laws of the state so require; but this shall not be construed as conferring upon him the mayor the administrative or judicial functions of a mayor under the general laws of the state. The city commissioners shall vote at the beginning of each fiscal year to appoint a vice-mayor. The vice-mayor shall serve as acting mayor when the mayor is absent.
Part I, Article II, Section 27	CORRECTS GENDER-SPECIFIC LANGUAGE	This amendment adds less gender-specific language.	Every officer of the city shall, before entering upon the duties of his <u>or her</u> office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city clerk; which oath shall be in the form prescribed for state officers by the constitution of the state.

Part I, Article II, Section 29	ADDS NEW SECTION FOR QUALIFICATIONS OF ELECTED OFFICIALS	This amendment adds a new section to the Charter requiring a background check for candidates.	<u>Sec. 29. – Candidate background check</u> <u>Any person seeking to become an elected official of the City of Palatka must, at or before filing for candidacy, submit to a background investigation to be conducted by a designated city department or third-party vendor. Failure by a candidate to undergo the required background check shall render the candidacy invalid. If an elected official is later found to have provided false information or obstructed the process, the office may be vacated or otherwise forfeited as provided by ordinance.</u>
Part I, Article II, Section 30	ADDS NEW SECTION PROHIBITING INTERFERENCE WITH ADMINISTRATION	This amendment seeks to limit interference by commissioners with the city manager’s administration	<u>Sec. 30. - Interference with Administration.</u> <u>Except for the purpose of inquiries, and investigations, the commission and its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.</u>
Part I, Article III, Section 39	DELETES THE CITY MANAGER’S HIRING AND FIRING OF THE CITY ATTORNEY	This amendment removes the power of the City Manager to hire or fire the City Attorney, as that power should be vested with the City Commission and adds less gender- specific language.	<u>Sec. 39. - Powers and duties of the city manager.</u> The city manager shall be the chief administrative officer of the city, responsible to the commission for the administration of all city affairs placed in the manager's charge by or under this Charter or ordinance. The city manager shall: (1) Appoint, and when necessary, suspend or remove the police chief, fire chief, finance director, <u>and</u> city clerk and city attorney with the concurrence of a majority of the city commission; (2) Appoint, and when necessary, suspend or remove all other city employees, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter or ordinance; (3) Direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law; (4) Attend all city commission meetings. The city manager shall have the right to take part in discussion but shall not vote; (5)

			See that all laws, provisions of this Charter and acts of the city commission, subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, are faithfully executed; (6) Prepare and submit the annual budget and capital program to the city commission; (7) Submit to the city commission and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year; (8) Make such other reports as the city commission may require concerning the operations of city departments, offices and agencies subject to the city manager's direction and supervision; (9) Keep the city commission fully advised as to the financial condition and future needs of the city; (10) Make recommendations to the city commission concerning the affairs of the city; (11) Provide staff support services for the mayor and commission members; (12) Perform such other duties as are specified in this Charter or may be required by the city commission; and (13) To act as a purchasing agent for the city. In the capacity of purchasing agent, <u>he the city manager</u> shall sell all property that has become unfit for use by the city or that has been declared surplus by the city commission. All such purchases and sales shall be made in conformity to such regulations as the city commission may from time to time prescribe.
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Part I, Article III, Section 40	ADD CITY MANAGER RESIDENCY REQUIREMENT	This amendment requires the City Manager to become a permanent resident of the City	<u>Sec. 40. - City Manager Residency Requirement</u> <u>The City Manager shall become a permanent resident within the city limits within one year of being hired.</u>
Part I, Article IV, Section 48	DELETES IRRELEVANT SECTION	This amendment deletes a provision relating to the City conducting its own elections. The City's elections are administered through the Putnam County Supervisor of Elections.	<u>Sec. 48. — Canvassing of returns; canvassing board; certification of returns; certificate of election to person elected.</u> <u>The result of elections, both primary and general elections, shall be canvassed at a meeting to be held as soon as possible after the closing of the polls. The canvassing board shall consist of the supervisor of elections for Putnam County, Florida, the city clerk, and two (2) city commissioners who are unopposed in the election. The canvassing board shall certify the returns and the results as shown by such returns shall be declared by the city commission as the result of the election. The city clerk shall, not sooner than noon of the second day after the election, furnish a certificate of election to each person shown to have been elected.</u>
Part I, Article V, Section 59	ADDS A SECTION RELATING TO THE CITY ATTORNEY	This amendment establishes that the city commission, not the city manager, has the hiring and firing power over the city attorney.	<u>Sec. 59.- City Attorney</u> <u>The city commission shall appoint a city attorney who shall serve at the pleasure of the commission. And shall act as the legal advisor to the municipality , and all its officers and matters relating to their official duties. The city attorney may be removed by the commission by a majority vote.</u>
Part I, Article V, Section 60	ADDS A SECTION ESTABLISHING REGULAR CHARTER REVIEWS	This amendment seeks to prevent a long delay between charter revisions and established a charter review committee to meet every decade, and establishes criteria for appointment on the committee.	<u>Sec. 60. – Charter Review</u> <u>This Charter may be amended as provided by General Law. Commencing the first regular meeting on November 1, 2026, and every 10 years thereafter. The committee shall be composed of an odd number not more than 11 members plus one alternate. Each Commissioner shall appoint one (1) member, other members may be appointed by application, or recommendation. The Commission shall appoint an alternate. The Committee shall appoint the chair and vice-chair. To be eligible for the committee you must be a qualified elector, a Putnam County Resident, a city of Palatka business owner.</u>
Part I, Article V, Section 61	ADDS A CITIZEN REFERENDUM PROCESS	This amendment establishes a citizen	<u>Sec. 61. -General authority for citizen referendum.</u> <u>1. Citizen Referendum. The qualified electors of the city shall have power to</u>

