

Charter Commission

March 4, 2014 - 5:30 p.m.

Members Present: Jaclyn Ryder, Michael Meuers Chuck Stombaugh, Ben Stowe, Chris Vinderslev, Pamela Jorstad

Members Absent: Casey McCarthy, Caleb Newman

Staff Present: City Attorney Alan Felix, City Clerk Kay Murphy

Acting Chair Ryder noted a quorum and called the meeting to order at 5:30 p.m.

Approval of Minutes

The minutes from the October 22, 2013, meeting were presented for approval. Motion by Stombaugh, seconded by Vinderslev, to approve the minutes as presented. Motion carried.

SWEAR IN NEW MEMBER

City Clerk Murphy administered the Oath of Office to appoint Commission member Jorstad (term 06/01/2015).

Proposed Charter Amendment

The Commission reviewed the suggested changes made by the City Council to the draft of the proposed language to Section 2.05 and Section 4.01 of the City Charter. After discussion, the following changes were made:

Section 2.05 VACANCIES. An elective office becomes vacant when the person elected or appointed, or the incumbent thereto, dies before taking office or fails to qualify, resigns in writing filed with the city clerk, is convicted of a felony, ceases to reside in the city or ward from which elected, is absent from three consecutive regular council meetings except for excused absences as defined by a five-sevenths vote of the council, or is adjudged incompetent by a court of competent jurisdiction. In each such case the council shall by resolution declare the vacancy to exist. ~~The council shall forthwith appoint an eligible person to fill the vacancy until the next regular municipal election. In the event of a tie, the council shall determine the result by lot from those having the greatest number of votes.~~

~~If the council fails to fill the vacancy within 30 days following the declaration of a vacancy, the city clerk shall call for a special election to be held not sooner than 90 days and not later than 120 days following the declaration of the vacancy.~~

In the event there are 364 days or less remaining after the Council has declared a vacancy, the City Council must appoint a qualified replacement to complete the term of the vacated seat within 30 days of the declaration of vacancy.

In the event there are 365 days or more remaining after the Council has declared a vacancy, the City Clerk shall call for a special election (Section 4.03) to be held not sooner than **84** days and not later than **145** days.

Section 4.03 SPECIAL ELECTIONS. The council may by resolution order a special election and provide all means for holding it. The city clerk shall give at least two weeks published notice of a special election. The procedure at such election shall conform as nearly as possible to that prescribed for other city elections.

When a special election is required to fill a vacant office, the special election shall occur on a date established by the City Council. The time allowed for the filing of candidates for such office shall be not less than 14 calendar days after the Council declares the vacancy. The special election, or a special primary election if needed, shall be held within 70 days of the deadline for filing. A special primary election shall be held if more than two candidates file for such office, with the two candidates receiving the most votes proceeding to the special election, except that if one candidate receives greater than 50 percent of all votes cast at the special primary election, that candidate shall be declared the winner and no special election shall be held. When a special primary election is held and no candidate receives greater than 50 percent of all votes cast, the special election shall be held not more than 56 days thereafter.

Motion by Stombaugh, seconded by Stowe, to recommend the proposed language amendment to the City Council. Motion carried unanimously.

City Clerk Murphy will prepare an Ordinance for the Council's first reading at their March 17, 2014 meeting.

Next Meeting Date:

Annual meeting on June 17, 2014 at 6:00 p.m.

Adjourn

With no further business, a motion was made by Stombaugh, seconded by Vinderslev to adjourn. Motion carried unanimously. The meeting adjourned at 6:20 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk