

City of Ramsey
Agenda
Special City Council
Tuesday May 7, 2013
5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Citizen Input**
- 3. Approve Agenda**
- 4. Council Business**
 1. Consider Resolution declaring a Vacancy in the elected office of Councilmember for Ward One.
 2. Consider Resolution establishing Special Election procedures and calendar for filling the vacancy in the office of Councilmember for Ward One.
- 5. Mayor/Council/Staff Input**
- 6. Adjournment**

CC Special Session

4. 1.

Meeting Date: 05/07/2013

Submitted For: Kurt Ulrich

By: Bill Goodrich, Administrative Services

Title:

Consider Resolution declaring a Vacancy in the elected office of Councilmember for Ward One.

Background:

City Council member David W. Elvig has filed a written notice of resignation from his position as Ward One Councilmember with the City Clerk . The date of the written resignation is April 23, 2013. By City Charter requirement, the City Council must declare a vacancy on the Council and schedule a Special Election.

Notification:

NA

Observations/Alternatives:

The Charter requires the City Council to declare by resolution a vacancy in the resigning councilmember's office and schedule a special election to select a successor within 90 days of the date the Council adopts the vacancy resolution. There are no alternatives to adoption of the vacancy resolution as this is a mandatory Charter requirement.

Recommendation:

Staff recommends adoption of the attached resolution declaring a vacancy in the elected office of the Ward One Councilmember and directing that a Special Election be scheduled to select a successor to fill the vacancy.

Funding Source:

NA

Council Action:

Motion to adopt Resolution #13-05-____ which is a resolution declaring that a vacancy exists in office of Councilmember for Ward One and directing that a Special Election be held to select a successor to fill the vacancy.

Attachments

Proposed Resolution

Form Review

Inbox
Kurt Ulrich

Reviewed By
Kurt Ulrich

Date

05/02/2013 03:04 PM

Form Started By: Bill Goodrich

Started On: 05/02/2013 08:15 AM

Final Approval Date: 05/02/2013

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #13-05-____

A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF WARD ONE COUNCILMEMBER AND CALLING FOR A SPECIAL ELECTION TO FILL THE VACANCY

WHEREAS, City Councilmember David W. Elvig, representing City Ward One has with the City Clerk filed a written resignation resigning as Ward One Councilmember and as a Housing and Redevelopment Authority Commissioner, which resignation was effective April 23, 2013; and

WHEREAS, pursuant to City Charter Section 2.5 a vacancy in the Council exists upon the resignation in writing of a Councilmember filed with the City Clerk; and

WHEREAS, pursuant to City Charter Sec. 2.5 when a vacancy exists on the Council, the Council shall, by resolution, declare the vacancy to exist and such vacancy shall be filled by Special Election according to City Charter requirements.

NOW, THEREFORE, be it resolved by the City Council of the City of Ramsey, Anoka County, State of Minnesota as follows:

1. That effective as of May 7, 2013 a Vacancy does exist in the office of Ward One Councilmember.
2. That the City shall proceed to select a successor to fill the vacancy in the office of Ward One Councilmember by Special Election according to the provisions of Section 4.5 of the City Charter, which Section 4.5 is titled "Vacancy of Municipal Elected Office".

The motion for the adoption of the foregoing resolution was fully seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this _____ day of May, 2013.

By: _____
Mayor

ATTEST:

By: _____
City Administrator

CC Special Session

4. 2.

Meeting Date: 05/07/2013

Submitted For: Kurt Ulrich

By: Bill Goodrich, Administrative Services

Title:

Consider Resolution establishing Special Election procedures and calendar for filling the vacancy in the office of Councilmember for Ward One.

Background:

The written resignation of Ward One Councilmember David W. Elvig has caused the City Council to declare a vacancy in that position. Because the vacancy has been declared, pursuant to City Charter the City Council is now obligated to schedule a Special Election within 90 days of the vacancy declaration to fill the vacancy.

State law and the City Charter provide specific direction on the special election process and notice requirements etc. The City Charter does require primary elections before regular municipal elections, however, that is not a requirement for special elections. The relatively short time (90 days) for the special election to occur makes it impracticable to schedule a primary election.

Staff has developed a calendar for the Special Election which calendar is attached to the proposed resolution for this case.

Staff request the authority to make minor adjustments to the election calendar pending final review of the Anoka County elections supervisor who has been unavailable for consultation prior to writing this case.