		initiative referendum process	<u>require reconsideration by the commission of any adopted ordinance and, if the commission fails to repeal an ordinance so reconsidered, to approve or reject it at a city election, but such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of city officers or employees.</u> <u>2. Commencement of Proceeding; Petitioners' Committee; Affidavit. Any five (5) qualified electors may commence initiative or citizen referendum proceedings by filing with the city clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.</u> <u>3. Petitions.</u> <u>a. Number of Signatures. Initiative and citizen referendum petitions must be signed by qualified electors of the city equal in number to at least ten percent (10%) of the total number of qualified electors at the last regular city election.</u> <u>b. Form and Content. All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Initiative and citizen referendum petitions shall contain or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered.</u> <u>c. Affidavit of Circulator. Each paper of a petition shall have attached to it when filed, an affidavit executed by the person circulating it stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.</u> <u>d. Time for Filing Referendum Petitions. Referendum petitions must be filed with the city clerk within forty-five (45) days after adoption by the city commission of the ordinance sought to be reconsidered.</u> <u>4. Procedure after Filing.</u> <u>a. Certificate of Clerk; Amendment. Within twenty (20) days after the petition</u>
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			if filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within two (2) days after receiving the copy of his or her certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of paragraphs (2) and (3) of Section 2-8 (b.) above, and within five (5) days after it is filed, the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail and/or electronic mail, as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request commission review under paragraph (2) of this subsection within the time required, the clerk shall promptly present his or her certificate to the commission and the certificate shall then be a final determination as to the sufficiency of the petition. b. Commission Review. If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the commission. The commission shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the commissions' determination shall then be a final determination as to the sufficiency of the petition. c. Court Review; New Petition. A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose. 5. Referendum Petitions; Suspension of Effect of Ordinance. When a referendum petition is filed with the city clerk, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:
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		<u>(1) There is a final determination of insufficiency of the petition or;</u> <u>(2) The petitioners' committee withdraws the petition, or;</u> <u>(3) The commission repeals the ordinance; or</u> <u>(4) Forty-five (45) days have elapsed after a vote of the city on the ordinance.</u> <u>6. Actions on Petitions.</u> <u>a. Action by Commission. When referendum petition has been finally determined sufficient, the commission shall promptly reconsider the referred ordinance by voting its repeal. If the commission fails to repeal the referred ordinance within sixty (60) days after the date the petition was finally determined sufficient, it shall submit the referred ordinance to the voters of the city.</u> <u>b. Submission to Voters of Referred Ordinances. The vote of the city on a referred ordinance shall be held not less than thirty (30) days and not later than one year from the date of the final commission vote thereon. The vote shall be held at the same time as such regular election, except that the commission may in its discretion provide for a special election at an earlier date. Copies of the proposed or referred ordinance shall be made available at the polls.</u> <u>c. Withdrawal of Petitions. A referendum petition may be withdrawn at any time prior to the fifteenth day preceding the day scheduled for a vote of the city by filing with the city clerk a request for withdrawal signed by at least two-thirds of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.</u> <u>7. Results of Election.</u> <u>a. Referendum. If a majority of the qualified electors on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.</u>
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