

CODE ORDINANCE

Requested by: Council Member Straub
Introduced: August 8, 2005
Public Hearing: August 22, 2005
Defeated: August 22, 2005

Vote: Bowen, Cox, O'Neil, and Sande opposed; Ewing and Straub in favor

**CITY OF WASILLA
ORDINANCE SERIAL NO. 05-62(SUB)**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL ADOPTING WMC 2.04.045,
FILLING VACANCY ON THE COUNCIL.**

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

* **Section 2. Adoption of section.** WMC 2.04.045, Filling Vacancy on the Council, is adopted to read as follows:

2.04.045 FILLING VACANCY ON THE COUNCIL.

When Section 2.04.040.B requires the appointment of a qualified person to fill a vacancy on the council, the appointment shall be made under the following procedure.

A. The clerk shall publish a notice soliciting applications for the appointment, which shall be submitted to the clerk by a date determined by the council. An application shall confirm that the applicant is qualified to serve on the council, and may include a resume and a letter of interest. The clerk will submit all timely applications to the council before the meeting at which the council interviews applicants.

B. The council will interview applicants at a regular or special meeting determined by the council. Each applicant will be allowed a maximum of three

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minutes to make a statement to the council, which will be followed by questions by the council.

C. The council will select an applicant by the following preferential balloting procedure.

1. The clerk shall give each council member a paper ballot listing the name of each applicant next to a blank for the council member to record a numerical ranking of the applicant. A ballot will identify the council member to which it is issued by name or seat letter.

2. Each council member will rank each applicant on the ballot in order of preference, assigning the number one to the member's first choice, two to the member's second choice, and so forth.

3. The clerk will add the ranking numbers assigned by council members to each applicant, in the presence of two council members and two members of the public who are not applicants. The clerk will select each of the public observers by lot. The clerk will read into the record each council member's ranking of applicants, and the total ranking assigned to each applicant. If two or more applicants receive the same lowest total ranking, the council will rank the tied candidates again using the same process. The clerk will retain all ballots for 30 days, during which time the ballots will be available for review by the public.

4. The council, by motion and affirmative vote, will appoint the applicant who receives the lowest total ranking. The motion will be debatable.

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D. A council member appointed under this section shall not take the oath of office or assume a seat on the council until 72 hours after appointment. Generally the appointed council member will take the oath of office and assume a seat on the council at the next regular or special meeting of the council.

* **Section 3. Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.

DEFEATED by the Wasilla City Council on August 22, 2005.

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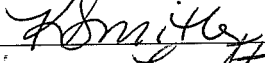
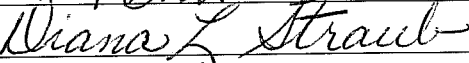


**CITY OF WASILLA
LEGISLATION STAFF REPORT**

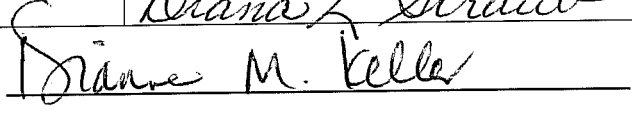
RE: Ordinance Serial No. 05-62: Adopting WMC 2.04.045, Appointment of a Council Member

Agenda of: August 8, 2005
Originator: Council Member Straub

Date: August 4, 2005

Route to:	Department	Signature/Date
X	Finance *signature required	
X	Clerk	
X	Council Member Diana Straub	

REVIEWED BY MAYOR DIANNE M. KELLER:



FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number:

Attachments:

SUMMARY STATEMENT:

Attached is an ordinance prepared and requested by Council Member Straub.

This ordinance outlines a method for council when appointing a member to fill a vacant council seat. Also note in the packet for August 8, 2005 is AM No. 05-48 which is requested by Council Members Cox and Bowen. Both documents address the appointment process, however, Council Member Straub has requested this be presented as an ordinance and Council Members Bowen and Cox have requested an action memorandum.

This ordinance outlines the application and interview processes and allows for the oath of office to be taken at the next regular or special meeting scheduled.

This ordinance also allows for a ballot for council to make their selection, however, does not use the process we have used since 2002, the Borda Count method. This process simply allows for the ranking by first, second, third, etc, choice of the Council Members. The City Clerk would then tally the ranking, however, the person with the least amount of points would be offered the position. The ballot will also be made public after the tally of the vote.