Notification:

NA

Observations/Alternatives:

The 90 day time frame for the Special Election dictates the calendar for the various notices, filing dates, and election laws required to be complied with. There is minimal ability to vary the scheduling requirements.

Recommendation:

Staff recommends adoption of the attached resolution establishing the Special Election calendar and waiving the requirement for a primary election prior to the Special Election.

Funding Source:

NA

Council Action:

Motion to adopt Resolution 13-05-_____ which is a Resolution establishing Special Election procedures and calendar and declaring that there shall be no primary Election preceding that Special Election. The election calendar is subject to minor revisions by the City's election clerk as necessary to accommodate the requirement to conduct the Special Election within 90 days of the vacancy declaration.

Attachments

Proposed Resolution Special Election

Form Review

Inbox

Reviewed By

Date

Kurt Ulrich

Kurt Ulrich

05/02/2013 03:09 PM

Form Started By: Bill Goodrich

Started On: 05/02/2013 08:45 AM

Final Approval Date: 05/02/2013

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #13-05-_____

A RESOLUTION ESTABLISHING SPECIAL ELECTION PROCEDURES AND CALENDAR FOR FILLING THE VACANCY IN THE OFFICE OF WARD ONE COUNCILMEMBER

WHEREAS, By City Resolution #13-05-_____ the City Council has declared a vacancy to exist in the elected office of Councilmember for Ward One; and

WHEREAS, City Charter, Section 4.5.1 requires that when a vacancy in an elected office of the City occurs with 365 days or more remaining in the term of the vacated office, there shall be a special election held within 90 days after the vacancy occurs to elect a successor to serve for the unexpired term of the office vacated; and

WHEREAS, the term of the vacant Ward One Councilmember elected office expires December 31, 2014 and thus more than 365 days remain in the term of the vacated office; and

WHEREAS, because of the time requirements of City Charter Section 4.5.1, the required Special Election must be held on or before August 5, 2013;

WHEREAS, City Charter Section 4.5.3 provides that for special elections required within 90 days of an elected office vacancy, "...the procedure at such election...shall conform as nearly as practicable to that prescribed in other municipal elections under this charter"; and

WHEREAS, City Charter Section 4.1.1 does not require a Primary Election be held for Special Elections; and

WHEREAS, because of the 90 day time requirement within which to conduct the Special Election, it is not practicable to conduct a Primary Election; and

WHEREAS, the Special Election calendar as specified on attached Exhibit A does follow as closely as possible the State Statutory and City Charter election schedule requirements.

NOW, THEREFORE, be it resolved by the City Council of the City of Ramsey, Anoka County, State of Minnesota as follows:

1. That the Special Election calendar attached as Exhibit A hereto is adopted for the Special Election to select a successor for the vacant Ward One Councilmember office. The City election Clerk is given the authority to make minor variations in the calendar in order to accommodate the mandatory 90 day election deadline.
2. There shall be no Primary Election for this Special Election as the City Council finds that due to the 90 day election timing constraint, conducting a primary election is not practicable or feasible.

The motion for the adoption of the foregoing resolution was fully seconded by Councilmember

_____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this 7th day of May, 2013.

By: _____
Mayor

ATTEST:

By: _____
City Clerk

EXHIBIT A
SPECIAL ELECTION CALENDAR

Candidate Filing period – 70 days before special election (May 21, 2013), closes 56 days before special election (June 4, 2013). The City is unable to comply with this 70 day period because of the publication requirements (Friday publications) and the 90 day time constraint; therefore, the filing period will be 66 days (May 24) prior to the election. However, we will be complying with the two week notice of filing and the full, two-week open time period for filing – setting a closing date of filing for June 7.

---Publish notice of filing dates, location, closing time at least two weeks before filing open (May 10, 2013), same or similar notice 10 days before filing opens (May 17, 2013).

Notice of No Primary – Clerk must notify OSS + “post notice” of cancellation within 15 days of close of filing period – **June 19, 2013**

Written Notice to County Auditor – 53 days before election (at least) – **June 6, 2013**

Absentee Balloting – no later than 30 days before special election – **June 28, 2013**

Public Notice of Election – two weeks before Election Day, again 1 week before Election Day – **July 15, 2013, July 22, 2013** plus City Charter Section 4.5.2 requires published notice of special election at least 60 days prior to Special Election

Election Day – **July 30, 2013**