

Agenda Report

October 21, 2013 City Council Meeting

October 21, 2013

Item No. 9

ISSUE: Appointment of Mayoral Vacancy

BACKGROUND:

It is the recommendation of the City attorney that the Mayor's vacancy created by Jerry's resignation must be filled by appointment by the Council or a special election by the voters. This is based on IA Code Sections 372.13(2)(a)(b). If approved the winner of the Nov 5th election will automatically be seated at the second council meeting in Nov to fill the unexpired term. He/She will then be sworn in again in January to their own full four-year term.

RECOMMENDATION:

Staff recommends the City Council approve the resolution authorizing the appointment of the winner of the Nov 5th Mayoral election to fill the unexpired term

STAFF CONTACTS:

Matthew Brick, City Attorney

Jeffrey A. Fiegenschuh, City Administrator

NOTICE TO THE PUBLIC

The public is hereby notified that the Windsor Heights City Council, in accordance with Section 362.3 of the Iowa Code, will meet on Monday October 21st 6:00 p.m. in the **City Council Chambers**, 1133 66th Street, Windsor Heights, to consider the following items of business.

- 1) Fill the mayoral vacancy by appointment.

The City of Windsor Heights electors have the right to file a petition requiring the vacancy be filled by a special election. Comments or questions can be made prior to the meeting in written form at 1133 66th Street, Windsor Heights, Iowa or email directly to jfiegeschuh@windsorheights.org. To view the complete details of items listed above please visit City Hall at 1133 66th Street, Windsor Heights, Iowa.

THE CITY OF WINDSOR HEIGHTS, IOWA

RESOLUTION 13-1065

APPROVAL OF APPOINTEE AS MAYOR

*IN THE NAME AND BY THE AUTHORITY OF THE CITY OF WINDSOR HEIGHTS,
IOWA*

WHEREAS, the City of Windsor Heights, Polk County, State of Iowa, is a duly organized Municipal Organization; **AND**,

WHEREAS, on or about September 16, 2013, the current Mayor of the City of Windsor Heights resigned, creating a vacancy during an existing term; **AND**,

WHEREAS, the Mayor Pro Tem is currently serving as acting Mayor; **AND**,

WHEREAS, pursuant to Iowa Code Sections 372.13(2)(a)(b), a vacancy during a term of office shall be filled at the Council's option by either an appointment by the remaining members of the council or by a special election held to fill the office for the remaining balance of the unexpired term, **AND**,

WHEREAS, the next general election takes place on November 5, 2013, and the position of Mayor is scheduled to be included in that election; **AND**,

WHEREAS, the Council believes it to be in the best interest of the City to appoint as mayor, the individual who wins the November 5, 2013 election for Mayor of the City of Windsor Heights to fill the office for the remaining balance of the unexpired term; **AND**,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Windsor Heights, that the vacancy in the position of Mayor of the City of Windsor Heights shall be filled by the appointment of the successful mayoral candidate in the November 5, 2013 election, and that the City Administrator is hereby authorized and directed to take any such steps necessary to effectuate this resolution.

Passed by the City Council of the City of Windsor Heights, Iowa, and approved the 21st day of October 2013.

Diana Willits, Mayor Pro Tem

Attest:

Jeffrey Fiegenschuh, City Administrator/Clerk