

LEGISLATIVE HISTORY

Introduced by: Richard Best, Steve
Carrington
Date: October 12, 2021
Public Hearing: October 26, 2021
Action: Adopted
Vote: 4 to 3

Yes:

No:

Mayor DeVries
Carrington
Best
Melin

Combs
Daniels
Valerius

CITY OF PALMER, ALASKA**Ordinance No. 21-018****An Ordinance of the Palmer City Council Enacting**

WHEREAS, a vacancy on the council can cause voting gridlock; and

WHEREAS, the council will retain the ability to override a Mayoral appointment.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 2.04.065 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

A. When a vacancy occurs, except in the case of recall, the clerk shall publish public notice of the vacancy and, for 14 days after the first publication, receive applications from persons interested in being appointed to the vacant seat. The ~~Council~~ Mayor may review the applications and/or interview applicants in any reasonable public manner. Not later than 45 days after the seat is declared vacant, the ~~council~~ (Mayor) shall appoint from among the applicants a qualified person to fill the vacant seat;

B. If less than 30 days remain in a term, the ~~council~~ Mayor shall appoint, using the process described in subsection (A) of this section, a qualified person to fill the vacancy no later than the second regular meeting following the election. Council may object and vote to override the appointment, if a majority votes to override the mayors appointment the appointment will not stand. The mayor would then be required to appoint another qualified candidate.

C. If 31 or more days remain in the term and the notice of offices to be filled has already been advertised for the next regular election, the ~~council~~ Mayor shall appoint no later than the second regular meeting following the regular election. The clerk shall publish notice of the vacancy no later than 45 days prior to the first regular council meeting following the election and, for 14 days after the first publication, receive applications from persons interested in being appointed to the vacant seat. The

~~council~~ Mayor may review the applications and/or interview applicants in any reasonable public manner;

D. Persons appointed to fill a vacancy shall serve until the next regular election, at which time a successor shall be elected to fulfill the remainder of the unexpired term of office;

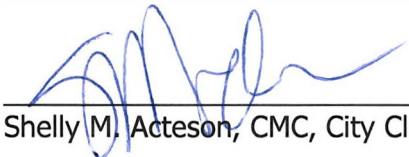
E. Notwithstanding subsection (A) of this section, if the council's membership is reduced to fewer than four council members, then the ~~remaining council members~~ Mayor shall appoint as many qualified persons to the council as are necessary to once again constitute a quorum. The ~~council~~ Mayor shall utilize any procedure which is reasonable under the circumstances in making the appointments required by this subsection and shall make the appointments not later than seven days after the quorum was reduced to less than four members;

F. Appointees shall qualify for and assume the duties of office within 10 days after appointment, unless such time is extended by the ~~council~~ Mayor for not more than 30 days. (Ord. 11-003 § 4, 2011; Ord. 648 § 3, 2005)

Section 4. Effective Date. Ordinance No. 21-018 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this 26th day of October, 2021.



Edna B. DeVries, Mayor by Mayor Carrington

Shelly M. Acteson, CMC, City Clerk